

CIC Attendees

Government	Industry
Steve Harnig	Manny Lovgren (Orbis)
Kelly Cannady	Mark Miller (Chugach)
Todd Rollins	Peter Woodhull (Modus21)
Kristy Penninger	Ed Cheron (LATG)
Erica Smoak	Tad Walls (BAH)
Jesse Seaton	Lori Benson (RMC)
Don Sallee	Jessica Fletcher (Atlas)
Giancarlo Dumenigo	Sallie Sweeney (Leidos)
John O'Connor	
Michelle DeForest	

Opening Remarks

Steve Harnig kicked off today’s virtual meeting and welcomed all attendees.

Steve mentions that NAVWAR HQ has recently launched their own Contracts Industry Council. They have had 1-2 meetings and are pleased with the collaboration. The intention is for NIWC Atlantic to stay well-engaged with them and continue to share information. Manny mentions he met with NAVWAR HQ when he was on the west coast recently, and he and Steve will be invited to join one of their CIC meetings soon.

Routine Discussion Topics

Discussion Topic 1 – Communication Challenges

Steve notes that there is an upcoming meeting with NIWC Atlantic front office and all departments regarding Small Business. Small Business data is looked at frequently and summarized monthly for the Departments to see how they are doing. Steve notes Small Business goals are behind a little bit compared to last year, which may be related to Continuing Resolution (CR) issues. More total actions and more money has been obligated this year than in previous years. Will have more data next week, as this data is based on end of January numbers.

NIWC Atlantic needs to continue to improve communication, mainly in terms of market research. Steve stresses the importance of communication early and often, market research, Industry Days, open dialogue about requirements, to make sure we are making good set-aside decisions. These are not necessarily communication challenges, but are things we can do to enhance/improve outreach. NIWC Atlantic is currently also doing some internal trainings on market research.

Discussion Topic 2 – Process and Tools (Best Practices, and Training/Education of Industrial Base)

Steve would like to see Industry feedback on any best practices they become aware of, especially in the planning, pre-planning, and market research areas, and would like to get these on future CIC agendas.

Manny states he likes the idea of doing a separate industry day on market research to really focus on this and allow people to share their thoughts. He will start looking for market research best practices from other areas.

Open Discussion/Questions:

Industry question submitted regarding a new CLIN/SLIN structure, primarily impacting SeaPort actions with incremental funding. Industry does not feel this is CR-related, although Steve believes it may be somewhat related in that more funding actions may be required due to partial funding/funding not received on time, creating problems with period of performance (POP)/gaps. If funding is not put on contract in a timely manner, contractors can be put in a situation where they could possibly work “at risk” due to lapsed funding.

Jesse Seaton states this is not new, but goes back a few years, predominantly with priced SLINs (i.e. SLIN 0001AA, 0001AB, etc.) on SeaPort orders. These orders tend to have broad scope, multiple sponsors who may need or want funds tracked separately, as some appropriations cannot be mixed on same CLIN; these are reasons that can drive us to use a priced SLIN structure to execute a task order versus a priced CLIN with informational SLINs for funding. Jesse adds that another more recent change is that we lost the ability to use the “-12” payment clause (“*Other*” payment instruction formerly located in DFARS PGI 204.7108), which allowed for invoicing and payment at the informational SLIN level (i.e. SLIN 000101, 000102, etc.) Jesse states this is very different from what was seen 7-8 years ago.

In the past, companies may have decided to work at risk when funding ran out, but the above-referenced changes may not allow them to go back and bill for that work. Essentially, Industry may want to be able to make a conscious decision to work “at risk”, but a priced SLIN approach could prevent that. He states an alternative would be to start POP for each Priced SLIN to coincide with the beginning of parent CLIN vs the day incremental funding is applied. Jesse is working with his team on this, and has heard some of what they have done and what other activities are doing, and would love to know if other activities are using priced SLINs or other CLIN structures specifically for situations involving multiple sponsors, appropriations that can’t be mixed or must be tracked separately, direct cite vs. reimbursable, etc.

Manny states Industry must be aware of the risk, talk to contracting officer or contracting officer representative (COR). Steve also says we need to look at that internally, to make sure we are covering the total POP, and reiterates Jesse’s request for any best practices.

An Industry member mentions an instance where this issue did impact travel, and the COR on the contract assured the cost would be covered. This occurred about a year ago. Steve notes the contracting officers need to get more involved in the contract administration discussion vs just the COR, as CORs are not authorized to obligate funding.

Manny mentions a question from the previous meeting regarding a BPA, and notes that Sheela is engaged in the discussions; a meeting will be scheduled to further discuss.

Wrap-up: SBIOI coming up in just a couple of weeks. Next CIC meeting likely April 2024, probably back to hybrid. Manny will poll Industry for best practices on market research and priced SLINs. Please send any other proposed topics and/or questions to Manny for discussion at next meeting.