

**TIDEWATER GOVERNMENT INDUSTRY COUNCIL  
MINUTES OF MONTHLY MEETING FOR THURSDAY OCTOBER 13, 2022**

**LINK FOR RECURRING MS TEAMS MEETING**

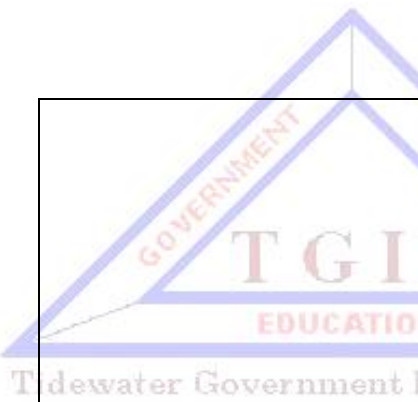
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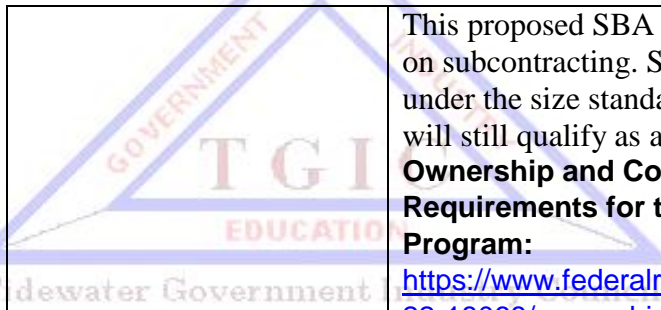
**AUDIO ONLY DIAL-IN: 1-804 394-5686 694805195#**

- 1. Introduction of Attendees and Participants viewable on Microsoft Teams Log-in Screen**
- 2. Review and Approval of previous month’s meeting Minutes.**
  - Minutes distributed within a few days after the meeting and the agenda sent the week of the TGIC meeting, resulting in two emails from TGIC.
- 3. Reports from Standing Committees and Industry Representatives**

<b>Action Item</b>	<b>Responsible Person</b>
<p><b>a. Standing Committees</b> Small Business Matters Linda Owen Paul Staley</p>	<p>Linda: -SBIR/STTR extension from 30 Sept until 2025. There are new program changes. They are looking to prevent foreign adversaries from exploding US technologies. The ONUS is going to be on the head of each agency to establish a due diligence program where they will assess the security risks, within 270 days from enactment. They will look at cyber practices, patents, and employ analysis in foreign ownership. Countries of concern are China, Russia, North Korea, Iran, or other countries designated by the Secretary of the State. Look for the new rules. <a href="#">CLIENT ALERT: SBIR/STTR Programs Renewed: Compliance Requirements for Small Business Contractors (mailchi.mp)</a> -SBA proposes a revisions to bona fide places of business required for 8a construction contractors, moratorium until 9/30/2023, but contracts should be awarded within the county or state where the work is performed. -There is an issue with SAM and FAR. The Contracting Officers can apply a section of FAR that allows them to move forward with the acquisition when the offeror can</p>

<p>Legislative Matters Terrence Murphy Damien Walsh</p>	<p>prove that it has initiated or attempted to start the SAM registration process. All the offerors don't have to be actively registered in SAM until 30 days until after the award or the date of its first invoice, whichever comes first. Problem noticed is, so many people sign up for SAM that may not know what they are doing, then they move and don't realize that when they move, they have to change the address of the business through the IRS, which is a lengthy process. PTAC has a form they can send folks to help with this. Don't use UPS or the Post Office as an address.</p> <p>- Client alert was sent to Linda regarding Managing the Effects of Inflation with Existing Contracts. Updated DOD guidance that will provide Contracting Officers with additional avenues to address inflationary impacts on FFP contracts. It says, "While offering a glimmer of hope, these options leave much to be desired."</p> <p>-Ken has not seen the guidance yet on the government side, but did see something that would indicate they are not great options. In ship repair maintenance, they started to use multi-year money as opposed to annual money, which is OPN (Other Procurement Navy). It will make it easier for the contractors to not only get paid, but move the availabilities along without having delays with upward obligations and other things. This is just experimental right now, but Ken has two of these contracts right now.</p> <p>Terry:</p> <p>-Regarding SAM challenges mentioned earlier, that was pursuant to DOD class deviation only effective until Oct 31. The deviation itself was on 9 September. It permits Contracting Officers to allow registration in SAM 30 days after award or at least 3 days prior to the submission of the first invoice, whichever occurs first. This means a contractor does not need to be registered in SAM at the time of proposal submission if the requirement is in the class deviation. Again, this is only good until the end of the month.</p> <p><b>Class Deviation—System for Award Management</b> <a href="https://www.acq.osd.mil/dpap/policy/policyvault/USA001754-22-DPC.pdf">https://www.acq.osd.mil/dpap/policy/policyvault/USA001754-22-DPC.pdf</a></p> <p>-Following up on Managing the Effects of Inflation, back on 25 May there was a guidance memo, however, this memo is 9 September. Basically says, this is a big problem</p>
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	<p>for contractors dealing with inflation, but if you have a FFP contract without an economic price adjustment, you are out of luck. However, if you can provide adequate consideration, we can maybe give you some schedule relief. Also states, there is a public law 85-804 Extra Ordinary Contractual Relief, you can apply for, but it's really hard to get.</p> <p><b>Managing the Effects of Inflation with Existing Contracts</b><a href="https://www.acq.osd.mil/dpap/policy/policyvault/USA001773-22-DPC.pdf">https://www.acq.osd.mil/dpap/policy/policyvault/USA001773-22-DPC.pdf</a></p> <p>-Sept 9, SBA proposed a rule called Ownership and Control and Contractual Assistance Requirements for the 8a Development Program. It has a lot of information in there dealing with subcontracting, Woman Owned Small Businesses, Hub Zones, Joint Ventures, and more. The site is 87 Federal Register 55642, Sept 9. First thing, it affects protests, in addition to the traditional bid protest, GAO Federal Court of Claims, on SB set-asides or set-asides for socioeconomic programs, you can file a size or status protest. Normally you can file that against the apparent low bidder, these proposed regulations, allows you, if the low bidder gets kicked out, it allows you to file a size or status protest against the next lowest bidder within 5 business days after you find out about that. It also affects size or status protest to make it consistent across all FPAs programs. So now WOSB or SDVOSB can file size protests. Now, any offeror that hasn't been eliminated from consideration, can initiate a size protest. Also talks about pending decisions if there is a GAO protest, you are going to dismiss the size protest, until the GAO decision is done. So, the protest rules are affected. It also has an effect on subcontracting. The limitation on subcontracting rules are a little tricky when you have to look at them on a set-aside about whether you apply that limitation of subcontracting rule over the base term or each subsequent option period. This rule addresses a multi-agency contract where different agencies can issue delivery orders on this contract under this SBA rule. Each agency is now required to measure the contractor's compliance with the limitation subcontracting rule. This sounds like it will be an administrative nightmare and create confusion. SBA says if you fail to comply, it will affect your past performance rating. Contracting Officers will not be allowed to give you a Satisfactory or higher rating on SB subcontracting.</p>
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	<p>This proposed SBA rule also deals with ‘affiliation’ based on subcontracting. Says, if each of the concerns are small under the size standard, the effects of the subcontractor will still qualify as a SB.</p> <p><b>Ownership and Control and Contractual Assistance Requirements for the 8(a) Business Development Program:</b></p> <p><a href="https://www.federalregister.gov/documents/2022/09/09/2022-18068/ownership-and-control-and-contractual-assistance-requirements-for-the-8a-business-development">https://www.federalregister.gov/documents/2022/09/09/2022-18068/ownership-and-control-and-contractual-assistance-requirements-for-the-8a-business-development</a></p>
<p>Business and Professional Development Jeff Bruner</p>	<p>Jeff attended FMMS and met with the presenter, ADM Green, the Fleet Maintenance Officer, COM NAVSEA SYSCOM, his PEOs. Jeff received outstanding information.</p>
<p>Contracting Approaches and Techniques Dennis Garcia</p>	<p>None at this time.</p>
<p>Professional Networking Monique McWhite</p>	<p>Monique: - OCEANS 2022 Hampton Roads Virginia Beach Convention Center In-Person &amp; Virtual: October 17-20, 2022 OCEANS is a bi-annual event for global marine technologists, engineers, students, government officials, lawyers, and advocates. At OCEANS 2022 Hampton Roads, these industry thought leaders gather for four days to highlight relevant topics and current trends while creating a community of learners and influencers who consistently advance research, practices, and policies for the marine field. The Marine Technology Society and the IEEE Oceanic Engineering Society partner to present OCEANS, and this prestigious conference and exhibition draws an audience of more than 2,000 attendees</p>

<b>b. Reports from Elected Industry Representatives</b> Large Business Small Business Small Disadvantaged Business Educational Institutions At Large	-Jeff received a notice regarding the future base design on NAS Oceana solicitation. It is still being developed.
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**4. Updates on TASC and TGIC Business and Professional Development Events**

- Jeff is standing by waiting to hear from Sal and AMIC regarding a potential panel of membership. Looking at the first week of November, but may need to be pushed later.
- Microsoft Teams meeting with Chris Fannan, current President of the Langley Contracts Steering Council. They are planning to hold their first Reverse Industry Day at NASA Langley. We are hoping to have a TASC Industry Day with Langley in 2023.
- Lorie Henderson has not heard anything from her POC to get some buy-in on the meeting, but she did forward the information to Hans Augustus, Director of Business Operations, 633<sup>rd</sup> Contracting Squadron to see if he would be interested.
- Mike Carlson suggested contacting someone in Lorie’s Quality Shop, so Lorie will also reach out to Mr. Shelton.

**5. Report from TASC Board Liaison to TGIC**

- Every year Jeff, TASC President, Treasurer, Joe Yurso get together for an hour or so to do a financial review of the TASC organization, just as an extra set of eyes to help the Treasurer.
- TASC will hold a 35 year anniversary reception on 17 November, 4:30 – 6:30, Old Dominion University Business Development Center, 112 Bank Street, Norfolk. Standby for a blast from the website to register.

**6. Old Business**

- WR System is not ready to host in-person meetings.
  - o Monique McWhite has offered a space at ODU, 112 Bank Street, Norfolk, for TGIC to meet in person, while also continuing virtually. This space holds 30 people and scheduled for the November meeting.
  - o Susan Vernon has offered the QED conference room at 5700 Ward Ave, off of Diamond Springs road.
  - o Becky Reed also offered Reed Integration as an in-person site to hold the meetings starting in January.
  - o Stacy Buechele has some space at the Norfolk Federal Building.
- Old TASC/TGIC booth was never found, Mike Klett has offered to create a new display.

**7. New Business**

- TGIC by-laws require the minutes to be posted at the TASC/TGIC website. Jeff will take for action adding a link and getting the minutes uploaded to the site.
- Jeff will also look into getting a link on the site to connect to the TGIC monthly meetings, and an electronic TGIC brochure.

## 8. Announcements and Other General Information

- The Minority Business Council will be hosting the annual Fall Conference and Expo on November 10, 2022 from 12:00pm - 5:00pm at the Virginia Beach Convention Center. Registration is open for attendees.
- ASNE Tidewater will resume their dinner meetings, next one is 19 October. The guest speaker is Rear Admiral Christopher M. Engdahl, Commander, Naval Safety Command. Place: Holiday Inn Virginia Beach-Norfolk at 5655 Greenwich Road, Virginia Beach  
Time: 5:30-6:00pm Cocktails and Networking; 6:00-8:00pm Dinner and Program  
Cost: Members: \$33 in advance / \$35 at the door
  - Non-members: \$38 in advance / \$40 at the door
  - Military: \$20 in advance / \$25 at the door
  - Students: \$10 in advance / \$15 at the doorPlease register on our website by noon Monday Oct 17. Thank you!
- Stacy Buechele announced GSA is hiring in Norfolk & Richmond area, two positions, GS-12 with potential promotion to GS-13, background in Acquisition, with excellent people skills. Duty station at their home, but expected to meet with customers in person. If anyone is interested, please send Jeff Bruner an email.

## 9. Calendar Updates

**VB website** (<http://www.yesvirginiabeach.com>) To submit an item to be listed, submit an email to [RKWhite@vbgov.com](mailto:RKWhite@vbgov.com) and [EcDev@vbgov.com](mailto:EcDev@vbgov.com)

**TASC/TGIC website** ([www.tasc-tgic.org](http://www.tasc-tgic.org)) To submit an item for posting, please e-mail to [jacob@barclaygroup.com](mailto:jacob@barclaygroup.com) (Some items may require review and approval by the TASC Board)

**10. Next TGIC Meeting:** The next two TGIC meetings are scheduled for Thursday, 10 November, 8:00 AM, followed by 8 December (November is virtual unless notified otherwise).

## 11. Adjournment

### Attachments:

- (1) CLIENT ALERT\_ SBIR\_ STTR Programs Renewe..
- (2) Memo 9\_8\_22 clasdeviation
- (3) Memo 9\_9\_22 inflation