

Alan M. Apple

Licensed in Texas & Oklahoma

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Alan M. Apple focuses his practice on the federal procurement system. He has extensive experience in government acquisition and appropriations law and their processes. He has dedicated his professional life to understanding and navigating the government procurement system and resolving issues for clients who are either seeking or performing government contracts.

Alan's broad-based experience will help clients understand and better position their business for success in the government marketplace. He understands how to set-up and counsel start-ups and innovative technology companies such that they can succeed in the government marketplace. He has extensive experience with the Small Business Innovation Research (SBIR) program and Small Business Technology Transfer (STTR) programs, contract vehicles used by government agencies seeking innovation, and all aspects of contract compliance and issues that develop from Federal Acquisition Regulation (FAR) based and non-FAR based acquisitions, such as Other Transaction Authority (OTA) agreements. Alan draws his experience from commissioned service in the U.S. Navy and U.S. Army Judge Advocate General's Corps to provide unique foresight and context to navigate the complex Government acquisition process and the Government contractor relationship.

The capstone of Alan's military career was being hand-selected to serve as the Chairman of the Contract and Fiscal Law Department at the Army JAG School. There he led the Army JAG Corps training effort and provided training to over 5,000 Government uniform and civilian attorneys on the public procurement process, rapid acquisition, and acquisition reform. Alan strategically positioned the Contract and Fiscal Law department to form partnerships with other procurement legal education providers and established relationships with other Government agencies. Alan has provided counsel and taught audiences with all levels of expertise on issues that include acquisition planning, market research, source selection, bid protests, intellectual property, data rights, and contract administration issues such as terminations, claims, contract changes, appeals, and procurement fraud. Alan has also provided education, advice, and counsel on the Small Business Innovation Research Program (SBIR), Other Transaction Authority (OTA), and all areas related to contingency & stability operations.

Alan started his 23-year military career in the United States Navy as an Aerospace Physiologist. There he completed Flight school, up to solo, as part of the Naval Aerospace Physiology

Training Program. Alan then provided training for pilots on hypoxia, ejections seats, land and water survival, underwater aircraft egress, and human performance-related elements of air and space travel and fight equipment. During his Navy service, he was stationed at Marine Corps Aircraft Group-14, where he led the aeromedical briefing program, provided Night Vision Goggle training, served as a Laser System Safety Officer, and was a permanent member of the Aircraft Mishap Investigation Board.

After receiving his Juris Doctor (J.D.) from the University of Oklahoma College of Law, Alan joined the Army JAG Corps and prosecuted all levels and types of courts-martial and administrative actions for the 1st Armored Division and the 7th Joint Military Training Center in Germany. Alan then turned his attention to the Defense Acquisition System and completed his LL.M. at the Judge Advocate General's Legal Center and School (TJAGLCS) with a specialization in federal procurement law before deploying to Afghanistan and serving as the Deputy Chief of Contract and Fiscal Law for United States Army Forces Afghanistan. There he was a primary legal advisor for acquisitions to a 4-Star Theater Command and was the principal legal advisor to the Joint Acquisition Review Board, CERP board, and Joint Facilities Utilization Board (Construction).

Alan has also served as Deputy Chief Counsel at the Mission and Installation Contracting Command (MICC), Deputy Staff Judge Advocate at Installation Management Command (IMCOM), and the Gilbert A. Cuneo Chair of Contract and Fiscal Law at TJAGLCS. Alan holds a Top Secret- SCI clearance, and his military awards include a Legion of Merit and Bronze Star.

Alan completed undergraduate and graduate work at Louisiana Tech University (B.S. & M.S.), where he was a four-year scholarship football letterman and member of the 1990 Independence Bowl team. He received his Juris Doctorate (J.D.) from the University of Oklahoma College of Law and his Masters in Law (LL.M) with a specialization in federal procurement law from the Judge Advocate General's Legal Center and School.

Alan is licensed to practice in Oklahoma and Texas. He interned at the U.S. Attorney's Office for the Western District of Oklahoma (civil division). He is admitted to practice before the Supreme Court of the United States and the Court of Federal Claims.

Significant Experience

- Alan is one of the few acquisition professionals with significant experience drafting and negotiating OTA's, federal procurement contracts, and leases and land use agreements.
- Experience negotiating technical data rights and rights in software as well as other Intellectual Property in government procurement contracts and Other Transaction agreements.
- Represented companies acting as protestor and intervener in litigation at the Government Accountability Office, Court of Federal Claims, and the Civilian Board of Contract Appeals, and Armed Services Board of Contract Appeals for enterprise-wide contracts valued over \$100 million.

- Provided legal counsel on foreign investment, CFIUS, supply chain risk, International Traffic in Arms Regulation (ITAR), and Export Administration Regulation (EAR) issues.
- Alan's experience includes significant time in academia teaching and training over 5,000 new and experienced acquisition attorneys and leading growth in acquisition and appropriation law practice. In doing so, he set all-time highs in short course attendance, acquisition law specialties, and students seeking to write articles on acquisition-related issues. He has taught in the areas of competition, terminations, continuing resolutions, construction contracting/funding, contract format and the Federal Acquisition Regulation (FAR), Acceptance, Inspection & Warranties, Contract Pricing, Timeliness, fiscal law, Conflicts of Interests, Sealed Bidding, and Domestic Operations and has provided training to congressional staff members, visiting congressional delegations, and presented in numerous forms on acquisition-related topics.
- Developed the first Army hosted continuing legal education course for lawyers serving Defense Acquisition Programs (MDAP) that helped educate attorneys throughout the DoD on the complexities of the MDAP, its process, and significant issues.
- Primary legal advisor to a \$1 Billion Support Base Services (SBS) Multiple Award Task Order Contract to augment base support and training functions at 25 Mobilization Force Generation Installations (MFGI) throughout CONUS in the event of deployment or other National Security Objectives.
- Reviewed and provided written legal review for over 1,000 construction projects, 1,500 personal property and service acquisitions, and 50 CERP humanitarian relief projects totaling nearly \$7 Billion.
- Provided counsel and assistance on requirement development for contracts involving Afghanistan Host-Nation Trucking, theater aerial refueling, cellular communication networks, linguists, operational and logistic consultants, and specified military construction projects totaling well over \$1 billion.
- Provided counsel on Interagency Agreements between DoD and the Department of State and USAID, land use agreements, and the distinctions between U.S. fiscal and acquisition authorities and processes and those of NATO.
- Co-authored and negotiated multiple interagency agreements between the DoD and DoS and USAID to support embedding their personnel on military installations throughout Afghanistan.
- Provided counsel on CENTCOM theater sustainment contracts and major claims in Kuwait and Afghanistan arising out of 1st Theater Sustainment Command and subordinate commands.

- Provided counsel on Equal Opportunity and Equal Employment Opportunity claims and issues.
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- Served as Government Ethics Advisor for appropriated and non-appropriated funding contracting Commands and personnel.
- Provided counsel on FOIA and Privacy Act issues related to Government contract proposals, source selection, and awards.
- Represented companies in Department of Labor Wage and Hour disputes.