

NCMA NEWS



San Diego Chapter

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2008-2009 NCMA-SD Board of Directors' Election Results

A total of 80 ballots cast in our 2008-2009 Board of Director Elections, and the nominated candidates were nearly unanimously approved. Please join us in congratulating our Board members for the upcoming program year!

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- President – Joni Shirley, Integrits Corporation
- Vice President – Dan Chalfant, Booz Allen Hamilton
- Treasurer – Mark Cook, KES Corporation
- Secretary – Christine Powell, Syzygy Technologies, Inc.
- Education Director – Maurice Caskey, Consultant
- Membership Director – Chrystal Piskor, SAIC
- Arrangements Director – Quyen Tran, Quantum Magnetics

NCMA-SD Night Out at the Padres! (June 2008)



President's Message

By Joni Shirley, CPCM



This year has flown by and, again, our Chapter has been very successful. We've experienced record attendance at our luncheons and seminars due to the educational and time-sensitive topics and informative speakers who have graciously volunteered their time. The past program year offered many professional development opportunities beginning in October with Charles Rumbaugh (Arbitrator/Private Judge/Mediator/ADR Consultant) speaking on "What's New in US Government Contracting"; Ken Adam (DCMA), Diane Peluso (DMP Consulting) and Maurice Caskey (Integrating System Engineering and Contract Administration) presenting "Contract Closeouts"; Susan Burrows (SPAWAR Small Business Program Director) discussing the "Perfect Small Business Plan"; Walt Larkin (Larkin Consulting) updating us on the "Government Property Regulation/New Far Rules"; Nancy Dix and Fernand Lavallee (DLA Piper)

speaking on "Intellectual Property and Government Contracts in Plain English"; Mark Schweer (SPAWAR Contracting Officer) identifying "IDIQ Contracting Pitfalls"; and Jim Southerland (Contracts Advisory Services) and Maurice Caskey giving a presentation on "Contract Management, Teaming Agreements and Joint Ventures" at our last seminar.

One of the highlights of our program year was coordinating a joint effort with the San Diego Contracting Opportunities Center (SDCOC) in reaching out to the small business community. The effort, spearheaded by Shepard Mais (NCMA San Diego Chapter Outreach Committee Chair and President of Defense Contract Services), Gunnar Schalin (Program Director of SDCOC - also known as Procurement Technical Assistance Center (PTAC)), and Rachel Fischer (Deputy Program Director of SDCOC), hosted a dialogue-based training program for the novice small business/government contractor, over a four-month period, consisting of Business Executive Roundtable forums on the following topics: Identifying the Right Target Market, Networking and Relations Development, Winning and Growing Customers and Creating Strategic Partnership to Scale the Business. I especially want to thank our sponsors, Carlin Consulting Group, Epsilon Systems Solutions, Inc, Galaxie Defense Marketing Services, and SAIC for providing this learning opportunity for all of us to be more knowledgeable in our respective roles.

Our Contract Administrator's Round Table (CART) meetings continue to provide a great opportunity for Government and Contractor personnel to ask each other direct questions, identify a contract problem, get a possible solution, and provide lessons-learned in an informal setting. Thank you, Mark Cook of KES, for providing the facility for our meetings and to Jack Friery (Attorney at Law), Jim Southerland, and Maurice Caskey as our facilitators who continue to share their knowledge and provide us with their years of expertise. If you haven't attended any of these meetings, you really are missing an hour of "free" education for which you can collect continuing educational units toward certifications.

NCMA's Leadership Summit was held in San Diego with several of our chapter leaders attending. This was an opportunity for us to engage in discussions with other chapter leaders on the current challenges being faced, and the best practices and success stories of other chapters. We're looking forward to these new connections providing us invaluable insight throughout our 2008-2009 program year.

Special thanks go out to the NCMA San Diego Chapter Board who have supported me over the past year and a half and who have been re-elected to serve in our upcoming program year. Our chapter is great because of all the time and energy they volunteer for our organization. With their dedication and our members continuing to support our events, our chapter will continue to grow and provide the resources for the contract management professional. I hope you all have taken the time to complete and return our survey as we will be meeting this summer to plan our 2008-2009 program year based on your suggestions.

I look forward to seeing you as we kick off our program year this September.

Membership Focus – Meet Maurice Caskey



Maurice retired in 2007 as Manager, New Construction Contracts Administration, for General Dynamics NASSCO, and is now a consultant specializing in systems engineering and contract administration. His career included positions as Vice President, Engineering at Jered Brown Brothers, Inc., a subsidiary of Vickers plc, in Troy, MI, Director DDG 51 Systems Engineering at Ingalls Shipbuilding Division of Litton Industries in Pascagoula, MS, and private consulting work. Maurice has been a member of NCMA for over 20 years, has participated as a panel member for San Diego chapter programs and was presenter at two 2008 seminars. He has presented a number of papers at technical societies such as the American Society of Naval Engineers (ASNE), American Society for Testing and Materials (ASTM), and the Society of Naval Architects and Marine Engineers (SNAME). Maurice is an engineer by education, with a BS from the U.S. Naval Academy and an MS in Systems Management from the University of Southern California. He currently serves as the Education Director for NCMA, San Diego Chapter.

Maurice and his wife Gloria moved to San Diego in 1994 when he went to work for NASSCO. They are both members of the First Presbyterian Church, San Diego, where Maurice sings in the Westminster Choir. Maurice is quite active in the Presbytery of San Diego, serving in various capacities.

His daughter Samantha lives in San Diego with her family; she is a beautician in Rancho Bernardo. Samantha and her husband have two daughters, Shannon and Lauryn, ages 4 and 2. Maurice's son Judson is an assistant professor of accounting at the Anderson School of Business at UCLA. They have a 4½ year-old son, Drew, and a 1½ year-old daughter, Sarah.

Maurice is a former pit lane official for the Champ Car (formerly CART) series — think Long Beach Grand Prix. Gloria and he were part of the team that inspected the race cars at different events. That series ceased operation this year and they now are seeking other hobbies, probably ones with less danger involved! They also support the San Diego Opera, where Maurice is one of the Opera Crew volunteers.

NCMA-SD Seminar and Luncheon Debriefs

By Maurice R. Caskey

March Seminar - Contractors' Intellectual Property Rights

The San Diego Chapter presented "IP and Government Contracts in Plain English," a seminar on protection of intellectual property (IP) under U.S. Government contracts, on March 19, 2008. The authors and presenters were Nancy O. Dix and Fernand A. Lavalley, both partners in the San Diego offices of DLA Piper us, LLP. The seminar was well-received by the 62 members of their audience.

The seminar addressed patent, copyright, trade secret, trademark and service mark forms of IP. The requirements of the Federal Acquisition Regulation (FAR) and Defense FAR Supplement (DFARS) were identified and discussed. Of great interest is the December 7, 2007, "plain English" rewrite of FAR Part 27, Patents, Data, and Copyrights, along with the corresponding changes to 52.227 series of clauses in FAR Part 52, Clauses. The IP current requirements of DFARS Part 227 and the DFARS 252.227 series of clauses were also discussed. Several examples of administrative and judicial remedy were provided to illustrate how IP is seen in the overall administration of Government contracts.

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March Seminar - continued from previous page

Any company that uses or develops technical data and/or computer software in performance under a government contract must be aware of all requirements related to intellectual property before entering into the contract. Questions become even more complex when commercial items or commercial license rights are involved. When there is doubt, the authors clearly demonstrated that it is best to obtain clarification and understanding of IP rights before proceeding with uncertainty.

Ms Dix and Mr. Lavallee have provided a copy of their presentation for the seminar, which can be found on the NCMA San Diego Chapter web site:

<http://www.ncmasd.org>

April Luncheon - Insight to Indefinite Delivery Contracts

The San Diego Chapter's guest speaker for the April luncheon was Mr. Mark Schweer of Space and Naval Warfare Systems Command (SPAWAR) Headquarters. Mark is a procuring contracting officer at SPAWAR who has extensive experience in the area of his luncheon presentation, "IDIQ Contracting."

An overflow crowd of 88 attended the luncheon to hear Mr. Schweer discuss the current requirements of the Federal Acquisition Regulation (FAR) related to indefinite delivery contracts. He provided three good reasons to discuss indefinite delivery/indefinite quantity (IDIQ) contracts

- Most of the Department of Defense's services needs are acquired on IDIQ contracts
- Multiple award IDIQs follow unique rules for competition and award
- Many San Diego contractors have SeaPort task orders; SeaPort is a multiple award IDIQ.

Mr. Schweer's presentation addressed topics such as multiple award ordering using IDIQ contracts, funding issues, and a topic of interest to all contractors: fee. He also addressed other IDIQ issues including small businesses, ordering periods and ceiling management.

Mr. Schweer provided a copy of his presentation for the luncheon, which can be found on the NCMA San Diego Chapter website: <http://www.ncmasd.org>

May Seminar - The Perils of Subcontracting

The San Diego Chapter presented "Avoiding the Perils of Subcontracting," a seminar on subcontracts and purchase orders for more complex goods and services under U.S. Government contracts, on May 21, 2008. The authors and presenters were Maurice R. Caskey, recently retired from General Dynamics NASSCO, and James Southerland, Contracts Advisory Services, Inc. This topic brought a good turn-out, with 59 in the audience.

The seminar addressed each topic from both the prime contractor's and the subcontractor's perspective. One theme that was emphasized throughout is the need to not unduly shift risk from either party to the other. The seminar started with agreements that typically are needed as soon as two companies decide to pursue a potential new contract. One is a non-disclosure agreement (NDA), which is essential of the parties are to exchange trade secret or proprietary information. A teaming agreement often is needed in addition to a NDA. Teaming agreements "set the stage" for a cooperative effort to prepare a proposal to the customer and perform after contract award.

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Solicitations and evaluation of supplier proposals were discussed in some detail. The authors provided suggestions with regard to these activities for both competitive and single-source procurements. Documentation of the selection also was discussed.

One key to avoiding conflict after award is a clear understanding of each party's role and expectations. This can be managed through the teaming agreement. However, a well-written contract with a solid statement of work (SOW) is essential for both a valid offer by the supplier and the successful execution of the subcontract for goods and services. The authors identified a number of topics that should be included either in the contract terms and conditions or in the SOW to avoid ugly surprises after work has begun.

The presentation drew a number of questions from the audience. Several participants had additional questions during the break and following the formal session.

Messrs. Southerland and Caskey have provided a copy of their presentation for the seminar, which can be found on the NCMA San Diego Chapter web site: <http://www.ncmasd.org>

The San Diego Chapter is in the process of scheduling luncheons for the 2008 – 2009 program year. Please let the Chapter officers know if you have a topic that you think would be of general interest for a luncheon presentation of 45–60 minutes. If you have a topic that you would like to present, please do not hesitate — volunteers are welcome and encouraged!

NCMA-SD Board of Directors and Other Points of Contact

Board of Directors

Position	Officer	Email
President	Joni Shirley	shirley_joni@integrits.com
Vice President	Dan Chalfant	Chalfant_daniel@bah.com
Treasurer	Mark Cook	mark@kes.com
Secretary	Christine Powell	cpowell@syzygy-tech.com

Committee Chairpersons

Position	Chairperson	Email
Employment	Jack Friery	friery@earthlink.net
Education	Maurice Caskey	scracer@flash.net
Membership	Chrystal Piskor	Chrystal.I.piskor@saic.com
Arrangements	Quyen Tran	quyen.tran@qe.com
Small Business & Military Outreach	Shepard Mais	shepards@cox.net

We are also looking to fill the following committee positions:
PUBLICITY – SPEAKERS – AWARDS