



## National Contract Management Association Boston Chapter Presents the 56th Annual March Workshop

### Summary Agenda & Session Descriptions

**Not sure which class is right for you?** NCMA Boston encourages selections that are *exciting* and *valuable* to your individual interests. However, we have some general suggestions, or “Tracks,” based on experience level and topics. We invite you to use the tracks as you see fit!

<b>Registration 7:15 – 8:00 AM</b>	
<b>Session 1 8:00 – 9:25 AM</b>	<b>Track</b>
1. Post Award Contracting	Intermediate
2. Negotiation Seminar	Intermediate
3. So You Think You Know the FAR?	Advanced
4. The False Claims Act: A Primer on Potential Liability and the Importance of a Proper Response	Fundamentals
5. The Cloud Abides: Addressing the Challenges of Cloud Migration and Acquisition	Special Topics
6. Commercial Item Determinations – DCMA & Contractor Perspectives	Special Topics
<b>Session 2 9:35 – 11:00 AM</b>	<b>Track</b>
7. Overview of Congressional Appropriations: A Billion Here, a Billion There...	Career Broadening
8. Negotiation Workshop (Attendance at Session 1 required)	Intermediate
9. Combating Fraud, A Team Approach	Advanced
10. Avoiding Litigation Disasters that Threaten Your Claims, Your Secrets and Your Dignity – A Few Tips On Shielding Privileged Communications and Avoiding the Production of Documents That Could Tank Your Case and Your Reputation.	Special Topics
11. Cost/Price Analysis of Suppliers/Subcontractors	Fundamentals
12. So Now You Have a Contract; DCMA An Overview of Contract Administration	Intermediate
<b>KEYNOTE ADDRESS 11:15 – 12:30 PM</b> <b>Mr. David Tafuri, Esq.</b> Partner, Dentons	
<b>Lunch 12:30 – 1:45 PM</b>	
<b>Session 3 2:00 – 3:25 PM</b>	<b>Track</b>
13. Intellectual Property Rights under Government Contracts – A Primer on the Government’s and the Contractor’s Rights to Inventions, Technical Data and Computer Software	Fundamentals
14. A Parallel Universe: Understanding Compliance Risks and Requirements under Federal Grants	Career Broadening
15. Can’t We All Get Along? Mediation and other Workplace Conflict Resolution Tools for the Contract Professional	Career Broadening
16. Government Contracting Hot Topics – Independent Research and Development (IR&D), Political Environment, and Industry Trends	Advanced
17. Organizational Changes and Restructuring: Business and Regulatory Opportunities and Challenges for Government contractors	Special Topics
18. Developing a Compliant Accounting System for Small Businesses	Intermediate
19. Legal Aspects of Cybersecurity	Legal/ Advanced



Session 4 3:35 – 5:00 PM	Track
20. The False Claims Act After Escobar: A Three-Part Test	Legal/ Advanced
21. Federal Procurement Policy Update – Obama-Trump Transition Edition	Advanced
22. Incurred Cost Proposals: A Year in Review	Special Topics
23. Help Your Small Business Develop Big-Time Sales Proposals	Intermediate
24. DIUx: Other Transaction (OT) Authority	Career Broadening
25. Developing the Contract – The Art of CLIN structure	Intermediate
26. Pre-Award in a Competitive Environment	Fundamentals
<b>Social Hour 5:00 PM</b>	

### **Detailed Agenda, Session Descriptions, and Speakers**

#### **Keynote Address**

***David Tafuri, Esq., Partner, Dentons***

Atty. David Tafuri assists clients with international business, public international law, foreign investment, rule of law and dispute resolution matters. He especially focused on post-conflict countries in the Middle East and North Africa. He draws on his experiences on the ground in the region and his previous positions with the US government and the United Nations to find creative, multi-forum solutions.

From 2006 to 2007, David served as the US State Department’s rule of law coordinator for Iraq at the US Embassy in Baghdad. In that position, he worked directly with the chief justice of Iraq and Iraqi ministries to help rebuild the legal system. He traveled across the country overseeing the State Department’s justice assistance programs and managed a number of large US government contracts and nonprofit grants. He was also responsible for advising the US ambassador and staff on the Iraqi justice system.

In addition to his position with the State Department, David draws on his previous experience as an aide to the Senate Judiciary Committee and a staff assistant to several presidential and congressional campaigns to augment his practice. Before entering private practice, David worked for the United Nations in Turkey. He has also served on the board of directors of USA for UNHCR, which supports the UN Refugee Agency, and is a former member of the Washington Ballet's Jete Society.

David's current clients include public and private companies seeking to invest in the emerging markets of the Middle East and North Africa, US government contractors, nongovernmental organizations and intergovernmental organizations. He also represents several foreign governments in the Middle East and North Africa. In addition, he has assisted foreign nationals in a variety of legal matters, including criminal and civil cases, political asylum and refugee proceedings



## **Session 1: 8:00 - 9:25 AM**

### **1. Post Award Contracting**

#### ***Jennifer Alves Administrative Contracting Officer and Grants Officer, DCMA Boston***

Jennifer began her federal career as a Keystone Intern for the Purchase Card Program at the DCMA East District Headquarters. After a year, she transitioned to DCMA Boston as a Contract Administrator. She later became an Administrative Contracting Officer and Grants Officer at the same office in 2008.

Jennifer holds a Bachelor's of Business Administration from the University of Massachusetts Dartmouth and is DAWIA Level II Certified in Contracting.

Jennifer has served on numerous Agency teams to include the GSA Alliant 2 working group and her knowledge and experience are influential in helping to meet and maintain Agency goals. Most recently she was invited to speak on the novation and corporate restructure panel at the 2016 American Bar Association annual meeting in San Francisco. She has been awarded the Keeping the Promise Award and is a two time recipient of the Indispensable Partner Award.

#### ***Capt. Scott Hoffman, Commander, DCMA-Boston***

Captain Hoffman is assigned as Commander, Defense Contract Management Agency - Boston. This Contract Management Office manages more than 840 contractors in four New England states with over 10,000 contracts valued in excess of \$38 Billion.

His operational assignments include Logistics Officer, Expeditionary Strike Group THREE (ESG 3); Logistics Officer, Explosive Ordnance Disposal Group ONE (EODGRU 1); Supply Officer, USS FORD (FFG 54); Supply Officer, USS BENJAMIN STODDERT (DDG 22).

Captain Hoffman's other shore and staff assignments include Deputy Director for Contracts, Space and Naval Warfare Systems Command - San Diego, CA; Programs, Plans and Policy Branch Chief in the Theater Security Cooperation Division of the Strategy Directorate, executing Operations ENDURING FREEDOM and IRAQI FREEDOM, United States Central Command - Tampa, FL and Doha, Qatar; Electronic Warfare Procuring Contracting Officer and Deputy Division Head, Tactical Air Contracts, Naval Air Systems Command Headquarters - Patuxent River, MD; Transportation Officer, Military Traffic Management Command - Western Area, Oakland Army Base; and, Inventory Accuracy Officer, Subsistence Director and Hazardous Material Director at Fleet and Industrial Supply Center - Pearl Harbor, HI.

He holds a Bachelor's of Business Administration from the University of Wisconsin - Whitewater; a Master of Science in Contract Law and Acquisition Management from the Naval Postgraduate School in Monterey, CA; a Master of Science in National Resource Strategy and Joint Professional Military Education from the Industrial College of the Armed Forces in Washington, D.C.; and is a graduate of the Executive Education Program at the Kellogg School of Business, Northwestern University. He is DAWIA Level III certified in Contracting and a member of the Acquisition Corps.

Personal awards include the Legion of Merit, Defense Meritorious Service Medal, Meritorious Service Medal (gold star) and various personal, unit, campaign and service awards, and is designated as a Surface Warfare Supply Corps Officer.



## **2. Negotiation Seminar and 8. Negotiations Workshop**

### **Sally Cunningham, Federal Contracts Consultant and Founder of High Stone Technologies**

Sally Cunningham is a Federal Contracts consultant. She actively assists contractors in addressing a wide variety of issues related to government contracting opportunities through the entire contract life-cycle, from bid and proposal preparation through contract management activities. Sally Cunningham was previously SEI Counsel and the Director of Technology Transition Services for the Software Engineering Institute at Carnegie Mellon University where she directs the Institute's technology transition efforts in the areas of licensing, contracts, ethics, compliance, communications, public relations, customer relations, education, and conferences. Ms. Cunningham has extensive experience in all aspects of technology transition, licensing, contracts and negotiation. She is a licensed attorney in the Commonwealth of Pennsylvania, a member of the National Contract Management Association and a lifetime Certified Professional Contracts Manager.

## **3. So You Think You Know the FAR?**

### **Mark Lumer, Former SES & Director of Contracting for the U.S. Army Space and Missile Defense Command (SMDC)**

Mark J. Lumer was the Principal Assistant Responsible for Contracting for the U.S. Army Space and Missile Defense Command (SMDC), with offices in Huntsville, Alabama; Colorado Springs, Colorado, Falls Church, Virginia and Kwajalein Missile Range in the Marshall Islands. As the Director of Contracts, he oversaw over \$15 billion in active contracts, annual expenditures of about \$3 billion and a staff of approximately 110. Mr. Lumer was a member of the Senior Executive Service and the Army Acquisition Corps, with Level III certifications (the highest possible) in both Contracting and Program Management.

Mr. Lumer retired from federal service after almost 33 years in Jan 2008. While early Army records are incomplete, Mr. Lumer is apparently the most decorated civilian contracting official in the history of the U.S. Army. Among his awards, Mr. Lumer has received a Presidential Rank Award, a tribute in the Congressional Record from the House of Representatives and approximately 8 medals and awards, from both DoD and the Army. Mr. Lumer served in Iraq three times and was selected by the White House and the DoD to represent the United States of America in 22 countries around the world as the head of a procurement training team.

Mr. Lumer spent 4 years writing the FAR and DFARS as the Army Representative on the DAR Council. He is principally responsible for all your contracting problems.

## **4. The False Claims Act: A Primer on Potential Liability and the Importance of a Proper Response**

### **Tom Finn, Partner, Chair Business Litigation Group, McCarter & English, LLC**

Atty. Finn is the Chair of McCarter & English's Business Litigation Group and focuses his practice on securities litigation, white collar criminal defense matters, and complex commercial litigation. Atty. Finn conducts internal investigations and advises clients in connection with internal and governmental audits, and has handled investigations on behalf of government contractors, financial services firms, banks, hospitals, and political campaign organizations. Atty. Finn handles complex commercial litigation matters throughout the country, including claims brought under the False Claims Act, whistleblower, and qui tam actions, as well as SEC and FINRA investigations and enforcement actions. He also handles matters in connection with criminal and civil investigations and enforcement actions brought by the Department of Justice and federal agencies, and has



represented corporations and individual corporate officers at the investigative as well as the post-indictment stages in matters involving government contractor procurement fraud, bank fraud, wire fraud, tax fraud, money laundering, and health care fraud.

Atty. Finn has lectured and participated in published “roundtables” on issues related to internal investigations and responding to whistleblower complaints. He contributed to “Inside the Minds - Managing White Collar Legal Issues: Leading Lawyers on Key Defense Strategies, Responses for Civil and Criminal Investigations, and Recent Enforcement Trends,” which was published by Aspatore Press, a Thomson Reuters Publisher. Atty. Finn is co-author of Connecticut Business Litigation, part of a book series published by ALM, which provides authoritative analysis of law regarding numerous complex business topics and serves as a primary resource of complex business litigation for attorneys who litigate in Connecticut. He earned his J.D., cum laude, from Syracuse University, an M.B.A, with highest honors, from the University of Massachusetts Amherst, and a B.S., cum laude, from the State University of New York at Albany. Atty. Finn has also consistently been named a Super Lawyer in both New England and Connecticut since 2008.

**Paula Cruz Cedillo, Partner, Business Litigation Group, McCarter & English, LLC**

Atty. Cedillo is a partner in McCarter & English’s Business Litigation Group and concentrates her national practice on complex commercial litigation, securities litigation, False Claims Act and qui tam litigation, and white collar criminal defense matters. Atty. Cedillo conducts internal corporate investigations and advises clients in connection with whistleblower complaints and investigations conducted by governmental authorities and regulators. Atty. Cedillo has conducted internal investigations for government contractors, investment firms, broker/dealers, banks, insurance companies, universities, and political campaigns. Her securities practice includes representing corporations and broker/dealers in matters involving securities fraud and defending SEC and FINRA enforcement actions. Atty. Cedillo litigates matters in federal and state courts throughout the country involving complex commercial litigation.

Atty. Cedillo authored “The False Claims Act: Strategy and Protocol for Initial Responses to the Government, Whistleblowers, and Qui Tam Actions” for the Aspatore Press “Inside the Minds” book series published by Thomson Reuters. She is also the co-author of Connecticut Business Litigation, part of a book series published by ALM, which provides authoritative analysis of law regarding numerous complex business topics and serves as a primary resource of complex business litigation for attorneys who litigate in Connecticut. She earned her J.D., cum laude, from Quinnipiac University School of Law and a B.S., summa cum laude, from Quinnipiac University. Atty. Cedillo has consistently been named a Rising Star Super Lawyer in Connecticut and in New England since 2009.

**5. The Cloud Abides: Addressing the Challenges of Cloud Migration and Acquisition**

**Franklin Turner, Partner & Co-Leader Government Contracts & Export Controls Practice Group, McCarter & English, LLC**

Atty. Turner is a partner and co-leader of the Government Contracts & Export Controls Practice Group. He is an innovative business lawyer with significant experience resolving complex government contracts issues for a broad array of companies – ranging from multinational, multibillion-dollar Fortune 500 corporations in the aerospace, defense, technology, health care and industrial supply sectors to mid-market intelligence and security services providers to small business commercial product suppliers. Atty. Turner’s multifaceted practice includes



assisting companies with comprehensive claims for payment, prosecuting and defending bid protests, conducting internal investigations to ensure his clients' compliance with federal procurement regulations and related statutes, preparing and submitting mandatory and voluntary disclosures, counseling prime contractors and subcontractors regarding disputes of all types and sizes, defending companies against False Claims Act allegations, counseling companies regarding issues of cost allowability, allocability and reasonableness, designing and implementing comprehensive regulatory compliance programs, and assisting government contractors in connection with mergers and acquisitions due diligence.

**Alex Major, Partner & Co-Leader Government Contracts & Export Controls Practice Group, McCarter & English, LLC**

Atty. Major is a partner and co-leader of the firm's Government Contracts & Export Controls Practice Group. Atty. Major focuses his practice on federal procurement, cybersecurity liability and risk management, and litigation. A prolific author and thought leader in the area of cybersecurity, his professional experience involves a wide variety of litigation and counseling matters dealing with procurement laws and federal regulations and standards. His diverse experience includes complex litigation in federal court under the qui tam provisions of the False Claims Act and bid protest actions. He counsels all sizes of companies on issues relating to compliance with government regulations including, among other things, cybersecurity (NIST, FIPS, FedRAMP, and DFARS) requirements, multiple award schedule compliance, Section 508 issues, country of origin requirements under the Buy American and Trade Agreements Acts, cost accounting, and small business requirements. He also regularly conducts internal investigations to assist companies ensure that they are in full compliance with the law. He is an editor of and contributing author to the Cloud Computing Legal Deskbook (Thomson Reuters), an annual publication addressing cloud computing issues and solutions for commercial and government end users and suppliers. Atty. Major is a retired U.S. Air Force intelligence officer who most recently served as a U.S. Air Force Academy Admissions Liaison Officer for the state of Maryland in the Air Force Reserves.

**6. Commercial Item Determinations - DCMA & Contractor Perspectives**

**Lynne Fandetti, Commercial Item Group South Pricing Supervisor, DCMA, Boston**

Lynne Fandetti is the St Pete Commercial Item Group Pricing Supervisor. Lynne started her career with DCMA in June 2014 as one of the initial members of the commercial item pilot team. Prior to coming to DCMA Lynne spent over 25 years working for the US Navy in various acquisition roles. Lynne's acquisition experience includes extensive experience as a Procuring Contracting Officer (PCO) supporting the Naval Undersea Warfare Center in Newport, RI. Lynne is DAWIA Level III certified in Contracting and a member of the Defense Acquisition Corp. Lynne holds a Bachelor's degree in Business Administration from Roger Williams University and a Masters of Business Administration from the University of Massachusetts.

**Ryan Connell, Commercial Item Group Northeast Pricing Supervisor, DCMA, Boston**

Ryan Connell is the CIG pricing supervisor for Boston and Philadelphia (Northeast). Ryan started his career as a support contractor working as a cost estimator supporting the battle management division at Hanscom AFB, MA. Ryan left MCR Federal in 2010 and joined civil service as a USAF price/cost analyst. Ryan quickly became involved with incentive contracting and championed many excel models and incentive contracting classes. In 2013, Ryan left the Air Force to join DCMA, as the first Raytheon IDS pricing lead in the newly formed ICAT structure. Ryan led many cost savings initiatives, and was recognized at the pentagon by Mr. Kendall (AT&L) for The Workforce Individual Achievement Award in Contracting for 2015. In 2016, Ryan decided to further his career and join the up and coming Commercial Item Group in Boston. Ryan holds his Masters of Business Administration from Webster University. He is currently DAWIA Level III certified in contracting, Level I



certified in Program Management and is a member of the Defense Acquisition Corp, NCMA & NDIA. Ryan Lives in Boston with his wife Jennifer.

**Joe Bellantuoni, Director-DCAA Compliance, Mercury Systems**

Joe Bellantuoni is the Director of Government Accounting Compliance at Mercury Systems, Inc. Joe has held various positions in the government accounting function of companies doing business with the federal government while leveraging commercial business models and practices, including, but not limited to iRobot Corporation and FLIR Systems. His industry experience varies across consulting services, engineering, and manufacturing production. Joe holds an MBA from Boston University and a BA in Economics from Brandeis University.

**Session 2: 9:35 – 11: 00 AM**

**7. Overview of Congressional Appropriations: A Billion Here, a Billion There...**

**Dr. Phyllis Frosst, Global Director for Public Health Policy, Seqirus**

Dr. Phyllis Frosst is the Global Director of Public Health Policy for Seqirus in Washington D.C., focusing on Global Pandemic Influenza and government affairs. Dr. Frosst joined Novartis Vaccines (which became Seqirus) in 2014 as Director for Medical Countermeasure Policy and Government affairs. Prior to joining Novartis, she was Vice President of Science Policy at the Personalized Medicine Coalition in Washington DC, representing hundreds of innovators, scientists, patients, providers and payers. Dr. Frosst has served as the Senior Advisor for Policy, Communications and Strategic Alliances at the National Center for Advancing Translational Sciences (NCATS) part of the National Institutes of Health (NIH), and Head of Policy at the National Human Genome Research Institute (NHGRI), NIH where she directed policy development and served as a liaison to Congress. Dr. Frosst holds a bachelor's and master's degrees with honors from McGill University in Montreal Canada, a doctorate in Cell and Molecular Structure and Chemistry from The Scripps Research Institute in La Jolla, California and completed a postdoctoral fellowship in viral gene therapy.

**8. Negotiations Workshop**

**See #2 above.**

**9. Combating Fraud, A Team Approach**

**Jennifer A. Carrion, Esq., Fraud & Program Counsel, Hanscom AFB**

Atty. Jennifer Carrion is currently assigned as Acquisition Fraud and Program Counsel at the 66th Air Base Group, Hanscom Air Force Base, Massachusetts. As part of the Air Force Life Cycle Management Center, the base's mission is to acquire command and control, intelligence, surveillance and reconnaissance systems for the Air Force. The men and women of Hanscom manage more than \$5.6 billion in programs annually in support of the Air Force as well as joint and coalition forces. The group provides services to more than 3,000 active duty, Reserve, and National Guard military personnel and DoD civilians who work and live at Hanscom Air Force Base. Additionally, they support more than 125,000 retired military personnel, annuitants, and spouses living in the six-state New England area and New York.

Atty. Carrion attended Clark University where she earned dual Bachelor of Arts degrees in German and Comparative Literature. During 2002 and 2003 she studied overseas at the Universitat Trier in Trier, Germany.



Following completion of her undergraduate studies she attended New England School of Law in Boston, Massachusetts. There she earned her Juris Doctorate in 2007. During her time in Law School Atty. Carrion worked at Lawson and Weitzen, LLC a large multi-service practice located in Boston, Massachusetts. Additionally, she served with the Committee for Public Counsel Services (CPCS) as a Public Defender for the Worcester County Probate and Family Court then later went on to serve with the Division of Administrative Law Appeals (DALA) housed in Boston, Massachusetts. In 2009 she entered into the Contracting career field as a civilian with the Air Force at Hanscom Air Force Base where she began as a Contract Specialist. Atty. Carrion later promoted to Procurement Contracting Officer holding an Unlimited Warrant. During her time in Contracting, Atty. Carrion worked on both Systems and Advisory and Assistance Service (A&AS) contracts, namely Integrated Base Defense Security Systems (IBDSS), Force Protection Security Systems (FPS2), Joint Environmental Toolkit (JET), Portable Doppler Radar (PDR), Fixed Meteorological Equipment (FMQ-22), Professional Acquisition Support Services (PASS) and Engineering and Technology Acquisition Support Services (ETASS). She also supported the Contracting Clearance and Policy Division (PKC) and various Multi-functional Review Teams (MIRT). In the fall of 2013 Atty. Carrion transitioned to the 66th Air Base Group at Hanscom as a civilian attorney. Atty. Carrion is admitted to practice in the Commonwealth of Massachusetts and before the United States Supreme Court.

***Jessica Herrington, Special Agent, DCIS***

Special Agent (SA) Jessica Herrington began her DCIS career in 2004 as a Special Agent in the Hartford RA. During her tenure with DCIS, SA Herrington has conducted multiple priority investigations including product substitution, defective pricing and technology protection. SA Herrington has led two successful Group I Undercover Operations, including an operation combating counterfeit components entering the DoD supply chain. Most recently, SA Herrington's investigative work resulted in the second successful conviction under 18 U.S.C. 2320(a)(3); trafficking in counterfeit military goods. SA Herrington is currently the Resident Agent in Charge of the DCIS New Haven RA.

**10. Avoiding Litigation Disasters that Threaten Your Claims, Your Secrets and Your Dignity – A Few Tips On Shielding Privileged Communications and Avoiding the Production of Documents That Could Tank Your Case and Your Reputation.**

***Brian Larivee, Associate, Intellectual Property and Information Technology Group, McCarter & English, LLC***

Atty. Brian Larivee is a member of the Intellectual Property and Information Technology group, where he focuses his practice on intellectual property litigation. Brian is an experienced trial attorney having represented clients in patent, trademark, trade dress, and unfair competition matters. He has litigated district court cases from pre-suit investigation through appeal, including drafting pleadings and motions, overseeing discovery and day-to-day matter management, taking and defending fact and expert witness depositions, preparing infringement and invalidity contentions, briefing claim construction and summary judgment, formulating litigation strategy, and trying cases to juries. His clients have achieved favorable results, including settlements, summary judgment victories, and jury verdicts of noninfringement and invalidity.

Brian has represented clients in patent disputes involving a variety of technologies, including smartphones, computer hardware, software, web applications, and biotechnology. He has also represented clients in consumer products and footwear trade dress litigation. Outside of litigation, Brian has advised clients on strategic licensing,





competition, and supply-chain issues for smartphones and computer hardware. As part of his pro bono practice, Brian has represented disabled veterans in benefits disputes with the Veterans Administration.

Prior to and during his legal studies, Brian worked as a business strategy consultant advising telecommunications carriers, handset makers, and investors. His clients included a mobile network operator seeking advice on innovation best practices and a government agency seeking advice on investing in broadband infrastructure.

Before joining McCarter & English, Brian practiced at Wilmer Cutler Pickering Hale and Dorr LLP for over five years, focusing on intellectual property litigation.

**Wyley Proctor, Associate, McCarter & English, LLC**

An experienced intellectual property litigator, Atty. Wyley Proctor represents clients in patent, trademark, trade dress, unfair competition, and patent-related antitrust disputes in federal court and at the United States Patent and Trademark Office. Her practice covers a wide range of technologies, from pharmaceutical products and genetic engineering tools to smartphones and software. In particular, Wyley has extensive experience with pharmaceutical patent litigation, representing owners of blockbuster drugs under the Hatch-Waxman Act and in Inter Partes Review. She represents Global Fortune 500 companies, established mid-sized clients, and early stage biotechnology and high tech start-ups.

Wyley is also committed to public service. She is a zealous pro bono advocate, fighting for victims of domestic violence in divorce and custody cases. She is also active in several non-profit children's and family's organizations, including serving on the Board of Friends of the Children Boston, on the Advisory Committee of Bet Tzedek Legal Services, and as a volunteer attorney with the Women's Bar Foundation.

**Dan Kelly, Partner, Government Contracts & Export Controls Practice Group McCarter & English, LLC**

See #13 Below.

**11. Cost/Price Analysis of Suppliers/Subcontractors**

**Jack Gay, Sr. Manager, Fraud Investigation & Dispute Services (FIDS) Government Contract Services (GCS) Practice Ernst & Young**

Jack Gay is a CPA and a Senior Manager in Ernst & Young's Fraud Investigation & Dispute Services (FIDS) Government Contract Services (GCS) practice in Boston. He has more than 30 years of experience in government contracting, joining EY in January of 2013 following over 27 years with the Defense Contract Audit Agency (DCAA), where he held numerous positions including Quality Assurance, and Audit Manager for a Large Boston area DoD contractor and most recently serving as the Branch Manager for the DCAA Boston Office. Jack performs a variety of services to assist clients in contracting with the Federal Government in the areas of accounting, internal controls and contract compliance.

These services include business systems assessments, policy and procedures reviews, indirect rate/cost allocation plan analysis, restructuring proposals, and audits of Educational Institutions and Non-Profits. Additionally, Jack assists clients with understanding and implementing corrective action plans to ensure compliance with regulatory requirements such as the Cost Accounting Standards (CAS), the Federal Acquisition Regulations (FAR), and other regulatory requirements. Jack has experience assisting international contractors in Europe and



Asia with everything from the understanding of U.S. regulatory requirements to foreign expansion. He also has extensive experience in the resolution of disputes with DCAA, DCMA and other agencies of the government.

Jack earned Master's in Administration from Central Michigan University and a Bachelor's degree in Political Science from Providence College. Jack is a member of the American Institute of Certified Public Accountants (AICPA), National Contract Management Association (NCMA), and currently sits on the board of the National Defense Industrial Association (NDIA).

**Andrew Bookstein, Manager, Government Contract Services (GCS) Practice Ernst & Young**

Andrew Bookstein is a Manager in the Government Contract Services (GCS) practice at Ernst & Young in Stamford, Connecticut. Andrew's experience in the government contracting industry has allowed him to assist clients and their legal counsel with a wide range of services related to compliance and accounting. These services include assessments of business systems (e.g., accounting, estimating, purchasing), proposal compliance reviews, indirect rates analysis/structuring, and damage analysis. Andrew assists clients in monitoring internal control systems and provides guidance on preparing for and responding to U.S. Government audits through reviews of policies and procedures, process interviews, and detailed analysis. He has project experience providing guidance and technical advice to clients on contract compliance related to the Federal Acquisition Regulations (FAR), Defense Federal Acquisition Regulation supplement (DFARs) and Cost Accounting Standards (CAS).

**Chris Dooley, Director, Strategic Affordability Analysis, Raytheon Global Business Services**

Chris Dooley is the Director of the Strategic Affordability Analysis Team for Raytheon's Global Business Services. In this capacity he is responsible for leading the Enterprise Wide Team in providing financial supplier affordability and compliance analysis. This role supports enterprise supplier pricing strategies and proposal FAR/DFAR requirements.

Prior to taking this role, Chris has held a variety of positions within Raytheon. He was the Business Operations Finance Lead at Integrated Defense Systems overseeing a team of program financial analysts in the support of the Operations and Integrated Supply Chain teams' financial execution. He was the Director of Program Management Operations and Program Leadership at Net Work Centric Systems. He was the Director of Corporate Internal Audit during the transition of this function from being outsourced to being internally executed.

Chris holds a bachelor's degree in Economics from Harvard University and an MBA from Babson College. Chris is a member of the Institute of Internal Auditors, a Certified Internal Control Excellence Assessor, a Certified Internal Auditor and recipient of the William S. Smith Certificate of Honor awarded by the IIA in 2005. Chris is a graduate of Raytheon's Financial Leadership Development Program.

**12. So Now You Have a Contract: DCMA An Overview of Contract Administration**

**Stephen Abate, Administrative Contracting Officer, DCMA, Boston.**

Steve has 16 years federal contracting experience. He served as both a Contract Specialist and Procuring Contracting Officer (PCO) for the Army Contracting Command at the US Army Soldier Systems Center located in Natick Massachusetts. Since October 2015, Steve has served as an Administrative Contracting Officer (ACO) for the Defense Contract Management Agency (DCMA) Boston MA.



Steve holds a Master's of Business Administration from Nichols College and is DAWIA Level III Certified in Contracting.

### **Session 3: 2:00 – 3:25 PM**

#### **13. Intellectual Property & Data Rights in Federal Contracting**

***Daniel Kelly, Partner, Government Contracts & Export Controls Practice Group McCarter & English, LLC***

Atty. Kelly is a partner in McCarter & English's Government Contracts & Export Controls Group. He brings over thirty years of experience to the firm's government contracts group. Dan's practice combines both counseling and acting as an advocate on behalf of clients doing business in the government marketplace. He has knowledge of the government contracting process both on a federal and state level, and the specific laws, regulations, contract clauses and dispute resolution mechanisms in this specialized area. He provides advice and guidance to clients who are in the government supply chain, either as prime contractors, subcontractors or vendors. He reviews government solicitations with clients, prepares proposals, and negotiates teaming arrangements and subcontracts with other suppliers. He helps clients build and enhance their compliance programs. He assists clients in protecting their intellectual property and proprietary information concerning their businesses when doing business with the government. He advocates for clients who wrongfully were passed over for a contract award. He prepares claims arising under government contracts as a result of change orders, delays, and terminations for default or convenience. Dan's practice extends to a broad spectrum of industries and federal and state authorities for whom they supply research, products and services including, Medicare and Medicaid audit and investigation service providers; commercial software developers who modify their software for military applications; professional services providers for federal and state-sponsored hurricane relief efforts; raw materials and component suppliers to large military prime contractors; and biomedical and pharma research facilities working under SBIRs, CRADAs, and grants for health agencies.

Dan Kelly serves on the Board of Directors for NCMA Boston (National Contract Management Association) and NDIA New England (National Defense Industrial Association), and is a frequent speaker at NCMA and NDIA events. Dan is an adjunct member of the faculty at Suffolk University Law School where he has taught Government Contracts.

#### **14. A Parallel Universe: Understanding Compliance Risks and Requirements under Federal Grants**

##### **21. Federal Procurement Policy Update – Obama-Trump Transition Edition**

***David Black, Partner and Co-Chair, National Government Contracts Team, Holland & Knight, LLP***

Atty. David S. Black is co-chair of Holland & Knight's National Government Contracts Practice. He practices in the area of government contracts and federal grants counseling and dispute resolution. His practice includes representing contractors in protests, claims under the Contract Disputes Act, terminations for default and convenience, and prime-subcontractor disputes. He provides advice and counseling to contractors and grantees in designing, implementing, and maintaining compliance programs, responding to government investigations and audits, False Claims Act investigations and litigation, and counseling on a variety of contract and grant administration issues. David is a Past-President and officer of the NCMA Tysons Chapter. He is a Past-President of the Boards of Contract Appeals Bar Association, and develops online programs for the Public Contract Law Section of the American Bar Association.



## **15. Can't We All Get Along? Mediation and other Workplace Conflict Resolution Tools for the Contract Professional**

### **Chuck Doran, MWI and member of the CPR Dispute Resolution Panel of Distinguished Neutrals**

Charles "Chuck" Doran is an experienced mediator specializing in the resolution of employment, franchise and other disputes. A mediator since 1992, he is a member of the CPR Dispute Resolution Panel of Distinguished Neutrals and has provided mediation and other ADR services to a variety of clients including AT&T, Bose, BMW of North America, Coca-Cola, General Motors, Oxfam America, the Equal Employment Opportunity Commission (EEOC), the Massachusetts Commission Against Discrimination (MCAD), and the USPS REDRESS I and REDRESS II Mediation Panels. In 1993, Chuck completed a Specialization in Negotiation and Dispute Resolution at the Program on Negotiation at Harvard Law School. In 1994, Chuck founded MWI, a nationally recognized dispute resolution service and training organization based in Boston, MA that provides individual and corporate clients with mediation services, negotiation consulting and training, and mediation training. Chuck served as a member of the Massachusetts Supreme Judicial Court Standing Committee on Dispute Resolution and was Chair of the Qualifications Subcommittee. He is a member of the Massachusetts Bar Association's Dispute Resolution Advisory Group and is a past president of the Association for Conflict Resolution, New England Chapter. He is also a Distinguished Fellow with the International Academy of Mediators and serves as an Executive Committee Member on IAM's Board of Directors.

## **16. Government Contracting Hot Topics – Independent Research and Development (IR&D), Political Environment, and Industry Trends**

### **Ron Meldonian, Executive Director, Government Contract Services Practice, Ernst & Young, LLP**

Ron Meldonian is an Executive Contractor in Ernst & Young LLP's Government Contract Services (GCS) practice. Prior to joining GCS, Ron had 34 years' experience in government contracting with the Defense Contract Audit Agency (DCAA) and was a member of DoD's Senior Executive Service (SES) for 9 years. His last position with DCAA was as Regional Director for the Northeastern Region which encompassed operational responsibility for 22 Field Audit Offices including overseas audit operations in Europe, Africa, the Middle East and Southwest Asia. Ron's extensive background has enabled him to speak at both government only and industry/government forums and conferences on multiple occasions. Ron has wide-ranging operational experience and practical knowledge in the areas of Cost Accounting Standards, cost allocation, Federal Acquisition Regulation (FAR) and Defense Federal Acquisition Regulation Supplement (DFARS) contract provisions, including cost principles.

### **Edward Morley, Sr. Manager, Fraud Investigation & Dispute Services, Ernst & Young, LLP**

Edward Michael Morley is a Senior Manager in Ernst & Young's Fraud Investigation & Dispute Services practice in Boston, MA. Edward has more than 9 years of experience in government contracting, over 6 of which were spent at Ernst & Young. He performs a variety of services offered by Ernst & Young to assist clients and their legal counsel in contracting with the Federal Government in the areas of accounting and contract compliance. Edward has experience in Fraud Investigations, Internal Monitoring system reviews, contract bid proposals review, damage analysis, dispute engagements and supporting audits of key systems for government contractors. In addition to these services Edward has assisted clients in interpreting, implementing, and complying with federal procurement regulations and contractual requirements, including the Federal Acquisition Regulations (FAR). He also has had a specific focus regarding construction firms and Department of Defense Contractors; performing diagnostic audits, reviewing and assessing internal controls processes.



## **17. Organizational Changes and Restructuring: Business and Regulatory Opportunities and Challenges for Government Contractors**

### **Mark Dostal, Director, National Government Contracts Practice, Pricewaterhouse Coopers, LLP**

As a Director with PwC's National Government Contracts practice, Mark has over 35 years of extensive and diversified experience in government contract consulting, accounting, and auditing. This deep subject matter experience was developed through public accounting consulting in the private sector and government contract auditing in the public sector. Mark has audited many A&D companies and government contractors during his 16 years with the Defense Contract Audit Agency (DCAA) and has consulted with many government contractor clients over the last 19 years to facilitate and resolve a variety of matters regarding contract administration and cost allocability, allowability, and reasonableness. He provides expert accounting services to law firms in litigation matters and legal proceedings involving government contract disputes and forensic investigation services to law firms and in-house counsel relating to government contract compliance issues. He also assists many commercial market-based clients with transitioning to and navigating the Federal Acquisition Regulation (FAR)/Agency Supplements and Cost Accounting Standards (CAS) requirements when entering the federal marketplace. Mark has a B.A. in Business Administration from Coe College and is a Certified Public Accountant.

### **Gregg Pilotte, Director, National Government Contracts Practice, Pricewaterhouse Coopers, LLP**

Gregg has over 11 years of experience advising government contractors and commercial companies in the technology, aerospace and defense, healthcare, and industrial products sectors to pursue opportunities with local, state, and federal Government procurement. Gregg assists companies in addressing the unique compliance requirements associated with government procurement. This includes evaluating organizational structures, mergers and acquisition support, implementing business and compliance capabilities, and managing disputes and investigations which may arise throughout all phases of the contract lifecycle. Gregg specializes in the requirements of the Federal Acquisition Regulation (FAR), the Cost Accounting Standards (CAS), and other state and agency specific requirements. Gregg serves as a Vice Chair of the American Bar Association's Commercial Products and Services Committee. He has a B.S. in Accounting from Bryant University and is a Certified Fraud Examiner.

## **18. Developing a Compliant Accounting System for Small Businesses**

### **Peter Witts, President, Peter Witts, CPA PC**

Mr. Witts has eleven years of experience working for the DCAA Northeastern Regional Office and over twenty-five years of total experience working with Government Contractors. Mr. Witts acted as a technical program manager with DCAA and managed audit areas within the Northeastern Region for CAS, Financial Capability, Health Care Financing Administration Audits, Parametric Estimating, Compensation Audits, and Direct Billing Initiatives. Mr. Witts' experience includes leading a team in the development of new CAS audit programs for compliance with CAS 410 and 420 and conducting presentations on the Cumulative Allowable Cost Worksheets and the new procedures for the closeout contracts to DCAA auditors and government contractors. Mr. Witts also developed a three-day training seminar for the Northeastern Region auditors in the audit of contractors' financial capability and audit techniques to conduct ratio analysis, and the audit of cash flows. Mr. Witts was a member of an audit team completing a highly visible audit of BioPort, Inc. a Michigan anthrax vaccine producer's request for Extraordinary Relief of Contract Terms. Mr. Witts' responsibilities were the completion of the financial capability audit and computation of a recommended advance payment and repayment schedule in connection



with the new contract terms. The audit report was used by the contracting officer to renegotiate the contract terms and was also referenced in several Congressional hearings regarding the continuance of the anthrax vaccine program. As a lead auditor with DCAA at the Raytheon Corporate Resident Office, Mr. Witts worked on several complex audits including the annual incurred cost audit that audited \$250 million in cost allocated to U.S. Government Contracts. He was also a lead auditor at various branch and resident office locations for estimating system reviews, CAS compliance audits, suspected irregular conduct audits and Tri-Services Health Care cost audits. Mr. Witts received several awards and honors for his outstanding work with DCAA. Since leaving DCAA, Mr. Witts founded Peter Witts, CPA PC. The firm has grown significantly over the past sixteen years. Mr. Witts has supported several government contractors in their compliance and accounting needs. Mr. Witts has designed and implemented government contract accounting systems, prepared incurred cost submissions, developed forward pricing rates, conducted Uniform Guidance Audits and supported several DCAA audits for clients.

### **19. Legal Aspects of Cybersecurity**

***Stephen Ucci, Counsel, Government Contracts practice group, Alder Pollack and Sheehan***

Atty. Stephen Ucci is Counsel at Adler Pollock and Sheehan and leads the Government Contracts practice group. Stephen Ucci is currently serving his sixth term as a member of the Rhode Island House of Representatives. Represents a wide range of clients on variety of transactional matters in the US and Internationally. He advises clients on Government Contracting ( US and abroad), anticorruption compliance , organizational conflicts of interest, Government Security Clearance issues, business formation, joint ventures, teaming, financing, cyber security, privacy mergers, acquisitions and divestitures. His clients range from Fortune 50 companies to start ups. He serves as outside general counsel to several clients, providing daily advice and counsel to executives. Stephen regularly lectures on privacy, big data, drones, Trade Secret protection and regulatory compliance. He is also a member of the FAA Drone Advisory Subcommittee.

### **Session 4: 3:35 - 5:00 PM**

### **20. The False Claims Act after Escobar: A Three-Part Test**

***Elizabeth Latif, Partner, Day Pitney LLP***

Atty. Elizabeth A. Latif is a partner in the Hartford office of Day Pitney LLP and is a member of the Firm's Commercial Litigation practice. Both executives and companies have chosen Atty. Latif to defend them in a broad range of regulatory, white-collar criminal and complex civil-litigation matters, including matters dealing with the False Claims Act (“FCA”), the Foreign Corrupt Practices Act (“FCPA”), and international trade laws. Atty. Latif is an experienced trial lawyer in both federal and state courts, and she has argued numerous cases before the United States Court of Appeals for the Second Circuit.

Prior to joining Day Pitney, Atty. Latif was an Assistant United States Attorney, both for the Eastern District of New York and the District of Connecticut. She prosecuted individuals charged with financial crimes such as wire and bank fraud, investor fraud, money laundering, and embezzlement, as well as export control, international terrorist financing, and border crimes.

Atty. Latif earned her J.D., magna cum laude, from Boston University School of Law, where she was managing editor of the Boston University Law Review, and her B.A., magna cum laude, from Boston University. Atty. Latif served as a law clerk to The Honorable Chester J. Straub of the United States Court of Appeals for the Second Circuit and to The Honorable Christopher F. Droney, then in the United States District Court for the District of Connecticut.



## **21. Federal Procurement Policy Update – Obama-Trump Transition Edition**

***David Black, Partner and Co-Chair, National Government Contracts Team, Holland & Knight, LLP***

*See #14 above.*

## **22. Incurred Cost Proposals: A Year in Review**

***Ryan Koenitzer, CPA, President, US Government Contracts Practice, RKI***

Ryan Koenitzer, CPA, leads RKI, a niche consulting firm dedicated exclusively to U.S. Government contractors and grantees on their accounting and compliance needs. Mr. Koenitzer has over 15 years' experience in government contract cost accounting, pricing, interpretation and application of federal contract regulatory compliance requirements including the Federal Acquisition Regulation (FAR) and Cost Accounting Standards (CAS), USG business system design and implementation, and internal audit services. He advises clients on a wide range of financial and compliance risks and other regulatory requirements related to U. S. government contracts and grants. He has served clients in the aerospace and defense, architectural and engineering, construction, manufacturing, energy, transportation and technology industries across various Government agencies (e.g., DoD, DOE, etc.). In addition, Mr. Koenitzer is a routine trainer for Federal Publications Seminars and National Contract Management Association (NCMA) on U.S. Government contract matters.

Prior to founding RKI, Mr. Koenitzer worked with KPMG, Navigant Consulting, and Baker Tilly specializing in their risk advisory groups, specifically services benefitting U.S. Government contractors.

## **23. Help Your Small Business Develop Big-Time Sales Proposals**

***Jon Myerov, Proposal Manager, Mercury Systems***

Jon Myerov leads proposal management at Mercury Systems, an innovative small business providing secure sensor and mission processing subsystems. At small and large companies such as iRobot and SimplexGrinnell, Jon drove sales growth through process rigor in proposal management, business development, and competitive intelligence.

Jon is active in the Association of Proposal Management Professionals (APMP), the worldwide authority for professionals dedicated to the process of winning business through proposals, bids, tenders, and presentations. For 17 years, Jon also taught courses in business writing, linguistics, argument, and literature at various universities and colleges. Jon holds a master's degree and two bachelor's degrees.

## **24. DIUx: Other Transaction (OT) Authority**

***Capt. David Rothzeit, Defense Innovation Unit experimental (DIUx).***

David Rothzeit is a captain serving in the United States Air Force at Moffett Field, with Defense Innovation Unit experimental (DIUx). As the Pathways Manager he focuses on leveraging flexible contract mechanisms to engage non-traditional companies to fill capability gaps with best of breed technology. Prior to this assignment he served as the Executive Officer and Senior Project Manager at Special Programs Division, Hanscom Air Force Base from 2012 to 2016. While stationed at Hanscom, David deployed as a GHOST to Special Operations Command where he oversaw and managed operations for over 100 small unmanned aerial system and over twenty contractor operated aircraft providing surveillance and reconnaissance for Operation Enduring Freedom. His first duty assignment was as a Project Manager for the Air Force Satellite Control Network from 2008 to 2012. David grew up in Cincinnati Ohio and has degrees in Economics from Miami University, OH and an MBA from University of Colorado, Colorado Springs



## 25. Developing the Contract

### *Robert Weeks, Hanscom*

Mr. Weeks is the Chief of Contracts for the Air Force Life Cycle Management Center (AFLCMC) Strategic Services Portfolio Management Office. Mr. Weeks' portfolio covers all Advisory and Assistance Services (A&AS) for AFLCMC and 3 of the 5 Office of the Secretary of Defense Federally Funded Research and Development Centers (FFRDCs) managed by the Air Force. He is directly responsible for oversight and administration of a \$24B services portfolio, as well as provides advise and guidance for all non-PEO services across AFLCMC.

Mr. Weeks' other leadership assignments include Division Chief of Contracts, Family of Advanced Beyond Line of Sight Terminals – Hanscom AFB, MA; and Division Chief of Contracts, Special Programs – Hanscom AFB, MA.

Mr. Weeks currently holds an Unlimited Warrant as a Contracting Officer. In addition to his time as a civilian within the Department of the Air Force, he served as a military Contracting Officer both at Hanscom AFB, MA and supported Operation Enduring Freedom as a Contingency Contracting Officer at Kabul, Afghanistan. He holds a Bachelor's of Science in Business Administration from Assumption College and a Master of Business Administration from Assumption College. He is DAWIA Level III certified in Contracting and a member of the Acquisition Corps. He is a graduate of Air Command and Staff College and Air War College.

### *Kelly A. Martineau, Branch Chief for the Air Force Life Cycle Management Center (AFLCMC) Strategic Services Portfolio Office*

Ms. Martineau is a Branch Chief for the Air Force Life Cycle Management Center (AFLCMC) Strategic Services Portfolio Office. As part of her portfolio Ms. Martineau is responsible for the oversight and administration of a \$15B portfolio which includes three of the five, Office of the Secretary of Defense, Federally Funded Research and Development Centers (FFRDCs) managed by the Air Force.

Ms. Martineau is an Air Force Contracting Officer who currently possesses an Unlimited Warrant. She is also a Procurement Contracting Officer (PCO) Mentor. Ms. Martineau assists Contracting Officer candidates with warrant board preparation; specializing in the area of Fiscal Law and Government Funding.

Prior to her employment as a civilian with the Department of the Air Force, Ms. Martineau worked as an attorney practicing law in the areas of Estate Planning, Bankruptcy, and Real Estate. She holds Bachelor of Arts degrees in both English and History from Assumption College and a Juris Doctorate from New England Law. Ms. Martineau is a DAWIA Level III certified Contracting Professional and has completed the certification requirements for Level I certification in Program Management.

## 26. Pre-Award in a Competitive Environment

### *Crystal Foster, Chief of Source Selection Hanscom AFB*

Crystal Foster is assigned to the Acquisition Center of Excellence (ACE) as the Chief of Source Selection for HAFB. In this role, she provides expert advice and hands-on assistance to the acquisition workforce and leadership instilling credibility, excellence and innovation in the Air Force Acquisition and Sustainment process across 3 Program Executive Officer (PEO) portfolios valued at over \$32B.

Crystal started working for the Air Force in 2005 as a contract specialist in the Student Career Experience Program (SCEP). Over the course of the next 7 years, she rotated into several organizations and gained invaluable experience in both System and Operational contracting, as well as supported PK staff in a Price analyst capacity. Two notable rotations include working a Joint Urgent Operational Need (JUON) for tactical radios for MRAP vehicles and supporting sustainment operations for the Air Operations Center (AOC). In 2012, she received her unlimited warrant and became a Contracting Officer. During this time, she developed and





awarded the first division wide Multiple Award Indefinite Delivery/Indefinite Quantity (ID/IQ) contract for the Operations Command and Control Division. This full and open competition enabled the successful award of 15 contracts in 8 months without protest. Subsequently, she became the Contracting Officer for the Joint Surveillance and Target Attack Radar System (JSTARS) Recapitalization (Recap) program, Air Force's No. 4 acquisition priority, HAFBs biggest program valued at over \$7B. In this role, she became an integral member of the acquisition planning team; ensuring successful Material Development Decision (MDD) and Milestone A decision was achieved.

She holds a Bachelor's of Business Administration from Merrimack College – North Andover, MA; a Master's of Business Administration from Southern New Hampshire University-Manchester, NH,; and is currently enrolled in Air War College- Professional Military Education (PME). She is DAWIA Level III certified in Contracting.

**Social Hour 5:00 PM**