

## FDP CONTRACTS TASK FORCE

May 20, 2002

### MEETING MINUTES

Attendees: Joanne Altieri, Angela Axselle, Lee Boozer, Kathryn Bradley, David Bruggeman, Paul Brundage, Reata Busby, Jim Collom, Kaaren Downey, Da Hsuan Feng, Debi Galloway, Rosemary Hamill, Wayne Kuenstler, Toni Lawson, Paul Powell, and Frank Velasquez

#### Model FDP Subcontract:

The group discussed the latest version of the model as prepared by Mark Doremus. In particular, Paul and Rosemary explained the intent to finalize the draft soon (as it has been pending for quite a while) and issue it on the FDP web site. The model was prepared to serve as “simple” tool for guidance in preparing subcontracts between educational institutions and federally funded prime contractors. The task force co-chairs have concluded that there is no need to pilot this model or make a full presentation to the FDP. Further discussion with FDP representatives may be necessary to clarify this point.

Unfortunately, not everyone present had an opportunity to review the document prior to the task force meeting. Therefore, it was decided that anyone is welcome to send any final comments to Paul and/or Rosemary, via e-mail, with an absolute deadline of July 1.

#### DOE M&O Laboratory Subcontracts:

Unfortunately, Samuela Evans, who has the lead on this project, was not in attendance. However, Paul reported that in a conference call prior to the meeting Samuela stated that there are just a few more details to be worked out with the model. She estimated that it should be complete within a week or so. The three DOE labs in California (Livermore, Los Alamos and Berkley) have agreed to use the model subcontract. It is hoped that other DOE labs will follow the California lead.

#### NASA, DOD, and NIH Contract Flowdown Clauses Websites:

Attendees were asked if they routinely use the three websites to develop flowdown clauses. Most agreed that they do use the information when drafting subcontracts between industry and FDP institutions. All agreed that the websites are useful and worthy of maintaining.

Rosemary mentioned that the NIH website was more broadly developed – to be used with any cost-reimbursement prime contract that involves subcontracts. There was follow-up discussion on publicizing the websites, possibly through NCMA, but no real plan developed. Rosemary stated that she wants to examine the NIH website before any further efforts are made to publicize it as updates are needed based on recently issued Federal Acquisition Circulars.

### Task Force Future Undertakings:

The group discussed its future direction and agreed to become a standing committee in Phase IV of FDP. The objective of committee would be to address new and/or problematic issues in federal contracts, e.g., “reasonable” detail on invoices, use of foreign nationals, contracts that are “sensitive” but not classified, etc.

There was some discussion around the table about the Universities different handling of the issues mentioned above as well as other matters including International Traffic in Arms Regulations (ITAR).

Further, there was interest expressed to establish a LISTSERV for FDP general membership to pose questions and have “live” consultation on contract issues and alert members of important publications such as the 5/15 Chronicle Article. In addition, the LISTSERV could be used to advice members of upcoming topics at our standing meetings. All members present agreed to be included on the LISTSERV. The co-chairs agreed to explore this matter further with FDP staff.