



## Pilieromazza Weekly Update for Government Contractors and Commercial Businesses

July 27, 2020

If you have questions concerning the content below, please visit this [link](#).

**COVID-19 CLIENT RESOURCE CENTER:** To access resources for businesses navigating the COVID-19 crisis, we invite you to visit PilieroMazza's "[COVID-19 Client Resource Center](#)." Please contact [covid19@pilieromazza.com](mailto:covid19@pilieromazza.com) for immediate assistance.

### **CYBERSECURITY & DATA PRIVACY**

**CMMC Heads to the STARS: Important Cybersecurity Provisions in GSA's 8(a) STARS III RFP**, July 22, 2020, [Jon Williams](#), [Cy Alba](#), [Meghan Leemon](#), and [Anna Wright](#)

One of the hottest topics for government contractors is the General Services Administration's (GSA) recent release of the updated 8(a) STARS III request for proposals (RFP). With proposals due by August 19, 2020, many contractors are knee deep in preparing responses to this critical multiple-award RFP. The RFP includes provisions to address the Department of Defense's (DOD) upcoming Cybersecurity Maturity Model Certification (CMMC). CMMC has not even gotten off the ground yet for DOD, but is included in the 8(a) STARS III RFP. ***Here is what you need to know about the CMMC provisions as you prepare your 8(a) STARS III proposal.*** [\[Read More\]](#)

### **Upcoming Cybersecurity & Data Privacy Presentations**

**CMMC: What Contractors Need to Know**, August 5, 2020, [Jon Williams](#). [\[Read More\]](#)

**WEBINAR: CMMC Is Coming: Are You Ready?**, August 11, 2020, [Jon Williams](#). [\[Read More\]](#)

### **LABOR & EMPLOYMENT**

**Virginia First State to Adopt Workplace Safety Standards Amidst COVID-19 Pandemic**, July 17, 2020, [Nichole Atallah](#), [Sarah Nash](#), and [Sara Nasser](#)

On July 15, 2020, the Virginia Safety and Health Codes Board approved temporary emergency standards to prevent the spread of the coronavirus in Virginia workplaces. ***Expected to go into effect during the week of July 27, 2020, the new workplace safety standards are the first of their kind in the country. The regulations will impose large monetary penalties on companies that fail to implement various COVID-19 safety measures.*** [\[Read More\]](#)

## **NLRB Ruling Gives Employers More Flexibility to Limit and Take Action Against Certain Types of Speech**

Bloomberg Law reported that the National Labor Relations Board (NLRB) gave private-sector employers more leeway to discipline or fire workers for racist, sexist, and other types of profane speech or conduct in the context of workplace activism and union-related activity. Read more [here](#).

### **Upcoming Labor & Employment Presentations**

**WEBINAR: Sex Discrimination: New Court Rulings and Legislative Updates on Gender Identity and the Practical Impact on LGBTQ Employees**, July 30, 2020, [Sarah Nash](#) and [Sara Nasser](#). [[Read More](#)]

**WEBINAR: When Sick Leave Runs Out—Managing Employee Absences and Balancing Legal Obligations**, August 4, 2020, [Nichole Atallah](#) and [Matt Feinberg](#). [[Read More](#)]

## **SMALL BUSINESS PROGRAMS**

### **SBA Releases Specific Requirements for New Community Advantage Recovery Loans**

The Small Business Administration (SBA) developed a new, temporary Community Advantage (CA) loan product titled “Community Advantage Recovery Loans” as part of its response to the COVID-19 pandemic. The CA loan product allows eligible CA lenders to provide technical and financial assistance to small businesses in underserved areas. SBA published specific CA Recovery Loan requirements in the Federal Register [here](#).

### **Fed Extends Technical Rule Change for Small Business Program**

The Federal Reserve Board extended a temporary modification of its rules allowing bank directors and shareholders to apply to their banks for Paycheck Protection Program loans for their small businesses. Read more [here](#). The relevant interim final rule was published in the Federal Register [here](#).

### **Oversight of SBA and Treasury Pandemic Programs**

The House Committee on Small Business held a hearing with SBA Administrator Jovita Carranza and Treasury Secretary Steven Mnuchin on July 17, 2020. The hearing gave committee members the ability to hear about the interpretation, implementation, and effectiveness of programs providing economic assistance to employers throughout the ongoing pandemic. A recording of the hearing is available [here](#).

## **GOVERNMENT CONTRACTS**

**GSA and SBA Issue Additional Guidance on Bidding Through Joint Ventures for STARS III**, July 20, 2020, [Cy Alba](#) and [Meghan Leemon](#)

As we [wrote](#) on July 16, 2020, SBA was interpreting 13 C.F.R. § 124.513(a)(2) as prohibiting awards of STARS III to both an 8(a) firm, individually, and a joint venture (JV) where that same 8(a) firm was the entity upon whom eligibility for the JV was based. ***Below we address additional guidance as to SBA’s interpretation of the prohibitions for 8(a) firms seeking to bid on STARS III—as well as compliance requirements—which are important to note as firms prepare their bidding strategies.*** [[Read More](#)]

### **Agencies Expected to Spend Almost \$200 Billion on Acquisition in Fourth Quarter of 2020**

The Federal News Network reported that federal agencies are expected to spend \$194 billion before September 30, 2020, and a large portion of that total will go towards technology—\$28 billion—and professional services—\$32 billion. Read more [here](#).

### **OMB Says Fourth Quarter Spending Can Help Boost Economy**

Russell T. Vought, Acting Director of the Office of Management and Budget (OMB) released a memorandum for the heads of executive branch departments and agencies encouraging administrators to leverage acquisition tools and use their remaining fiscal year balances to “boost America’s economic recovery.” Read more [here](#).

### **Federal Business Forecast Scorecard**

The Professional Services Council released its second annual Federal Business Forecast Scorecard, which examines procurement forecasts from 60 federal agencies and sub-components. Read more [here](#).

### **Regulations Banning Use of Chinese Technologies Will Be Effective August 13**

The Coalition for Government Procurement reported that the Federal Acquisition Regulation Council has issued a [prepublication version of a long-awaited interim rule](#) that will implement a government-wide ban on contracting with any entity that “uses any equipment, system, or service that uses” Huawei Technologies Company, ZTE Corporation, or certain other Chinese-made telecommunications equipment or services. Read more [here](#).

GSA has created a [webpage](#) with additional information on the rule. GSA also invites industry to participate in webinars discussing the rule on July 30, 2020, at 2:00 PM ET, and on August 12, 2020, at 1:00 PM ET. Register for the webinars [here](#).

### **Senate Passes NDAA**

The Hill reports that the Senate voted 86-14 on the National Defense Authorization Act (NDAA). The Senate’s vote comes days after the [House passed its version](#) of the annual NDAA. The two chambers will now have to reconcile their bills and craft a final deal. Read more [here](#).

## **Upcoming Government Contracts Presentations**

**WEBINAR: False Claims Act Implications for PPP and Disaster Relief Loans: What Small Businesses Should Be Ready For**, July 29, 2020, [Matt Feinberg](#). [[Read More](#)]

**MCCC GovConNet Virtual Pathway to Growth Procurement Conference—Keynote Panel**, August 5, 2020, [Jon Williams](#). [[Read More](#)]

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#### **About PilieroMazza**

PilieroMazza – a business law firm – serves as a strategic partner to government contractors and commercial businesses from across the United States in numerous industries, including:

- Aerospace and Defense
- Construction
- Cybersecurity & Data Privacy
- Emerging and Developing Industries
- Environmental Remediation
- Healthcare
- Information Technology
- Manufacturers and Suppliers
- Professional Services
- Solar Energy
- Telecommunications
- Transportation

We deliver results for our clients by implementing legal and business solutions that take the client's best interests into consideration. Moreover, PilieroMazza's efficient operational structure and lean approach to staffing matters translates into competitive pricing for our clients, while providing the highest standard of client service and legal acumen.

With lawyers in Washington, DC; Boulder, CO; Annapolis, MD; and Chicago, IL, PilieroMazza is privileged to represent clients in the following areas:

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