**Maria C. Swaby**

102 Saint Ives Place, Unit 107 Email: mswaby@law.gwu.edu

Oxon Hill, MD 20745 Mobile: (571) 220-1368

**PROFESSIONAL SUMMARY**

**Highly experienced, recognized, and sought-after expert both nationally and internationally in the field of procurement with excellent legal, analytical, written and oral communication skills, and highly developed interpersonal skills who uses her vast knowledge and experience to deliver expert leadership, direction, training and advice to both the federal government and vendor communities. Also produces work that has broad and deep impact federal governmentwide and on national and international levels.**

**PROFESSIONAL EXPERIENCE**

**GENERAL SERVICES ADMINISTRATION (GSA), Washington, DC 3/2009–Present**

**GSA Procurement & Task & Delivery Order Ombudsman; Industry Liaison 10/2019–Present**

* Intercede early in the acquisition process to resolve disputes between GSA’s contractors and potential contractors before they escalate to protests, lawsuits or disputes
* Review and resolve complaints from contractors concerning all task and delivery order actions made by GSA to ensure contractors are afforded a fair opportunity for consideration in the award of task or delivery orders consistent with the terms of the contract
* Serve as a senior consultant and advisor to the Senior Procurement Executive (SPE) and other senior management officials. Provide high level analyses and recommendations on GSA procurement matters, focusing specifically on industry issues
* Provide an informal and neutral forum for contractors and industry associations to voice feedback on agency acquisition regulations, policies, and processes, and promote innovative contracting practices
* Develop and deliver industry education and awareness campaigns on high impact and high visibility FAR rules, GSA’s implementation of those rules, and new GSA procurement policies and practices
* Collect and analyze data received from industry associations, contractors, the GSA acquisition workforce and GSA program offices to identify trends in GSA acquisition policies and programs that reveal where improvements can be made, and areas where the acquisition workforce needs training

**Suspension & Debarment Official (GS-15) 5/2013–9/2019**

* Senior official responsible for GSA’s Suspension and Debarment (S&D) program
* Manage large docket of cases including many high visibility and politically sensitive cases
* Review records, gather and analyze evidence, determine if evidentiary standards are met, take suspension and debarment actions with government-wide effect.
* Negotiate with contractors and their attorneys and draft S&D Administrative Compliance Agreements
* Preside over Presentation of Matters in Opposition (PMIO) meetings with contractors and their attorneys
* Teach and train industry and government on procurement law and policy topics such as suspension and debarment, protests, and Federal rulemaking
* Consult with foreign governments and train their public officials on public procurement law, policy and processes
* Actively participate in Government-wide Interagency Suspension and Debarment Committee (ISDC) providing leadership and direction that have federal government wide effect
* Co-chair the ISDC training Subcommittee, chair the ISDC System for Award Management Working Group
* Work closely with OMB and the FAR Council to draft proposed rules changes to the suspension and debarment regulations
* Develop and conduct suspension and debarment training for the Federal Government, small businesses and industry associations that have wide impact; Some of those trainings are available on the Federal Acquisition Institutes online training catalogue
* Collaborate frequently and closely with key stakeholders such as GSA’s Office of Inspector General, and other Federal Government Offices of General Counsel (OGC), other agencies’ S&D program offices, outside counsel, and industry associations
* Serve as an expert consultant to other federal agencies and foreign governments such as Tunisia and Canada on procurement matters, especially suspension and debarment and protests
* Provide advice and counsel to GSA senior level executives on suspensions and debarment matters
* Frequently collaborate with industry partners such as the American Bar Association, the National Contract Management Association, area law schools, and Industry Associations to provide guidance and direction and deliver training on suspension and debarment matters
* Analyze data, recognize gaps and trends and develop deliver training to address those gaps both for the federal acquisition workforce and the contractor community
* Respond to inquiries from Congress, the public, industry and the acquisition workforce re suspension and debarment matters

**Agency Protest Official (GS-15) 5/2013–9/2019**

* Receive protest filings, conduct scheduling conferences, preside over oral presentations and arguments, question witnesses, rule on dispositive motions, instruct parties and their attorneys
* Review and analyze filings, gather and synthesize evidence, conduct legal research, understand and interpret case law
* Encourage parties to resolve protests through settlement
* Make decisions and instruct staff on the drafting of protest decisions, review, edit, and draft portions of those decisions
* Issue final written decisions usually within 35 days of filing per the Federal Acquisition Regulation
* Serve as an expert advisor on protest issues to GSA senior leadership and the acquisition workforce
* Analyze protest data to recognize trends and develop deliver training specific to the GSA acquisition workforce that is part of the GSA Online Learning University course curriculum
* Meet with protesters, contracting officers and their attorneys to resolve protests
* Respond to inquiries from congress, the public, industry and the acquisition workforce re protest matters

**Director, Suspension & Debarment and Agency Protest Division (GS 14/15) 5/2010–9/2019**

* Lead, recruit, train, and set strategy and direction for a staff of five to seven attorneys and legal interns in the processing of suspension and debarment cases and the handling of agency protest decisions
* Make determinations of eligibility for entities to use GSA sources of supply such as Multiple Award Schedules (MAS) and GSA Fleet Program
* Review and comment on proposed legislation on matters pertaining to procurement law and policy
* Serve as advisor to GSA's Senior Procurement Executive on a variety of acquisition policy and government procurement matters such as sole source approvals, FAR deviation requests, and conflict of interest waivers.
* Assign work, review, edit and approve staff work product such as legal memoranda, protest decisions, legislative review memoranda, and advisory opinions

**Senior Acquisition Integrity Associate (GS 13) 3/2009–5/2010**

* Analyzed Reports of Investigation from GSA’s OIG and made determinations regarding whether evidence submitted met the evidentiary standards required to take suspension and debarment actions
* Drafted legal memoranda recommending action to the GSA Suspension and Debarment Official (SDO)
* Drafted letters, notices, and memoranda for SDO signature, notifying and informing parties of suspension, debarment or other exclusionary actions taken against them. Drafted Administrative Compliance Agreements (ACA)
* Negotiated ACA terms and conditions with contractors and their outside counsel
* Served as the liaison between outside counsel and the GSA SDO
* Responded to requests for information pertaining to excluded parties being considered for award of contract or participation in Federal procurement and non-procurement programs.
* Represented the Office of Acquisition Integrity in meetings with contractors and their legal counsel in Presentation of Matters in Opposition (PMIO) meetings
* Reviewed and analyzed protest filings, drafted agency-level protest decisions for signature by the GSA Agency Protest Official (APO), drafted memoranda and letters supporting APO decisions regarding dispositive motions
* Conducted legal research on federal procurement laws, regulations, and policies
* Worked collaboratively with OGC, Contracting Officers, regional offices and outside counsel in the handling of agency-level protests
* Provided advice and assistance on complex suspension and debarment, protests, task/delivery order ombudsman, and other acquisition integrity matters to GSA management and other agency components
* Prepared responses to inquiries on public contracting matters from GSA managers, contracting officers, investigative agents, congressional staff, federal, state and local officials, contractors, the media, and the public
* Prepared responses to requests under the Freedom of Information Act
* Provided advice and support to the GSA Task and Delivery Order Ombudsman

**UNITED TECHNOLOGIES/OTIS ELEVATOR COMPANY, Farmington, CT 3/1999–11/2007**

**Government Business Manager 10/2001–11/2007**

* Solely responsible for the start-up of the Government Business Sector of Otis Elevator Company
* Developed and executed business plan and strategy to penetrate a new business market
* Performed the legal and compliance risk analysis associated with commercial businesses entering the public sector market
* Single handedly performed all duties associated with being awarded a GSA Multiple Award Schedules (MAS) contract for elevator maintenance and repair services including conducting the legal review of the solicitation, analyzing compliance risks, drafting the proposal, and negotiating the terms and conditions of the MAS contract
* Negotiated a national account contact as a preferred supplier for elevator maintenance services with the United States Postal Service
* Managed the legal and business aspects of Otis’ Government Business Sector including contract review, contract performance and compliance, contract administration, proposal writing, account management, business development, sales, and marketing
* Served as advisor to Otis senior management on matters relating to government contracts law and business
* Trained Otis’ senior management and employees on the legal, compliance and business responsibilities and risks of doing business with the U.S. Federal Government
* Personally responsible for leading the government business initiative from a concept to a functional business sector with a $33 million portfolio in six years

**Manager of Equal Employment Opportunity (EEO) Compliance,**

**Workforce Diversity, and Recruitment** **3/1999–10/2001**

* Developed, reviewed, and implemented consistent employment policies and procedures
* Drafted and implemented company’s zero tolerance harassment policy and conducted attendant training
* Monitored company compliance with federal, state and local government employment laws and regulations
* Conducted EEO complaint investigations
* Advised senior and middle management on employee law and policy
* Drafted answers to complaints and position statements in response to employment-related complaints filed against the company in state and federal administrative agencies
* Partnered with outside counsel to defend EEO actions filed against the company
* Directed company's Affirmative Action and EEO initiatives, such as monitoring Affirmative Action plans, preparing for Office of Federal Contract Compliance Program audits, and preparing and submitting annual EEO & Veterans Employment and Training Service (VETS) reports
* Counseled and trained human resources and line managers on employment law issues
* Handled a variety of employee relations issues
* Assisted in the development of recruitment strategies to meet diversity objectives
* Developed and implemented company-wide policies, programs and initiatives to recruit, develop, promote and retain a diverse workforce

**CUMMINGS & LOCKWOOD (Now McCARTER & ENGLISH) 1/1997–3/1999**

**Associate Attorney**

* Practiced in the Labor and Employment Law Department
* Investigated and defended claims of employment discrimination in state and federal courts and before administrative agencies such as the National Labor Relations Board and the Connecticut State Labor Relations Board
* Assisted in labor negotiation sessions with labor unions
* Used Alternative Dispute Resolution (ADR) such as mediation and arbitration to resolve employment disputes
* Counseled clients on laws affecting the employment relationship
* Conducted sexual harassment training seminars
* Drafted and responded to interrogatories and assisted in taking depositions
* Prepared witnesses for testimony

**STATE OF CONNECTICUT JUDICIAL DEPARTMENT 8/1996–1/1997**

**Assistant Clerk**

* Clerked for state judges in the family life court
* Conferenced with judges and attorneys
* Processed case files and performed administrative functions pertaining to family law issues and cases

**EDUCATION & MEMBERSHIPS**

**SENIOR EXECUTIVE FELLOW** Harvard University- Kennedy School of Government **2015**

**MASTER OF LAWS (LL.M.)** The George Washington University School of Law **12/2012**

* Government Contracts Law Program

**JURIS DOCTOR (J.D.)** University of Connecticut School of Law **5/1996**

* Université Aix-Marseille, Faculté de Droit, Aix-en-Provence, France **9/1995–12/1995**

**BACHELOR OF ARTS (B.A.)** University of Connecticut **5/1992**

* Dual Majors in English and French
* Université de Rouen, Mount St. Aignon, France **9/1990–5/1991**

**CONNECTICUT STATE BAR 1996–Present**

**AMERICAN BAR ASSOCIATION, Public Contracts Law Section 2009–Present**

Co-Chair, Debarment and Suspension Committee **2014–Present**

**INTERAGENCY SUSPENSION & DEBARMENT COMMITTEE 2009–Present**

Co-Chair, Training and Development Subcommittee **2014–2018**

Chair, System for Award Management (SAM) Working Group **2012–Present**

**NATIONAL CONTRACT MANAGEMENT ASSOCIATION 2010–Present**