



Ounce of Prevention Seminar (OOPS) 2020

OOPS 20/20 - Setting Your Sights

Virtual - October 19-22, 2020

Day 1: Monday, October 19, 2020

1:00 – 1:50

Supply Chain – Where Adversaries and Adversity Meet

- Sourcing restrictions and FOCI rules to defend the supply chain from malevolent actors
- How the coronavirus highlighted supply chain weaknesses and critical points of failure within and outside the U.S.
- Preparing for traceability, verification, and reporting as the new normal

2:00 – 2:50

Digital Transformation and Government Contracts – Hold on to Your Hats

- Developments in government contracts cybersecurity and privacy regulations (FAR/DFARS/CMMC)
- How blockchain, 3D printing, and AI are affecting and will continue to affect government contractors

3:00 – 3:50

Globalization in the Time of Continuing Trade Wars

- National security reviews by the Committee on Foreign Investment in the U.S. (CFIUS), and the landscape now that the Foreign Risk Review Modernization Act (FIRREA) of 2018 has been fully implemented
- Updates on U.S. export control regimes and economic and trade sanctions programs
- Evolving FAR and DFARS requirements related to foreign sourcing and foreign ownership

Day 2: Tuesday, October 20, 2020

1:00 – 1:50

Conversation with G. Zachary Terwilliger, United States Attorney for the Eastern District of Virginia

2:00 – 2:50

Antitrust in Government Contracts: New Twists on Old Realities

- DOJ's Procurement Collusion Strike Force
- Not-So-Obvious Antitrust Risk Areas
 - o Competitor Collaborations, including Teaming and JVs
 - o Employment Issues
- Renewed importance of compliance programs

3:00 – 3:50

Accounting, Cost, and Pricing

- Let's make a deal—cost accounting issues in the M&A environment
- Best practices for avoiding LOF/LOC funding disputes
 - Cost and pricing issues and implications presented by the pandemic and the CARES Act

Day 3: Wednesday, October 21, 2020

1:00 – 1:50

Pre-Award Protest Challenges: Terms, Acquisition Approach, and Timeliness Traps

- Considerations of timeliness and prematurity with corrective action and pre-award protests
- Challenging the acquisition approach – LPTA and set-aside procurements
- Solicitation response time: how much is too little?
- RFP terms – understanding advantages and using the Q&A process effectively

2:00 – 2:50

Post-Award Bid Protests: Eyeing Current and Future Issues

- Charting the rise of data rights protests
- Targeting risk: bid protest M&A considerations
- Looking ahead: How massive procurements and protests are reshaping the market

3:00 – 3:50

Government Contracts IP: Protecting Your Secret Sauce in an Era of Hungry Customers

- Recent developments in government intellectual property
- The evolution of IP protection in other transactions
- Updates on protection of proprietary information under FOIA

Day 4: Thursday, October 22, 2020

1:00 – 1:50

Predictive Analytics, SCA and OFCCP Developments, and Hiring of Foreign Persons: Hot Employment Topics for Government Contractors in 2020

- Top five ongoing COVID-related employment concerns for federal contractors
- Employers' use of predictive analytics and artificial intelligence
- Pay equity and other OFCCP compliance initiatives
- Recovering costs under the Service Contract Act
- Contract requirements and hiring of foreign persons

2:00 – 2:50

Claims and Requests for Equitable Adjustment

- This panel will discuss the key issues related to Claims/REAs, including: Best practices for avoiding LOF/LOC funding disputes
 - Important Court and Board decisions in 2019-2020, and cases to watch
 - Impacts from the COVID-19 pandemic on performance disputes

3:00 – 3:50

2020 Regulatory Priorities and Commercial Contracting

- Election year expectations in government contracting
- Consolidation of GSA Schedules
- The implementation of a new online marketplace by GSA/OMB
- State and local contracting

4:00 – 4:50

Procurement Fraud/FCA/Investigations

- Recovery and settlements
- Important developments in the law
- COVID-19 Pandemic: Fraud investigations and enforcement
- Other focus areas for enforcement
- Parallel proceedings