MEETING AGENDA

AGC International Construction Forum  
10:15 AM – 11:30 AM

Welcoming Remarks and Introductions

Carole Bionda  
Vice Chair, AGC Federal and Heavy Construction Division

Agency Presentations

Department of State, Bureau of Overseas Buildings Operations Presentation

Adi Kanga  
Acting Deputy Director, Managing Director for Construction, Facility and Security Management

Lisa Kyriienko  
Division Director, Construction Support

USACE Presentation

Ray Alexander  
Chief, Interagency and International Services

Christopher Gatz  
Deputy Chief, Interagency, International and Environmental

NAVFAC Presentation

Herman Pablo  
Construction Product Line Leader, Capital Improvements

AFCEC Presentation

Col. John Balzana  
Deputy Director, Facility Engineering

AGC - International Construction Forum
2018 Federal Contractors Conference
Pentagon City, VA
May 3, 2018

AGC of America
THE ASSOCIATED GENERAL CONTRACTORS OF AMERICA
Building on Experience

FEDERAL CONTRACTORS
Conference
AGC Questions for Agencies

2018/2019 BUDGET, APPROPRIATIONS, & PROJECTS OUTLOOK
• Please provide a general update on the budget and projects for FY 2018/2019.
• As U.S. operations in the Middle East slow, contractors are seeing a shift in focus from the Middle East to the South Pacific. Do the agencies believe this trend will continue in the near term?

AMERICAN PREFERENCE POLICY
• AGC formed a task force in 2014 to develop a position on the “American Preference Policy” as it applies to Joint Ventures. AGC’s position paper was finalized in 2015 and provides guidance to agencies in drafting DFARS language that clarifies whether joint ventures (JV) between American firms and foreign firms qualify as a “United States firm” for purposes of applying the American Preference Policy to a joint venture proposal.
• In a 2008 court case, Watts-Healy Tibbits a JV vs. The U.S. and IBC/TOA Corporation, the court stated that “the Government should clarify the policy [as it pertains to JVs]” through “guidelines for the source selection personnel” or “definitive regulation establishing some bright lines after both notice and comment as well as agency assessments of what rules or guidelines will really promote the ability of United States contractors to fairly compete in these contracts.” Such guidance or regulations have not been issued and confusion in the marketplace continues.
• QUESTIONS:
  o What is the agency’s position on applying the American Preference Policy to JV’s between American and non-American firms?

GENERAL CONTRACTOR IMPEDIMENTS WHEN PERFORMING OVERSEAS
• What is the agency’s position on past performance qualifications? Specifically, AGC has seen an increase in solicitations that require past performance experience to be limited to work in a given country. This seems to unreasonably restrict competition, particularly when the project’s technical specification requirements mirror U.S. standards, and goes above and beyond the agency’s minimum past performance requirements.

OPEN DISCUSSION

Adjourn