



## September 2018 Newsletter

### Greetings!

We hope you enjoy this month's NCMA Denver Newsletter. Thank you for your interest in NCMA and the Denver Chapter.

We are soliciting articles from our members, please contact us at [info@ncmadenver.org](mailto:info@ncmadenver.org) if you have a topic or idea and are interested in providing an article.

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#### STAY CONNECTED

Check the NCMA Denver Chapter's social media presence



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Looking for a new job?

[Contract Management jobs posted within NCMA HQ](#)

[Contract Management Jobs posted on the Denver Chapter LinkedIn Page](#)

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#### Visit Our Sponsors



[www.dentons.com](http://www.dentons.com)

### Denver Zoo Tap and Tails

You're invited to our fall social networking event at the Denver Zoo's Tap and Tails! There will be live music, drinks and of course, the animals to enjoy. **LIMITED SPACE AVAILABLE!**

**Date:** Thursday, October 25, 2018. Meet at Zoo entrance at 7:00 PM.

**Location:** Denver Zoo, 2300 Steele St

**Price:** \$24 members and \$28 non-members

Included with your ticket is entry to the Denver Zoo event and 2 drink tickets:

- Brewmaster meet and greets
- New artwork by Pat Milbery on display
- Up-close animal experiences
- Seasonal foods, beer, wine and cocktails
- Vintage photo bus
- Woodland Hollow, an immersive night walk
- Jack-o'-lantern sculptures

[Register Now](#)

This is a 21+ event.

### WEBINAR: Prime Contract and Subcontract Management and Government Property

**Date:** October 25 from 10:00 to 11:30 a.m.

**Location:**

Ball Aerospace & Technologies Corp. in Broomfield (10 Longs Peak Drive, BCH Auditorium)(**Photo ID required**)

**Price is \$20 (includes 1.5 CPE/CLP credits)**

Learn about the responsibilities of both the prime and subs regarding government property in their possession, including property management and risk of loss/liability



[www.ballaerospace.com](http://www.ballaerospace.com)



[www.crowell.com](http://www.crowell.com)



[www.eksh.com](http://www.eksh.com)

provisions.

Learning Objectives:

1. Recognize the flow-down requirements from prime contractor to subcontractor;
2. Determine the proper risk of loss/liability provision to apply for the loss of government property in the possession of the subcontractor; and
3. Key terms and conditions to be included in subcontracts and purchase orders regarding government property in the possession of subcontractors.

[Register Here](#)

## NCMA Annual Awards - Nomination Process

There are several upcoming award opportunities through NCMA. Our Chapter is full of outstanding professionals so let's make sure they get recognized! Below are a list of the awards and when nominations are due. If you're interested in submitting for an award to nominate yourself or someone else the Denver Chapter would love to help you through the process. Please contact Brie Staker at [bries@ageiss-inc.com](mailto:bries@ageiss-inc.com) for any assistance with award packages and nominations.

**Fellows Award-** This award recognizes individuals who have made significant contributions to the field of contract management and NCMA. Nominations are due December 1<sup>st</sup>.

**Outstanding Fellow Award-** This award recognizes an NCMA Fellow who contributes significantly to NCMA both in their chapter and nationally. Nominations are due by December 1<sup>st</sup>.

**Best Contract Management Magazine Article Award-** This award recognizes excellent magazine articles written by our members and published in NCMA's *Contract Management Magazine*. Nominations are due by February 15<sup>th</sup>.

More information about these awards and submission process can be found at [NCMA HQ](#).

## CPCM Study Group Opportunity with Byron Guidry

### Reach your personal best!

The NCMA Denver Chapter will be facilitating a study group for the Certified Professional Contracts Manager starting on Wednesdays for six weeks on January 16, 23, 30 and February 6, 13, and 20, 2019. The registration is free, but slots are limited. [Register Here](#)

Minimum qualifications for CPCM are a bachelor's degree, 120 CPE's and five years of experience. The study group is based on the new CPCM exam. The group will meet at the Lodgepole Conference Room, Dentons, 1400 Wewatta Avenue, Suite 700, Denver, CO.

The nominal Group Schedule and Presenters:

January 16 Section 1 Leadership & 7 Learning - Quincy Stott  
January 23 Section 2 Management - Karri Palmetier  
January 30 Section 3 Guiding Principles-Peter Ford  
February 6 Section 4 Pre-Award-Byron Guidry  
February 13 Section 5 Award-Matt Gomer  
February 20 Section 6 Post-Award-Paul Fisher

Recommended study materials include:

- [CMBOK 5th edition and Desktop Guide to Key Contract Terms and Conditions.](#)

- A [practice exam](#) is available for each of 6 grouped sections (Section 1 & 7 are together) for \$140 total or for \$25 each section.

## **Supply Chain Risk Management - The IT Thing That's Here to Stay**

by Karri Palmetier

The definite trend for the past few years has been to increase oversight and management of the supply chain, especially with protection of information technology (IT) and enhanced cybersecurity. Contractors that sell IT hardware or services need to be aware of these requirements to manage the risk associated with the supply chain. Additionally, I predict this trend will impact almost all government contractors because SCRM requirements will extend to many other procurements. Contractors should start assessing changes to their procurement process relating to SCRM.

Section 881 of the 2019 National Defense Authorization Act (NDAA) emphasizes the focus on IT's supply chain risk management (SCRM) by making the DoD's authority to assess SCRM as part of the proposal evaluation process. The requirements are implemented in DFARS 239.73, Requirements for Information Relating to Supply Chain Risk, and the related DFARS provision, 252.239-7017 Notice of Supply Chain Risk, and clause, 252.239-7018 Supply Chain Risk.

The SCRM requirements for IT enable the Department of Defense to exclude companies from a competition for certain covered contracts for IT hardware and services. While this may appear to be a de facto suspension or debarment, the Courts have already upheld correctly phrased evaluation factors. See *Iron Bow Techs., Inc. v. United States*, 136 Fed. Cl. 519 (2018). In *Iron Bow*, the Social Security Administration rejected an offeror that provided printers in which the Chinese government owned a portion of the printer manufacturer. Because it was phrased as evaluation criteria, the Court upheld the rejection.

It used to be that contractors only had to worry about the sourcing of materiel and components under the Buy American Act, Trade Agreements Act or Berry Amendment. SCRM is now becoming more complicated and critical. Contractors at all tiers - prime and subcontractors - should assess their supply chains for potential risks to include foreign ownership, cybersecurity protections, ability to manage quality of products and services, and ability to detect and prevent counterfeit parts. The increased concern of weakening the defenses to government information through the procurement of IT hardware, software and services is resulting in more SCRM oversight and requirements.

As such, prime contractors will need to perform sufficient due diligence on the entire supply chain and subcontractors will need to have systems in place to be competitive. The SCRM processes should ensure prime contractors (i) know the ownership of each subcontractor in the chain and source of all material and parts, (ii) have a process to oversee a company's ability to protect unclassified information, (iii) and ensure compliance with the criteria in DFARS 239.73. Prime contractors should also require subcontractors to notify of changes during performance of the contract.

SCRM will most probably create a burden for all contractors but especially for small businesses. While some companies may elect not to enter or to exit the federal marketplace, those who wish to remain will need to embrace SCRM - the Information Technology or IT thing.

## **Save the Date! Denver Chapter Holiday Party**

**When:** December 11th, 2018 7-10 PM

**Where:** Upstairs Circus

1500 Wynkoop Street, Suite 100  
Denver, CO 80202

Additional information and registration coming soon!