

Monday Morning Quarterback



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On the Inside

FEDERAL CONTRACTING

- ➔ [First Set of Final Recovery Act Rules Released](#)

2010 NATIONAL & CHAPTER LEADERSHIP

- ➔ [SAVE THE DATE: 2010 National & Chapter Leadership Conference Scheduled for Sept. 26-29 in Washington, DC.](#)

CHAPTER NEWS

- ➔ [AGC of Minnesota Takes Part in Traffic Congestion Media Event](#)

CHAPTER STAFF ORIENTATION

- ➔ [Deadline Extended: Chapter Staff Orientation - Registration Due Friday, June 25](#)

EVENTS

- ➔ [AGC-NCAII Meeting for New England Collective Bargaining Chapters to Take Place August 4](#)
- ➔ [AGC's 2010 IT Forum Conference](#)
- ➔ [Registration Open for HR Professionals Conference and Training & Development Conference](#)
- ➔ [Registration Open for AGC Safety & Health Conference](#)

FEDERAL CONTRACTING

First Set of Final Recovery Act Rules Released

Three of the five rules from the Federal Acquisition Regulation Councils that govern the American Recovery and Reinvestment Act were released last week. Final versions of the rules governing [GAO/IG access](#) to contractors and their employees, [whistleblower protections](#), and [publicizing contract actions](#) now permanently govern Recovery Act contracts.

AGC submitted [comments on the GAO/IG Access rule](#). AGC requested that an IG provide reasonable advance notice to contractors and their employees before a review of contractor transactions, including when and where the review and interviews will occur; the topics to be covered; the employees affected; and the total amount of time required to conduct the review.

The FAR Councils disagreed, and stated that the purpose of the rule is to put contractors on notice that they may need to make their records and employees available in the event a review is requested. The Councils prefer to leave the exact review procedures that the Comptroller General or his authorized representatives use to execute such procedures and not detail them in the FAR. The two remaining rules, governing the reporting requirements and 'Buy American' regulations, have not yet been released in final form.

For more information, contact Marco Giamberardino at (703) 837-5325 or giamberm@agc.org. [Return to Top](#) ↑

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