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Welcome!

Join fellow public contract professionals from across the country in the heart of San Francisco for exceptional CLE Programs and networking opportunities at the ABA Section of Public Contract Law Annual Meeting, August 8–10, 2019.

During the Annual Meeting, the Section of Public Contract Law offers eight CLE programs that will educate you on developing legal issues in the procurement arena and offer you an opportunity to engage in dialogue with key stakeholders in the public contract community. Our luncheons and reception will provide additional opportunities to expand your network and exchange ideas with fellow public contract professionals.

SECTION CHAIR
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ANNUAL/QUARTERLY PROGRAM CO-CHAIR
Amy Conant Hoang, Associate, K&L Gates LLP, Washington, DC

Meetings Highlights & Social Events

Unless otherwise noted, all sessions will be held at the Westin St. Francis Hotel, 335 Powell Street, San Francisco, CA

› 17th Annual Ruth C. Burg Luncheon Honoring Women in Public Contract Law
  $60 ticket › Thursday, August 8 › 11:30 am – 1:30 pm
  Farallon, 450 Post Street

› Annual Section Luncheon/Alan E. Peterson Lecture › $60 ticket
  Panel Discussion: In-House Perspectives on Hiring Outside Counsel › See page 7.
  Friday, August 9 › 12:00 noon – 1:45 pm

› Annual Section Reception › $60 per ticket
  Comp ticket for Section Members who purchase a Section CLE ticket
  Friday, August 9 › 6:30 pm – 8:30 pm
  Golden Gate, 32nd floor

› Section Council Meeting & Annual Business Meeting
  Election of the 2019 – 2020 Section Officers and Council Members
  Saturday, August 10 › 8:00 am – 11:30 am
2:00 pm – 3:30 pm  
**CLE** Practical Considerations for Procurement Fraud Investigations

Procurement fraud investigations are filled with traps for the unwary. Our panel of outside, inside, and government counsel will discuss the practical considerations for navigating a procurement fraud investigation including whether, when and how to best enter into common interest or joint defense agreements, conduct an internal investigation, waive privilege (or avoid doing so), make a disclosure or presentation to the government, and transition to and finalize a settlement agreement.

**MODERATOR:** Brian Hill, Member, Miller & Chevalier, Washington, DC

**PANELISTS:** Megan Jeschke, Partner, Holland & Knight, Tysons, VA; Mana Lombardo, Counsel, Crowell & Moring, Los Angeles, CA; Benjamin Wei, Senior Trial Counsel, Fraud Section, U.S. Department of Justice, Washington, DC

3:45 pm – 5:15 pm  
**CLE** Navigating U.S. Federal Government Contracts in the Asia-Pacific Region

As the Asia-Pacific region continues to grow in geo-political importance, so does the U.S. Government contracting presence. Navigating the relationships between the U.S. Government and contractors operating in this part of the world presents unique challenges, both legal and cultural. This panel will begin by providing both government and contractor perspectives on the operative legal frameworks underlying these relationships, including status of forces agreements, compliance with local law, and extra-territorial application of U.S. procurement laws and regulations. The panel will then discuss the interplay of U.S. government contracting principles with the cultural business norms in countries throughout the region.

**MODERATOR:** Nooree Lee, Senior Associate, Covington & Burling LLP, Washington, DC

**PANELISTS:** Major Joon K. Hong, Chief Counsel, U.S. Army, Army Contracting Command, 411th Contracting Support Brigade, Korea; Anthony Kim, Partner, Capital Edge Consulting, Inc., Washington, DC; James F. Nagle, Of Counsel, Oles Morrison Rinker & Baker LLP, Seattle, WA
Friday, August 9, 2019

6:30 am – 7:00 am  
**Construction Program Continental Breakfast**
This continental breakfast is included in the CLE Program Ticket used for the program that follows.

The Section is grateful for the support of the Gold and Silver Sponsors listed below for this breakfast and program.

7:00 am – 8:30 am  
**CLE Landmark Construction Decisions and Litigation Best Practices**
Construction disputes end up in litigation for a variety of reasons. However, once filed, the case is evaluated and an outcome rendered based on the Federal Acquisition Regulation, the contract, and judicial precedent. This panel will discuss landmark construction cases, as well as recent decisions which will impact construction cases for years to come. In addition, the panel will highlight best practices and often overlooked procedural rules of which counsel run afoul.

**Moderator:** Kathryn T. Muldoon Griffin, Member, Smith Pachter McWhorter PLC, Tysons Corner, VA

**Panelists:** The Honorable Margaret M. Sweeney, Chief Judge, United States Court of Federal Claims, Washington, DC; The Honorable Thomas C. Wheeler, Judge, United States Court of Federal Claims, Washington, DC; The Honorable Mary Ellen Coster Williams, Judge, United States Court of Federal Claims, Washington, DC

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**Construction Program Sponsors**

**Gold Sponsors**

- KRG
- Smith Pachter McWhorter PLC

**Silver Sponsors**

- BDO
- FTI Consulting
- LitCon Group
- Oles Morrison
- Smith Currie
- Wiley Rein
8:45 am – 10:15 am

**CLE The Intersection of the Space Industry and Government Contracts**

For over half a century, the U.S. Government has been engaged in a variety of scientific, military, and commercial missions in outer space. These missions, which have been operated through both civilian and military agencies, have consistently relied on the involvement of government contractors. This session will provide participants with an overview of the space industry, the basics of space law, and the unique legal, operational, and policy challenges associated with performing government contracts that involve outer space and space technologies. The session will also address emerging issues related to the intersection of the space industry and government contracts, including the commercialization of space technologies, the proposed Space Force, and the impact of ongoing acquisition reform efforts on procurements related to outer space and space technologies.

**MODERATOR:** Danny Cook, Associate, DLA Piper LLP (US), Washington, DC

**PANELISTS:** Shawn Cheadle, General Counsel Operations, Lockheed Martin Space, Denver, CO; Kelli A. Hooke, Former Legal Advisor at U.S. Strategic Command and U.S. Army JAG, Fort Belvoir, VA; Milton “Skip” Smith, Member, Sherman & Howard L.L.C., Colorado Springs, CO; Sumara Thompson-King, General Counsel, National Aeronautics and Space Administration, Washington, DC

10:15 am – 10:30 am

**Networking Break**

10:30 am – 12:00 pm

**CLE The Shifting Landscape of Contracting for Commercial Goods and Services: GSA and Beyond**

Much of what the government purchases from contractors is considered to be commercial, with its own set of rules and opportunities. The rules behind commercial purchases have grown more complicated over the last few years, but there are efforts to change that including:

✦ The implementation of recommendations from the Section 809 Panel
✦ Consolidation of GSA Schedules
✦ The creation of a new online marketplace by GSA/OMB
✦ The rise of Other Transaction Agreements and other alternative buying arrangements

This panel will explore the current state of commercial contracting and how these coming changes will impact the industry. In addition, the panel will explore:

(1) which of the Section 809 Panel recommendations they think will gain traction and the implications, (2) the timetable for the consolidation of GSA Schedule and what contractors should do, and (3) what to expect from GSA’s new online portal that will launch shortly.

**MODERATOR:** Adelicia R. Cliffe, Partner, Crowell & Moring LLP, Washington, DC

**PANELISTS:** Roger Waldron, Principal, The Coalition for Government Procurement, Washington, DC; Jeffrey K. Clayton, Principal, Baker Tilly, Tysons Corner, VA; Alexandra Rouse, Professional Services Program Executive Director of Professional Services Program Management, General Services Administration, Federal Acquisition Service, Washington, DC
2:00 pm – 3:00 pm  
**CLE U.S. Infrastructure Trends and Policy for Federal, State and Local Governments**

As all levels of U.S. Government focus on critical infrastructure investments, public and private sector attorneys face the challenge of understanding, recommending, and implementing a multitude of procurement tools to achieve the best results. The panelists will discuss and explore innovative procurement policies and strategies including public-private partnerships (P3), and design-build contracting. The panel will discuss lessons learned at the federal, state, and local level and future infrastructure trends, including new authorities such as the Airport Investment Partnership Program and the opportunity to use long term P3 leases.

**MODERATOR:** Angela Styles, Partner, Akin Gump Strauss Hauer & Feld LLP, Washington, DC  

**PANELISTS:** Patrick D. Harder, Partner, Nossaman LLP; Los Angeles, CA; E. Sanderson Hoe, Senior of Counsel, Covington & Burling LLP, Washington, DC; Susan H. Lent, Partner, Akin Gump Strauss Hauer & Feld LLP, Washington, DC

3:00 pm – 3:15 pm  
**Networking Break**

3:15 pm – 4:15 pm  
**CLE Funding Research and Innovation: SBA’s SBIR and STTR Programs**

This panel will discuss and provide insights on the Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) programs. The discussion will include a background in the SBIR and STTR programs, recent changes and extension of the programs through the 2019 NDAA, and challenges and successes for the programs. The panel will further discuss the future of the programs and suggestions for interested contractors.

**MODERATOR:** Mitchell Bashur, Verizon Federal Solutions, Washington, DC  

**PANELISTS:** Kristen E. Ittig, Partner, Arnold & Porter Kaye Scholer, LLP, Washington, DC; Ron Poussard, Chief Operating Officer, Applied Federal Contact Associates, LLC, Burke, VA
4:30 pm – 5:30 pm
**CLE** Government Contracts Law on the Silver Screen: A Look at Procurement Issues through Film and Television

Who said government contracts was boring?! Come see the glamorous side of public procurement law, including an in-depth discussion of the Federal Acquisition Regulation and associated case law. Our panelists will use film clips to tee up an interactive discussion and examination of a range of legal and policy considerations and concerns of government contracting—some more common than others—that exist across the entire acquisition cycle, from requirements definition and acquisition strategies to contract formation and performance problems. The panel will use depictions of government contracting in film and television to distill legal lessons in such areas as commercial items, contracting risks, source selection, and procurement fraud.

**MODERATOR:** Sarah A. Maguire, Senior Counsel, Intelligence & Security, BAE Systems, McLean, VA

**PANELISTS:** Catherine L. Chapple, Senior Associate, Morrison & Foerster LLP, Washington, DC; Collin D. Swan, Counsel, Office of Suspension and Debarment, The World Bank, Washington, DC

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**TICKETED EVENT**

6:30 pm – 8:00 pm
**Annual Section Reception > $50**

Golden Gate, 32nd floor

Public Contract Law CLE ticket holders are eligible for one comp ticket.

Tickets must be ordered in advance.

Adults/Guests/non-PLC CLE ticket holders - $50

The Section is grateful for the support and contributions from the reception sponsors listed on page 11.

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**SPONSOR TICKETS**

Luncheon and reception sponsors will receive a special order form from Patty Brennan to reserve their tickets.

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**Saturday, August 10, 2019**

8:00 am – 11:30 am
**Section Council Meeting and Annual Section Business Meeting**

Open to all Section members. Includes election of Officers and Council Members for 2019 – 2020 and other Section business.

11:30 am – 12:30 pm
**2019–2020 Section Leadership Planning Session**

For 2019 – 2020 Section Leadership ONLY.
Ruth C. Burg Luncheon Sponsors

Arnold & Porter
Baker Botts, L.L.P.
Baker Tilly
Barnes & Thornburg LLP
Berkeley Research Group BRG
Blank Rome LLP
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General Dynamics Corporation
Gibson Dunn & Crutcher LLP
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Morrison & Foerster LLP
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Steptoe & Johnson LLP
Stinson LLP
TM Financial Forensics, LLC
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Hotel Information
The Westin St. Francis Hotel, 335 Powell Street, San Francisco is the headquarters hotel for the Section of Public Contract Law. The ABA Group rate is $289 Single/Double ROH/$419 Junior Suites/$519 Executive Suites.

To take advantage of the ABA hotel rates, you must first register for the Annual Meeting. Registration for the Annual Meeting must be processed through the ABA Official Registrar, CDS/Travel Planners. Online registration is available at www.ambar.org/annual. Registration is also available by phone at 800.915.9801.

Hotel reservations will be made directly with the hotel using a customized reservation link provided in the Annual Meeting registration confirmation. You must be registered for the Annual Meeting to make a hotel reservation within the ABA block. Upon making a reservation online, you will receive an immediate confirmation from the hotel, which can then be used to make changes or cancellations directly. The deadline to secure hotel reservations at the negotiated ABA rate is Monday, July 8th. Reservations may be available after this date, however the discounted ABA rate will no longer apply.

Registration Information and CLE Pricing Options
All individuals attending the Annual Meeting, must register, even if you are only attending Section social events or Section CLE programs. Tickets for CLE Programs and other tickets may be requested at the time you register online or later after you have registered.

PCL Section CLE Registration Packages
If you will only attend PCL Section meetings and events, register for the ABA Limited Registration at $95 ($295 Non-Members) and order the Section’s CLE Pass or purchase individual Section CLE tickets.

Section CLE Pass ➢ Includes (8) PCL Section CLE programs
$360 General Pricing
$275 Govt Employees, Judges, YL under 36 years of age or admitted to practice for less than 5 years.

Individual Program Ticket Pricing CLE ➢ $60 per program
➢ Practical Considerations for Procurement Fraud Investigations
➢ Navigating U.S. Federal Government Contracts in the Asia-Pacific Region
➢ Landmark Construction Decisions and Litigation Best Practices
➢ The Shifting Landscape of Contracting for Commercial Goods and Services: GSA and Beyond
➢ U.S. Infrastructure Trends and Policy for Federal, State and Local Governments
➢ Funding Research and Innovation: SBA’s SBIR and STTR Programs
➢ Government Contracts Law on the Silver Screen: A Look at Procurement Issues through Film and Television
If you plan to take full advantage of the ABA Annual Meeting and participate in other non-PCL ABA events over the weekend, then you may want to register and pay the ABA Member All Access CLE Pass fee of $495 ($695 for non-ABA members). See below for registration options.

For full registration fee categories details visit: www.ambar.org/annual

**CLE Credit**
CLE credit will ONLY be given to those attendees who are “registered” for the ABA Annual Meeting. For admittance to CLE program, registrants must wear their ABA 2019 Annual Meeting badge and present either their Public Contract Law CLE Pass, one individual CLE Program Ticket, or the ABA All Access Pass.

**Section CLE Meeting Materials**
Individuals who order the Public Contract Law CLE Pass or individual Section CLE Program tickets will be provided with a link to those materials prior the meeting. No written materials will be available onsite. You may wish to bring a laptop, notebook, or tablet to view the materials onsite as complimentary Wi-Fi access will be available.

**Section Reception Tickets**
Annual Section Cocktail Reception – Tickets Required
Friday, August 9, 2019  
6:30 pm to 8:30 pm.
Golden Gate Room, Westin St. Francis Hotel

Each Section member registered for the ABA Annual Meeting who has also purchased at least ONE Public Contract Law Section CLE Program Ticket may order ONE complimentary ticket for the Reception. You MUST ORDER your reception ticket. It is NOT AUTOMATICALLY INCLUDED as part of your registration. Non-Section CLE ticket holders and guests may purchase tickets for $50. Please order your ticket(s) to the Section Reception at the time you complete your online meeting registration at: www.ambar.org/annual registration information.

**Ordering Tickets**
Please note that ALL of the Section’s CLE programs will require either a CLE Program Ticket or the Public Contract Law CLE Pass. You may only order your CLE Program Tickets, Public Contract Law CLE Pass, and Section event tickets online, either at the time you register or by going to the link above if you are already registered.

**Event and CLE Program Ticket Pick-Up**
All pre-ordered CLE Program Tickets, Public Contract Law CLE Passes, and tickets to the Reception and other Section events will be available at the ABA Registration Area at the Marriott Marquis San Francisco, 70 Mission Street, San Francisco, CA. beginning Wednesday, August 7 – Tuesday, August 13. You must be registered for the Annual Meeting to order CLE Program Tickets or tickets to any Section events. No requests for Reception tickets can be honored by the Section of Public Contract Law after August 1, 2019, and payment for tickets must be received by that date. Admittance to the Reception will be by ticket only.
Dietary Restrictions
If you have any dietary restrictions, please indicate so by contacting Patty Brennan at patty.brennan@americanbar.org.

Services for Persons with Disabilities
We encourage participation by all individuals. If you are a person with a disability, please provide us advance notice of any special arrangements you may need so we can best accommodate you. Please email Patty Brennan at patty.brennan@americanbar.org with your request.

Privacy Notice
Registration for, attendance at, or participation in the PCL Section conferences and other associated activities constitutes an agreement by the registrant or participant to permit the American Bar Association to use and distribute (both now and in the future) the registrant or participant’s image or voice in photographs, videotapes, electronic reproductions, and audiotapes of such event and activities.

Social Event Tickets

Thursday, 8/8
Ruth C. Burg Luncheon Honoring Women in Public Contract Law $60
Location: TBA

Friday, 8/9
Annual Section Luncheon/Alan E. Peterson Lecture $60
Annual Section Reception (non PCL CLE Ticket Holders/Guests) $50

Individuals who purchased at least one PCL CLE Program Ticket are eligible to order one complimentary reception ticket. Ticket MUST BE ORDERED in advance. Sponsors > Luncheon and reception sponsors will receive a special order form to reserve their tickets.
New Name and Format!

Public Procurement Symposium/
PCL Section Fall Council Meeting
Westin San Diego Gaslamp Quarter Hotel
San Diego, CA
OCTOBER 24–26, 2019

Featuring innovative programs and networking opportunities, the Section’s Public Procurement Symposium will cover key developments in federal, state and local public procurement law that are essential to procurement professionals involved with either traditional or non-traditional government contracting.

The Symposium will explore what drives public procurements from the early stages of acquisition planning through to contract performance and protests/dispute resolution, including how best to avoid and remedy challenges unique to government contracts.

Concurrent program tracks will provide attendees an opportunity to select programs focused on either federal or state and local procurement matters or on a broader range.

FUTURE MEETINGS

OCTOBER 24–26, 2019
Public Procurement Symposium/Fall Council Meeting
San Diego, CA

March 11–14, 2020
26th Annual Federal Procurement Symposium (FPI)/Midyear Council Meeting
Annapolis, MD

JULY 30–AUGUST 1, 2020
ABA/PCL Section Annual Meeting/Council & Annual Business Meeting
Chicago, IL
JOIN US AT THE ABA
Annual Meeting
AUGUST 8-10, 2019

Register and book your hotel room now!
The deadline is July 8, 2019
www.ambar.org/annual