



AMERICAN BAR ASSOCIATION

Section of
Public Contract Law

2009
Annual
Meeting
Chicago

July 31 - August 3

*Hotel InterContinental
Chicago, Illinois*

Reception ticket order deadline is July 17

**American Bar Association
Section of Public Contract Law
2009 Annual Meeting Program
July 31 through August 3
Chicago, Illinois**

Unless otherwise noted, all sessions will be held at

**InterContinental
505 North Michigan Avenue
Chicago, Illinois 60611
312/944-4100**

You must register for the Annual Meeting to attend any of the ticketed events or CLE programs.

Purchasing CLE at the 2009 Annual Meeting is easy. **ABA members can purchase an All-Access CLE Badge for \$450*** (Registration for Non-ABA Members is \$875.) **that covers registration and admittance to** governance meetings, non-CLE programs and **all CLE programs at the Annual Meeting, including those in the CLE Centre and at the satellite hotels.**

For those wishing to attend only a few CLE programs, the basic ABA member registration fee is \$175*, and individual CLE program tickets are \$75 each (\$35 each for government employees and judges).

Please note that ALL of the Section's CLE programs, including the Monday morning Construction program, will require either a CLE program ticket or the ABA All-Access CLE Badge.

If you register for the All-Access CLE Badge, do not purchase individual CLE program tickets, too.

Registration, housing, event and CLE program ticket information are detailed at the end of this brochure.

► Indicates **Public Contract Law** events.

All requests for tickets to Section functions will be processed through CDS/TP and must be received by them by Friday, July 17, 2009.

Michael W. Mutek, Chair
Section of Public Contract Law

Annual Meeting Program Co-Chairs:
Kristen E. Ittig
Stuart B. Nibley
Holly Emrick Svetz

Annual and Quarterly Programs Co-Chairs:
Nancy Harrison
Mark E. Langevin
Gregory A. Smith

*** Increases by \$145 after May 29, 2009.**

Thursday, July 30

10:30 a.m. to 12:00 noon

Presidential CLE Centre Showcase Program: It's not the Crime; it's the Coverup—Current Issues in Public Corruption Investigations, Ethics in Government and Lobbying

Primary Sponsor: Section of Administrative Law and Regulatory Practice

*Regency Ballroom D, Gold Level, West Tower,
Hyatt Regency Chicago*

Through a moderated round table discussion with experienced practitioners, judges, prosecutors and academics, the presentation will focus on the use of perjury, false statement and obstruction statutes to prosecute some of the highest profile corruption matters. The panel will also explore ethical challenges to government officials at the state and federal levels—the magnitude of the problems, their causes and what can be done going forward. Potential featured cases include those involving Scooter Libby, Mayor Kwame Kilpatrick, Congressman Tom Delay, Governor Sarah Palin, Senator Ted Stevens and high-profile Chicago corruption cases involving Police Commander Burge and Governors Ryan and Blagojevich.

Friday, July 31

10:30 a.m. to 12:00 noon

Presidential CLE Centre Showcase Program: Feds Times 50—50 State Attorneys Going After Your Company: Responding Successfully to Complex Multi-State Regulatory Compliance and Investigation

Primary Sponsor: Section of State and Local Government Law

*Regency Ballroom D, Gold Level, West Tower,
Hyatt Regency Chicago*

Today's regulatory environment has evolved dramatically. State regulators increasingly consider regional or national trends as they exercise their regulatory authority. Indeed, they now routinely share information and regulatory practices with their peers across the country. The national tobacco settlement, the Firestone settlement, and the multi-state case against Microsoft, demonstrate that state regulators and state Attorneys General, aided by plaintiffs' lawyers, the media and consumer activists can cripple a company or industry of any size. These forces have demonstrated their ability to combine resources and drive public policy through collective regulatory decision in actual or threatened litigation. This program will discuss how forward-thinking companies no longer deal with the entire company, or by regions, in order to succeed with their business objectives and be effective in their industry. This program will provide practitioners with a step-by-step guide to best practices in preparing for and responding to multi-state regulatory compliance and investigations.

Please refer to the following link for the complete listing of CLE offerings from July 30 through August 3.

<http://new.abanet.org/annual/default.aspx>

Saturday, August 1

7:00 a.m. to 8:15 a.m.

➤ **Council Breakfast**

Empire Ballroom, 7th Floor

For 2008-2009 and nominees for 2009-2010 Section Officers and Council Members only

8:30 a.m. to 12:00 noon

➤ **Council Meeting**

Grand Ballroom, 7th Floor

Open to all Section members

12:00 noon to 2:00 p.m.

➤ **Section Luncheon and Annual Alan E. Peterson Lecture**

Empire Ballroom, 7th Floor



Luncheon Speaker:

Jeh Charles Johnson

General Counsel

Department of Defense

Washington, DC

This year's Luncheon is made possible by the following Sponsors who have contributed to help defray its expenses:

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Wiley Rein LLP
Womble Carlyle Sandridge & Rice

2:00 p.m. to 2:15 p.m.

➤ **Annual Section Business Meeting**

Empire Ballroom, 7th Floor

Includes election of Officers and Council Members for 2009-2010 and other Section business

Presiding:

Michael W. Mutek

2008-2009 Section Chair

Raytheon Company

Garland, TX

2:15 p.m. to 3:30 p.m.

➤ **Leadership Training for 2009-2010 Committee Officers**

Empire Ballroom, 7th Floor

3:30 p.m. to 5:30 p.m.

➤ **Accounting, Cost and Pricing Committee Meeting**

Holabird Room, 8th Floor

3:30 p.m. to 5:30 p.m.

➤ **Battle Space and Contingency Procurements Committee Meeting**

Wright Room, 8th Floor

3:30 p.m. to 5:30 p.m.

➤ **Strategic Alliances, Teaming and Subcontracting Committee Meeting**

Sullivan Room, 8th Floor

Sunday, August 2

7:00 a.m. to 9:00 a.m.

➤ **Long Range Planning Committee Breakfast Meeting**

Empire Ballroom, 7th Floor

9:00 a.m. to 12:00 noon

➤ **CLE Program: New Realities for the Procurement Community in the Electronic Age and Emerging Issues in Global Anticorruption**

Grand Ballroom, 7th Floor

As the world becomes increasingly global, the challenges facing the procurement community are becoming increasingly broad in scope as well. Cybersecurity issues are at the forefront for both traditional government contractors and commercially-focused companies, as they seek to balance the threat — up to \$1 trillion in damages and lost secrets, over 250 million records compromised in security breaches, critical information pipelines cracked, and power grids penetrated— with the prospect of increased governmental oversight. On another front, global anticorruption enforcement efforts continue to dominate the news, with record settlements

foreshadowing even greater enforcement efforts. Hear first-hand from the government officials who are making the enforcement decisions about how prosecution decisions are made, and how companies can position themselves to avoid becoming the next headline.

Cybersecurity—Paradigm-Shifting Rules for Unparalleled Threats

Defending against a “digital Pearl Harbor” is a top priority for the intelligence, homeland security and military agencies, with the likelihood of new laws and intensified oversight by Congress, GAO, and Inspectors General. The coming year presents a tipping point for information security as both the public and private sectors must confront unparalleled cyber threats, navigate tougher cybersecurity laws and rules, and answer to escalating oversight. The panel will address what you should worry about, what you need to do, and what’s next.

- ◆ Where will the cyber barbarians strike next — our power grid, the nuclear labs, corporate trade secrets, or your identity — and what legal liabilities may ensue from such attacks?
- ◆ What are the new Administration’s “tough new standards” and legal requirements for cybersecurity, and what are the top cybersecurity priorities — legislative, executive and private sector — for the coming year?
- ◆ Will the clamp-down on information security result in new laws that could jeopardize privacy, transparency, and basic civil liberties?
- ◆ What models and mechanisms will be used to enhance public-private partnerships to address mutual cybersecurity interests and threats?

David Z. Bodenheimer, *Moderator*

Crowell & Moring LLP
Washington, DC

Jessica R. Herrera-Flanigan

Monument Policy Group, LLC
Washington, DC

Jacob Olcott

Director and Counsel
House Homeland Security Subcommittee on Emerging Threats, Cyber Security and Science & Technology
Washington, DC

Larry Clinton

President
Internet Security Alliance
Washington, DC

Richard M. Gray

Associate General Counsel, Office of General Counsel
Department of Defense
Washington, DC

Emerging Issues in Global Anticorruption Law

U.S. firms seeking to do business in foreign markets must be familiar with the Foreign Corrupt Practices Act, which prohibits corrupt payments to foreign officials for the purpose of obtaining or keeping business. Since 2002, SEC and DOJ litigation and class actions involving the FCPA have increased steadily, with over \$2.5 billion in settlements and penalties involving more than 30 countries during that period. Global anticorruption enforcement is a growing priority, and it is likely that related securities litigation will also increase. Anticorruption litigation constitutes an increasingly important area of potential liability for corporations, for directors and officers, and for individuals who are an increasing target for prosecutors.

- ◆ Update on recent enforcement activity, settlements and theories of liability
- ◆ Traps for the unwary — understanding how “normal” international practices may lead to extraordinary liability
- ◆ First-hand insights into the enforcement decision-making process
- ◆ Elements of an effective compliance program, and exploring the impact of domestic compliance requirements on international practices

Drew A. Harker, *Moderator*

Arnold & Porter LLP
Washington, DC

William J. Stuckwisch

Senior Trial Attorney, U.S. Department of Justice
Criminal Division Fraud Section
Washington, DC

Additional speakers from the Securities and Exchange Commission and UK Serious Fraud Office have been invited but have not yet confirmed

12:00 noon to 2:00 p.m.

**19th Annual Margaret Brent
Women Lawyers of Achievement Luncheon**
Imperial Ballroom, The Fairmont Chicago



2:00 p.m. to 5:00 p.m.

► **CLE Program: Procurement Reform and Redoubled Compliance Efforts—Charting a New Course or Retreading the Same Ground**

Grand Ballroom, 7th Floor

Final regulations issued late last year require disclosure to the relevant agency's Office of Inspector General whenever a contractor has "credible evidence" of certain criminal violations or civil False Claims Act violations. Failure to disclose these violations — as well as failure to disclose "significant overpayments" by the Government — will constitute independent grounds for suspension and/or debarment. Meanwhile, as promised, the new Administration is pursuing aggressive measures to overhaul the federal government contracting system. Few, if any, aspects of the procurement system appear to be off limits. What are the most significant reforms under consideration? And are they truly "reforms" or just new attempts to implement past ideas?

Implementation of the Contractor Code of Business Ethics and Conduct Under the Mandatory Disclosure Rule

Newly-minted compliance rules have imposed additional business ethics awareness, compliance program, and internal control system requirements for many contractors. Panelists will discuss the real-world experience that agencies, contractors, and outside counsel have encountered in implementing the FAR Mandatory Disclosure Rule. This practical session will include discussion of prime contractor-subcontractor implementation issues, as well as legal privilege and employment (HR) issues encountered by companies as they incorporate the new rule's requirements.

- ◆ Legal privilege and employment (HR) issues encountered by contractors and subcontractors implementing the rule
- ◆ Internal controls, including audits, document reviews and issue screening required to identify and investigate potentially disclosable events and the legal and practical implications
- ◆ SEC reporting and accounting issues triggered by mandatory disclosures
- ◆ Incentives (if any) provided contractors and subcontractors making disclosures
- ◆ Agency processes and protocol for review and disposition of disclosures, and how disclosure factors into the suspension/debarment process

Robert K. Huffman, *Co-Moderator*
Akin Gump Strauss Hauer & Feld LLP
Washington, DC

Frederick M. Levy, *Co-Moderator*
McKenna Long & Aldridge LLP
Washington, DC

Frances L. McCormick

DOD Office of Inspector General
Arlington, VA

Kevin McCall

Assistant General Counsel
Northrop Grumman Corporation
Los Angeles, CA

Richard A. Pelletier

EPA Suspension and Debarment Official
Washington, DC

Rebecca B. Ransom

Raytheon Company
Waltham, MA

J. Andrew Jackson

Dickstein Shapiro LLP
Washington, DC

Additional speakers from the Department of Justice have been invited but have not yet confirmed.

How Much Reform Can One Acquisition System Take?

The past few years have seen a rash of acquisition reform efforts: commercial items and outsourcing have been pushed back, while fixed-price contracting and transparency have come into vogue. President Obama has accelerated changes with a series of Executive Orders, Presidential Memoranda, and regulations. Congress has taken up a plethora of sweeping reforms. Is this simply a swing of the pendulum, or are we headed in a completely new direction? And how much change can the system really digest in such a short span of time?

- ◆ What reforms are on tap for this year's National Defense Authorization Bill and other legislation?
- ◆ What are the legal and practical implications of the proposed reforms, including amending the False Claims Act? Do they make the system more or less effective?
- ◆ What is the future of cost-type contracting?
- ◆ Where will the new transparency take us? How will new mandatory disclosures — in FOIA, in contractor misconduct databases, and elsewhere — threaten contractors' competitive information?
- ◆ How will new rules on the "revolving door" impact procurement, and can the depleted acquisition workforce ramp up quickly enough to accommodate the new agenda?

Mary Lou Soller, Moderator

Miller & Chevalier Chartered
Washington, DC

David P. Handler

General Counsel Military Systems
GE Aviation
Cincinnati, OH

Peter B. Hutt II

Akin Gump Strauss Hauer & Feld LLP
Washington, DC

Angela B. Styles

Crowell & Moring LLP
Washington, DC

Christopher R. Yukins

Associate Professor of Government Contract Law
The George Washington University Law School
Washington, DC

6:30 p.m. to 8:30 p.m.

➤ **Section Reception**

Stanley Field Hall, The Field Museum
1400 South Lake Shore Drive



Advance reservations and payment of guest tickets must have been received by CDS/TP by July 17.

This gracious social gathering, for Section members and their guests, and honoring the incoming Section Chair, is made possible through the generosity of the following Sponsors who have contributed to defray its expenses.

Reception Sponsors

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Wiley Rein LLP
Womble Carlyle Sandridge & Rice

Monday, August 3

7:00 a.m. to 7:30 a.m.

➤ **Construction Program Continental Breakfast**

Exchange Room, 12th Floor

This continental breakfast is included in the ABA All-Access CLE Badge or CLE program ticket used for the program that follows.

7:30 a.m. to 9:00 a.m.

➤ **CLE Program: Labor and Employment Legislation Impacting Federal Construction Under the New Administration**

Exchange Room, 12th Floor

This 90-minute CLE program and 7:00 – 7:30 a.m. continental breakfast are made possible by our Gold Sponsors—The Kenrich Group LLC and Smith Pachter McWhorter PLC—and our Silver Sponsors—Peckar & Abramson, P.C. and Smith, Currie & Hancock LLP—whose contributions have helped to defray its expenses.

Given the current economic downturn, as well as the establishment of the new Administration, federal contractors and those involved in federal construction need to be aware of the potential major legal implications of both proposed and

recently issued legislation in the areas of employment and labor law as we progress further into the year 2009 and beyond.

Attendees will learn about the application and enforcement of these laws and regulations that will significantly change the legal landscape of federal construction projects and force parties to become informed, take notice of and revisit their existing contracts, handbooks and policies to ensure continued compliance and avoid potentially costly and time-consuming lawsuits.

- ◆ The Employee Free Choice Act (EFCA)
- ◆ New Executive Orders affecting labor policy and federal contractors, including Executive Order 13502 (project labor agreements)
- ◆ The Re-Empowerment of Skilled and Professional Employees and Construction Tradeworkers (RESPECT) Act
- ◆ Lilly Ledbetter Fair Pay Act of 2009
- ◆ Federal "E-Verify" requirements

Robert J. Orelup, *Moderator*
Drewry Simmons Vornehm, LLP
Indianapolis, IN

Jeffrey S. Nowak
Franczek Radelet & Rose, P.C.
Chicago, IL

Michael J. Zimmer
Professor
Loyola University Chicago School of Law
Chicago, IL

Alexia M. Kulwicz
Chief Counsel
Service Employees International Union Local 1
Chicago, IL

9:00 a.m. to 12:00 noon

- **CLE Program: Acquisition Under the Economic Stimulus Plan—Opportunities and Challenges**
Grand Ballroom, 7th Floor

The American Recovery and Reinvestment Act authorizes \$575 billion in fast-track spending to support federal programs, with preference to "quick start" activities. A "use it or lose it" requirement obligates those receiving funds to use at least 50 percent of the funds by the end of the first year and the remaining funds by the end of the second year. With credit, financing, and sales on the commercial market difficult, many organizations are looking to federal contracting, and the fast track Economic Stimulus contract vehicles may be particularly attractive. New entrants to the market face administrative and compliance hurdles to properly function as "government contractors." In addition to the challenges in place for receipt of any other government procurement contract or grant, the Act presents additional traps for the unwary.

Oversight Challenges in Economic Stimulus Contracting

Numerous potentially onerous strings are attached to the Economic Stimulus funds, including enhanced “whistle blower” protections, Davis-Bacon Act wage requirements, peculiar Buy American requirements for iron, steel, and manufactured goods, and specific prohibitions against the use of Stimulus funds for gambling establishments, aquariums, zoos, golf courses, or swimming pools.

- ◆ What were the policy goals and does the Act support them?
- ◆ Through the Act’s mechanisms, which governmental entities at what level of government are spending the Stimulus funds?
- ◆ What progress has been made toward the Act’s ambitious schedule?
- ◆ What are the traps that private parties receiving the Stimulus funds should know about and how can they be navigated?
- ◆ What kind of oversight did the Act anticipate and what is happening in practice?
- ◆ Are all the Stimulus funding opportunities gone? What’s left?

Former Rep. Deborah Pryce, *Moderator*
Womble Carlyle Sandridge & Rice LLP
Washington, DC

Daniel I. Gordon
Acting General Counsel
Government Accountability Office
Washington, DC

Former Sen. Tim Hutchinson
Dickstein Shapiro LLP
Washington, DC

Rick Harnish
Executive Director
Midwest High Speed Rail Association
Chicago, IL

Marcia G. Madsen
Mayer Brown LLP
Washington, DC

Legal Challenges for Commercial Companies Seeking a Boost from the Stimulus Package

A common attitude is to avoid dealing with government-unique requirements until after the revenue is in the door. But, because a simple commercial contract can take on civil or criminal fraud consequences when federal funding is involved, the administrative and compliance requirements cannot be put off until later. Panel members will address most important issues to consider before submitting a proposal or application.

- ◆ Central Contractor Registry and Online Representations and Certifications Application
- ◆ Contractor business ethics and compliance programs
- ◆ Discussion of the required FAR rules and flowdown clauses, including a discussion of small business subcontracting plans, and the difference between being an Equal Opportunity employer and the affirmative action requirements
- ◆ How domestic preference requirements connected to the Stimulus funds apply, including the Buy American Act and Trade Agreements Act
- ◆ What commercial companies need to know about cost and pricing information, and when special accounting systems may be necessary
- ◆ Which programs still provide advantages to small businesses?
- ◆ When does obtaining a GSA schedule make good business sense?

Kristine Kassekert, Moderator

Corporate Counsel
immixGroup
McLean, VA

David A. Drabkin

Acting Chief Acquisition Officer
General Services Administration
Washington, DC

Tracy Feanny

Senior Counsel – Federal
Dell, Inc.
Round Rock, TX

G. Matthew Koehl

Shook Doran Koehl, LLP
Washington, DC

12:00 noon to 2:00 p.m.

► **7th Annual Ruth C. Burg Luncheon
for Women in Public Contract Law**

Burnham Ballroom C and D, Mid-America Club
Aon Center, 200 East Randolph Street



Business attire or business casual attire is required of all guests at the Mid-America Club. Because of security requirements, all luncheon attendees are required to show a state photo I.D. along with their ABA Annual Meeting badge and/or luncheon ticket at the lobby Security Desk.

This year's Luncheon is made possible through the generosity of the following Sponsors who have contributed to defray its expenses:

Ruth C. Burg Luncheon Sponsors

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Coming Attractions

NOVEMBER 12 – 14, 2009

**Fall Educational Program and
Open Council Meeting**

Disney's Contemporary Resort, Lake Buena Vista, FL

MARCH 4 – 6, 2010

**16th Annual Federal Procurement Institute
and Open Midyear Council Meeting**

Loews Annapolis Hotel, Annapolis, MD

MAY 14 – 15, 2010

**5th Annual State and Local Procurement
Symposium and Open Spring Council Meeting**

Renaissance Seattle Hotel, Seattle, WA

AUGUST 6 – 9, 2010

**Annual Educational Programs and
Open Council Meeting**

Westin St. Francis, San Francisco, CA

Important Meeting Information

Room Reservations and Registration

Room reservations and registration for the Annual Meeting must be processed through the ABA Official Registrar, CDS/Travel Planners. For more information on registration and housing, visit the ABA website at www.abanet.org/annual/2009 or call Travel Planners directly at 800-221-3531.

You may also register online for the meeting and request hotel accommodations online at: <https://www.xpressreg.net/register/abaa079/lookup.asp>

CLE Pricing Options

You must register for the Annual Meeting to attend any of the CLE programs. Purchasing CLE at the 2009 Annual Meeting is easy. Attendees can purchase an All-Access CLE Badge for **\$450*** that will gain them admission to non-CLE programs and ALL CLE programs at the Annual Meeting, including those in the Presidential CLE Centre and at the satellite hotels.

Members whose primary focus at the Annual Meeting is governance, and who may only be able to attend a few CLE programs, can register for the Annual Meeting for the **\$175*** fee that includes admittance to all governance and non-CLE programs, and purchase individual CLE program tickets for \$75 each. Discounted CLE program tickets will be available to registered government lawyers and judges for only \$35 each. Admittance to each CLE program will require one individual CLE program ticket OR the All-Access CLE Badge.

Please note that ALL of the Section's CLE programs—including the Monday morning Construction program—will require either a CLE program ticket or the ABA All-Access CLE Badge.

To purchase your individual CLE program tickets, complete the Advance Ticket/CLE Program Ticket Order Form on the last panel of this brochure and return it directly to CDS/TP with your payment.

If you register for the ALL-ACCESS CLE BADGE, do not purchase individual CLE program tickets, too.

For admittance to any CLE program, registrants must wear their ABA 2009 Annual Meeting badge and present to the staff at the door either their one individual CLE program ticket OR the All-Access CLE Badge. So, don't leave any of these items in your hotel room!

*** Increases by \$145 after May 27, 2009.**

Publications and Deskbooks

Guide to Service Subcontract Terms and Conditions

This is THE indispensable guide for anyone drafting federal service subcontracts. The result of ongoing efforts since June 2006, this first edition of the "Guide" includes model mandatory and advisable FAR provisions; a section on certifications and representations; sections specific to Commercial Clauses and DFARS Clauses; and a matrix of mandatory, advisable and negotiable clauses. The User's Guide provides a reference on relevant FAR clauses for drafting and negotiating subcontracts for services

PC 5390259 — paperback — 375 pages — 2008

Section Members: \$50.00—Non-Members: \$60.00

2007 Model Code for Public Infrastructure Procurement

The 2007 Model Code for Public Infrastructure Procurement ("2007 MC PIP") is a condensation of the ABA 2000 Model Procurement Code for State and Local Governments ("2000 MPC"). It guides state and local jurisdictions wishing to use new methods of public and private collaboration in infrastructure development to do so safely and efficiently. It also provides a mechanism for these subunits of state and local government to benefit from use of the 2000 MPC's best practices for risk allocation, competition, public oversight, disputes, and other basic principles of good public procurement, without limiting their ability to use the best of innovative new methods for infrastructure design, finance, construction, and maintenance. Includes both the print version and a CD on the inside back cover of the Word and pdf versions of the 2007 MC PIP.

PC 5390260 — paperback — 104 pages — 2008

Section Members: \$24.95—Non-Members: \$29.95

Government Contract Law: The Deskbook for Procurement Professionals, 3rd Edition

Since publication of the Second Edition, America has transitioned from peace to war; a war where contractors are filling unprecedented roles. At home, the Federal Government is relying on contractor services to perform critical government functions. These two changes have prompted a completely updated and revised edition of this popular Deskbook. The Third Edition is a comprehensive, step-by-step guide through all aspects of federal government contracting and incorporates numerous significant changes in procurement since the Second Edition was published.

Some of the changes reflected in this new edition include:

- ◆ Lessons learned by contract attorneys deployed in support of the global war on terrorism
- ◆ Legal and regulatory regime faced by contractors performing services in a war zone
- ◆ Up-to-the-minute guidance on competitive sourcing and privatization and how a defense agency decides what services to acquire by contract and which to perform in-house, and how to compete a public workforce against the private sector.

...while still helping you to:

- ◆ Understand the purpose and content of the laws and regulations governing federal contracting—and how they apply to YOUR situation
- ◆ Know the process and the procedural requirements
- ◆ Anticipate the issues you will encounter at every step
- ◆ Avoid the many pitfalls — from minor time-wasters to potentially devastating oversights.

Based on the Contract Attorney's course of The Judge Advocate General's Law Center and School, this valuable deskbook is designed to help you safely navigate the entire federal contracting process—from pre-bidding through award, and on to protest and litigation—with the least risk to your client or company.
PC 5390252 — paperback — 700 pages — 2007
Section Members: \$94.95 — Non-Members: \$99.95

Contractor Team Arrangements—Competitive Solution or Legal Liability: The Deskbook for Drafting Teaming Agreements

Competition for major federal programs today generally is team versus team, and not company versus company. This deskbook seeks to provide an understanding of the reasons for team formation, including the risks inherent in the team formation process, while offering a framework to facilitate successful team arrangements. It is the first deskbook written to provide a resource in the team formation process and should be considered a "must have" addition to any library.

PC 5390242 — paperback — 170 pages — 2006
Section Members: \$40.00 — Non-Members: \$50.00

Alternative Dispute Resolution: A Practical Guide for Resolving Government Contract Controversies, Second Edition

Provides an updated, detailed exploration of the ADR methodologies available for resolving contract controversies that may arise in the formation and/or administration of federal government contracts. Includes a new section on agency-level bid protest ADR and updated materials on bid protest ADR at the Government Accountability Office. Expands considerably on the coverage of ADR at the Boards of Contract Appeals and U.S. Court of Federal Claims. Appendices include recent policy guidance documents. Provides sound, up-to-date, practical advice for the experienced ADR practitioner and will be a valuable tool for those unfamiliar with ADR in resolving contract controversies.

PC 5390232 — paperback — 350 pages — 2005
Section Members: \$45.00 — Non-Members: \$55.00

Guide to Fixed-Price Supply Subcontract Terms and Conditions, Fourth Edition

The Fourth Edition of the "Guide" includes revised general (non-FAR) provisions, a section on certifications and representations, and model clauses based on the FAR and DFARS into July 2004 (both short-form and full-text versions), and a revised "Best Practices" section. The User's Guide provides a road map for drafting and negotiating subcontracts based on the model terms and conditions. This is THE indispensable guide and form book for drafters of federal supply subcontracts.

PC 5390233 — paperback — 240 pages — 2005
Section Members: \$40.00 — Non-Members: \$50.00

Call the ABA Service Center at 800-285-2221 to order by phone or click on www.ababooks.org and enter the PC for that publication.

Public Contract Law Section CLE Programs Now Available Online and on CD

West LegalEdcenter Online CLE Programs

If you were unable to attend ABA Public Contract Law programs in person, you can attend online—at West LegalEdcenter! Online CLE on West LegalEdcenter is the most convenient and affordable way to keep up-to-date on topics that are essential to your practice.

After you purchase On-Demand programs, you have up to six months to complete the program or revisit sections on your schedule. And all programs at West LegalEdcenter have program materials linked to Westlaw®.

Enroll today in these ABA Public Contract Law Section programs online on West LegalEdcenter!

Uncorking the Tough Issues: How In-House and Government Attorneys Unravel Them

- ◆ Champagne on a Beer Budget? The Government Perspective
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- ◆ Grand Cru: Perspectives from Three Top Defense Contractors
- ◆ No Whine Before Its Time: The Private Bar Responds

2008 ABA Annual Meeting

- ◆ The Business of International Public Procurement
- ◆ Renewable Energy and Transportation: An Afternoon at the Intersection of Law, Finance, Politics and Public Necessity
- ◆ Moving Fast: Up-to-the-Minute Developments in the False Claims Act and Nimble Negotiation of Subcontracts Under Federal Services Contracts

Cutting Edge Issues in State and Local Procurement

- ◆ Trends and Issues in Enterprise Resource Planning and Multi-State System Projects
- ◆ Government Contractor Liability and the Spearin Doctrine: Stakeholder Responses to the I-35W Bridge Collapse
- ◆ Emerging Issues in Human Services IT Procurements: Finding the Middle Ground on Contract Terms and Conditions
- ◆ The Forefront of Cooperative Purchasing
- ◆ Public-Private Partnerships—Managing Risks, Unlocking Rewards

Visit www.abanet.org/contract/admin/cle.html and click on the program links for more details about these and other Public Contract Law Section West LegalEdcenter online CLE programs. For technical help or assistance with enrolling in a program, please call West's toll-free technical support line at **800-495-9378**. Technical support is available 24 hours a day, 7 days a week, 365 days a year.

ABA-CLE Public Contract Law Teleconference CDs

A number of highly-successful 90-minute teleconferences have been held during the past 18 months on a variety of topics related to public contract law. If you couldn't participate in person, you can still benefit from the speakers' presentations and materials.

As a Section member, you'll be able to purchase the CDs of these teleconferences at a reduced rate. Full descriptions of these 90-minute sessions are available by visiting the following link on the Section's website: <http://www.abanet.org/contract/programs.shtml#tele> and clicking on "View More Course Materials" under "Past Section Teleconferences."

- ◆ Criminal Accountability for Civilians in the Battle Space
- ◆ Negotiating the Serviceable Subcontract
- ◆ The Most Important Government Contracts Related Decisions of 2008
- ◆ U.S. - Iraq SOFA: Uncomfortable for U.S. Contractors?
- ◆ Contract Terminations: The Death Penalty
- ◆ Sea Change: Preparing for and Living with the New FAR Mandatory Disclosure Rule
- ◆ Update on Rights in Technical Data and Computer Software
- ◆ Practical Tips for Preparing and Pursuing Government Contract Claims
- ◆ ABA 2007 Model Code for Public Infrastructure Development
- ◆ New and Proposed Ethics and Compliance Rules for Government Contractors
- ◆ What Makes Federal Supply Schedule Protests Different?
- ◆ Atlantic Research: The Impact of the Supreme Court's Decision on Allocation of Environmental Costs between Contractors and the Government
- ◆ False Claims Act Update: Insider's View on Liability
- ◆ Organizational Conflicts of Interest: Practical Considerations in the Face of Developing Law
- ◆ Government Contract Claims: The Expanding Litigation Battlefield
- ◆ How to Defend Patent Rights When Uncle Sam is Your Partner

Please watch your e-mails for news about the following Teleconference Educational Programs that are being planned:

- ◆ The Evolving Bid Protest Process at GAO—May 13. Moderated by Michael Golden of the Government Accountability Office
- ◆ Implementing Compliance Programs and Conducting Investigations When Compliance Fails—June 25. Moderated by Frank Razzano of Pepper Hamilton LLP
- ◆ Revenue Recognition for IT Companies—October 22. Organized by Anne Donohue of SRA International, Inc.

**An Invitation to All Members of the
Section of Public Contract Law
to the
2009 Annual Cocktail Reception—Chicago**

**on
Sunday, August 2**

6:30 p.m. to 8:30 p.m.

The Field Museum, 1400 South Lake Shore Drive

WHO MAY RECEIVE TICKETS

Each Section member **registered** for the ABA Annual Meeting **may order ONE free ticket for the Reception.** You **MUST ORDER** your free ticket. It is **NOT AUTOMATICALLY INCLUDED** as part of your registration. Additional tickets may be purchased for **\$50.00 each for adult guests and \$25.00 each for guests under 18.**

WHERE TO SEND TICKET REQUESTS

All requests for Reception tickets must be received by July 17. A form for ordering tickets is on the last panel. Please complete this ticket order form without delay and return it to: **ABA/CDS/Travel Planners, Chicago 2009, 107 Waterhouse Road, Bourne, MA 02532, or by fax to: 508-759-4552 for credit card orders only.**

Do not send your ticket order to any address other than CDS/TP, or it will not be processed.

**WHERE TO PICK UP EVENT
AND CLE PROGRAM TICKETS**

All **pre-ordered** All-Access CLE Badges or CLE program tickets and tickets to the Reception and other Section events **will be available at the ABA Registration Desk in the Riverside Center, Purple Level, East Tower, at the Hyatt Regency Chicago.** Registration hours are 8:00 a.m. to 6:00 p.m. from Thursday, July 30, through Saturday, August 1, and 8:00 a.m. to 5:00 p.m. from Sunday, August 2, through Tuesday, August 4. **You must be registered for the Annual Meeting to order CLE program tickets or tickets to any Section events.**

TICKETS ARE ABSOLUTELY REQUIRED

No requests for Reception tickets can be honored by CDS/TP after July 17, and payment for tickets must be received by that date. Admittance to the Reception will be by ticket only.

**ABA Section of Public Contract Law
2009 Annual Meeting
Advance Event/CLE Program Ticket Order Form**

Date	Code	Event	Qty	Price	Ext.
8/1	PCL1	Council Meeting and Agenda Book	_____	n/c	_____
	CLE1	CLE Program Ticket	_____	\$ 75	_____
	CLE1	CLE Program Ticket for Judges and Government Employees	_____	\$ 35	_____
8/1	PCL2	Annual Section Luncheon	_____	\$ 60	_____
8/2	PCL3	Reception (Limit 1 for registered Section member) Admittance by ticket only. Ticket MUST BE ORDERED in advance.	_____	n/c	_____
8/2	PCL4	Reception (Adult Guest)	_____	\$ 50	_____
8/2	PCL5	Reception (Guest under 18)	_____	\$ 25	_____
8/3	PCL6	Ruth C. Burg Luncheon for Women in Public Contract Law	_____	\$ 40	_____

Total Event and CLE Program Ticket Order \$ _____

Deadline for Receipt of Ticket Order: July 17, 2009

Payment: Check AmEx MasterCard Visa

Credit Card # _____

Exp. Date: _____

Signature: _____

No refunds within 72 hours preceding the function or after it has taken place.

All checks should be made payable to **ABA/CDS**.

Please return this order form promptly to CDS/TP at the address below:

**ABA/CDS/Travel Planners
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107 Waterhouse Road
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ABA Member No.: _____

Firm/Agency/Company: _____

Address: _____

City/State/Zip: _____

Phone: _____ Fax: _____

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Section of Public Contract Law
321 North Clark Street
Chicago, Illinois 60654



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Dated Matter

Register by May 29, 2009 to qualify for the ABA Early Bird Registration discount. After May 29, fee increases by \$145!

See reverse side of this panel to order tickets for the Sunday, August 2, Section Reception at The Field Museum and other Section ticketed events and CLE programs. Act now!

Deadline for receipt of all ticket orders by CDS/Travel Planners (CDS/TP) is Friday, July 17.
