

**American Bar Association
Section of Public Contract Law**

**Annual Council Meeting
Saturday, August 11, 2007
8:30 a.m. to 12:00 noon**

**Grand Ballroom, Mezzanine
Westin St. Francis
San Francisco, California**

AGENDA

● Indicates **action or working** item

✓ Indicates materials not attached – oral report or distribution of materials at meeting

ACTION ITEMS

- 1. Approval of Spring 2007 Council Meeting Minutes (Manos)
- 2. Model Code for Public Infrastructure Procurement (Ethridge/McConnell/Miller/Thorpe)

WORKING ITEMS

- 3. Model Procurement Code Working Group (Thorpe)
- 4. Accounting, Cost & Pricing Committee Working Group on Harmonization of Cost Accounting Standards with the Pension Protection Act of 2006 (Pompeo)
- 5. Draft White Paper on Disclosure of Audits (Bingham)
- 6. Draft White Paper on Fixed-Price Contracts (Bingham)

INFORMATION ITEMS

- ✓ 7. Presentation of Stephen M. Daniel, Chairman, Civilian Board of Contract Appeals
- 8. Remembrance of Section Chairs no longer with us (Hordell)
- 9. Civilian BCA Subpoena Power (Nibley/McGovern)
- ✓ 10. Forty Years After the First Honolulu Meeting (Pettit)
- 11. Memorandum from Shay D. Assad, Director, Defense Procurement and Acquisition Policy (April 24, 2007) on Proper Use of Award Fee Contracts and Award Fee Provisions (Mutek)
- 12. Comments on Proposed Legislation: Sections 111 and 115 of S.680 and Section 201 of H.R. 1362: Publication of Justification and Approval Documents for Noncompetitive Contracts
- 13. Membership, Diversity and Outreach Committee Report on Diversity Plan and Scholarship Program (J. Dauer)
- 14. Waiver of Legal Fees and CLE for Deployed Service Members (Pachter)
- ✓ 15. Comments on Interim DFARS Rule on Excessive Pass-Through Changes (see Regulatory Coordinating Committee Report, Tab 17)
- 16. Special Report of the Legislative Coordinating Committee (Ittig/Janecek/Overman)
- 17. Special Report of the Regulatory Coordinating Committee (McCaleb)
- 18. Special Report of the International Procurement Committee (Branstetter/Nichols/Gourley)
- ✓ 19. Special Report of the Debarment and Suspension Committee (King/Levy/J. Walker)
- 20. Special Report of the Privatization, Outsourcing & Related Transactions and Financing & Transactions Committees (Hoe/Sorrett)
- 21. Special Report of the Acquisition Reform and Experimental Procurement Processes Committee (Drabkin/Humphrey/Janecek)
- 22. Public Contract Law Journal Announcement (Manos)

23. Thank you letters from Alan Peterson on receiving the 2007 Section Fellows Spirit of Leadership Award
24. ABA Publishing Editor's Tribute to Mark Langevin as Editor-in-Chief of *The Procurement Lawyer*
25. Report of the 2007 Nominating Committee (Schaefer)
26. Professional Responsibility and Contracting Ethics Committee Annual Report (A. Doyle/Lavan)
27. Battle Space and Contingency Procurements Committee Annual Report (Love/Schmauder)
28. Alternative Dispute Resolution Committee Annual Report (Dietrich/McCullough/Park-Conroy)
29. Bid Protest Committee Annual Report (Heckman/Kasanow/Khoury/Mullen)
30. IT Procurement (State and Local) Committee Report (Donohue/K. Walker)
31. Financing and Transactions Committee Annual Report (Hoe/Lord)
32. Commercial Products and Services Committee Annual Report (Crowley/Ebert/Fuller/Mason)
33. Contract Claims and Disputes Resolution Committee Annual Report (Dattilo/McGovern/Nibley/Page)
34. Construction Division Annual Report (Hanson/McAnney)
35. State and Local Bid Protest Committee Annual Report (Copeland/Featherstun)
36. State Law Database Coordination Committee Annual Report (Copeland/Davis/Goldstein/Pachter)
37. Publicity Committee Annual Report (Mitchell)
38. Accounting, Cost and Pricing Committee Annual Report (Bingham/Pompeo/Rabyne)
39. Construction Claims & Disputes Committee Annual Report (Ruggeri/Manuele)
40. Government and Corporate Counsels Committee Annual Report (Ehrhart/Worrall)
41. Procurement Fraud Committee Annual Report (Huffman/Silberman)

42. Research & Development and Intellectual Property Committee Annual Report (Allemeier/Donohue/Doogan/Huffman)
43. Teleconferences Educational Programs Committee Annual Report (Innis/O'Sullivan/Walz)
44. Employment Safety and Labor Committee Annual Report (Ginsburg/Greenberg)
45. Health Care Contracting Committee Annual Report (Delancey/Dowd/Pugsley)
46. Strategic Alliances, Teaming and Subcontracting Committee Annual Report (Lee Van/ Ruttinger/Silberman)
47. Acquisition Reform & Experimental Procurement Processes Committee Report (D. Drabkin/Humphrey/Janecek) (See Tab 21)
48. International Procurement Committee Report (See Tab 18) (Branstetter/Gourley/Nichols/Troy)
49. Legislative Coordinating Committee Report (Ittig/Janecek/Overman)(See Tab 16)
50. Privatization, Outsourcing and Related Transactions Committee Report (Nibley/Sorrett) (See Tab 20)
51. Regulatory Coordinating Committee Report (McCaleb) (See Tab 17)
52. Annual and Quarterly Programs Committee Report (Manos/Somers)
 - August 10-13, 2007 ABA Annual Meeting—San Francisco (Donohue/Morrison)
53. Financial Report (Park-Conroy)
54. Membership Statistical Report
55. Publications Sales Report
 - Current Listing of Available Publications
56. Public Contract Law Section programs available online through West LegalEdcenter
57. Public Contract Law Section ABA-CLE Teleconferences
58. 2007-2009 Calendar of Meetings

59. Debarment and Suspension (King/Levy/Walker) *No written report submitted.*
60. Emerging Issues (Madsen) *No written report submitted.*
61. Small Business & Other Socioeconomic Programs (A. Doyle/McCarthy/Murphy)
No written report submitted.
62. Legislative & Regulation Coordination—State and Local (Arnold) *No written report submitted.*
63. Bonding and Insurance (E. Gallagher/Nelson) *No written report submitted.*
64. Delivery Systems (Lane/Miller) *No written report submitted.*
65. Electronic Access (Bingham/Walz) *No written report submitted.*
66. Homeland Security (Haseman/Madsen) *No written report submitted.*
67. Privacy, Security and Access to and Protection of Data
(Klein/Letsche/Papson/Regan/Shaffer) *No written report submitted.*