



**Federal Technology Group**  
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*Statement of  
Qualifications*

## Mission

The mission of Federal Technology Group is to benefit the public by moving results of research into high return-on-investment products that benefit society, through a process which is consistent with client principles, demonstrates a concern for stakeholders, and conforms to the highest ethical standards.

Federal Technology Group is built upon bringing innovative technologies to market that yields profitable returns on investment for its government and industrial partners, society, inventors, customers, shareholders and other stakeholders. It serves its clients as a trusted ally, providing them with the loyalty of a business partner and the economics of an outside vendor to extend the life of old products and to create new and profitable market opportunities and lines of business. It provides a rewarding work environment and fair compensation to its employees, a fair return to its owners, and a fair royalty to the authors of its technology.

## Company Background

Federal Technology Group, Inc. (FTG) is a consulting firm specializing in all aspects of business development, product development, licensing, and federal technology transfer. Federal Technology Group works extensively with NASA and the Department of Defense. FTG's very broad technology background, proven business development skills, and expertise in government technology transfer allows it to actively support U.S. federal laboratories, academic institutions, Global 500 companies, as well as small companies, both domestically and abroad.

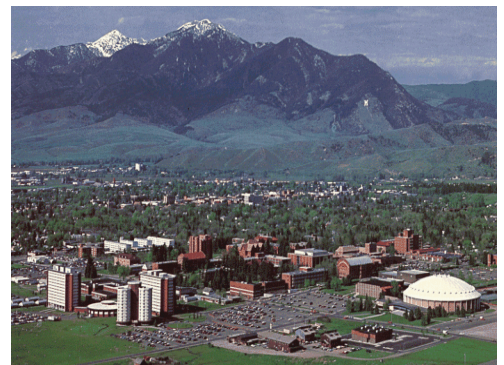
Federal Technology Group supports industry, academic institutions and U.S. Federal Laboratories in a full range of technology transfer, business and product development services:

- ◆ Technology & Product Development
- ◆ Licensing
- ◆ Government Accounting
- ◆ Contract Administration
- ◆ Access to World-Class Facilities and Resources
- ◆ Cooperative Agreements & Other Transactions
- ◆ New Business Startup & Business Incubator
- ◆ Information Technology Services

## Facilities

Federal Technology Group's principal location is in Bozeman, Montana, where it has access to world-class equipment and facilities of U.S. federal laboratories such as NASA, the United States Department of Defense (DoD) and the United States Department Energy (DOE). FTG is instrumental in creating access not only for the exploitation of federally funded research and development programs, but for the benefit of the American public and aid the competitive advantage of the U.S. industrial

base. Federal facilities have expertise in many areas that support key national missions and are critical to high-technology industries and services. Often, technology collaborations between industry and federal laboratories/facilities mutually leverage each other's resources to meet common or compatible objectives.



**FTG's  
Clients and  
Affiliations**

Federal Technology Group offers services in various fields ranging from biotechnology, software, information technology and aerospace to electronics, advanced materials, agriculture, medicine, and environmental remediation. As a professional services company that focuses on developing organizational strategies and turning them into effective business solutions, we have developed partnerships with premier industries to achieve the desired results. In working with other companies, we are able to help them in all aspects of business development, licensing and federal technology transfer while we gain knowledge of industries' needs and enjoy the opportunity to work with world-renowned scientists and business people. Agencies, laboratories, and private industries we have worked with include:

**Government agencies and laboratories**



Rodman Materials Research Laboratory at Aberdeen Proving Ground, Maryland.

- |                              |                                                         |
|------------------------------|---------------------------------------------------------|
| U.S. Army                    | Naval Surface Warfare Center, Carderock Division        |
| U.S. Navy                    | Idaho National Engineering and Environmental Laboratory |
| U.S. Air Force               | NASA Marshall Space Flight Center                       |
| Department of Energy (DOE)   | Wright-Patterson Air Force Laboratory                   |
| Air Force Research Lab       | Office of Naval Research                                |
| Army Research Lab            | Patuxent River Naval Air Systems Command (NAS)          |
| Army Tank Command            | Battelle — Pacific Northwest National Laboratory        |
| NASA Langley Research Center | U.S. Naval Research Laboratory (NRL)                    |

**Companies**

- |                                   |                                     |
|-----------------------------------|-------------------------------------|
| Aavid Thermal Products, Inc       | Hitachi Magnetics Corporation       |
| Aerojet                           | Johnson Manufacturing Company       |
| Aircraft Braking Systems Corp.    | Lanxide                             |
| Allied Signal                     | Magnaskin Technologies Inc          |
| Alyn Corporation                  | Magnaquench                         |
| AP Racing                         | Magnetic Processing Systems         |
| Bell Helicopter Textron, Inc.     | Meritor                             |
| BF Goodrich                       | Messier-Bugatti                     |
| Boeing—Rocketdyne                 | Belmont Engineering                 |
| Brembo Engineering                | Microsoft                           |
| Buell Motorcycle Company          | Neary Manufacturing Corporation     |
| Callaway Golf                     | Parker-Hannifin                     |
| Cemcom Corporation                | Pitney Bowes                        |
| Dana Corporation                  | Polaris Industries                  |
| Caterpillar                       | QED Excursion                       |
| Delphi Chassis Group              | Redline Performance                 |
| Dynamic Engineering Company       | Royal Caribbean Cruise Line         |
| Eaton Corporation—Hydraulics Div. | Schmalenburg Racing                 |
| ECA Corporation                   | StopTech, LLC                       |
| ECR Industries                    | Stratasys                           |
| EMIS                              | TechLink                            |
| Ford Motor Company                | TetraTech                           |
| General Motors                    | Titan Wheel                         |
| General Dynamics                  | TDK Corporation                     |
| GETF                              | US Bronze Foundry & Machine         |
| Gibbs Die Casting Corporation     | US Chrome & US Filter               |
| Goodyear                          | United Defense                      |
| GZ Systems Corporation            | United Technologies Research Center |
| Harley Davidson Motorcycles       | United Western Supply Company       |
| High Performance Designs, Inc.    | Visteon                             |

## Information Technology Services

Our experienced technology licensing officers identify those technologies potentially suitable for startups and client companies: cutting edge technologies in new markets, with a broad range of potential applications. We then introduce the technology to corporate sponsors and potential investors (usually, but not always, venture capitalists) whose investment profiles appear to fit. We work with incubator companies and investors to pull together a business plan for the enterprise and to formally "found" the company. Where technology transfer is required, we often broker license agreements. The formal mechanism of transfer of technology to the company is a license agreement. License agreements define the intellectual property to be transferred, the development milestones to be met by the company (often including minimum amounts of capital to be raised), and the royalty terms.

"From Strategy to Solution" encompasses FTG's approach to developing long-term relationships with our customers. As a result, FTG's value delivery system meets our customers' real needs to fulfill their objectives.

## Scope of Services

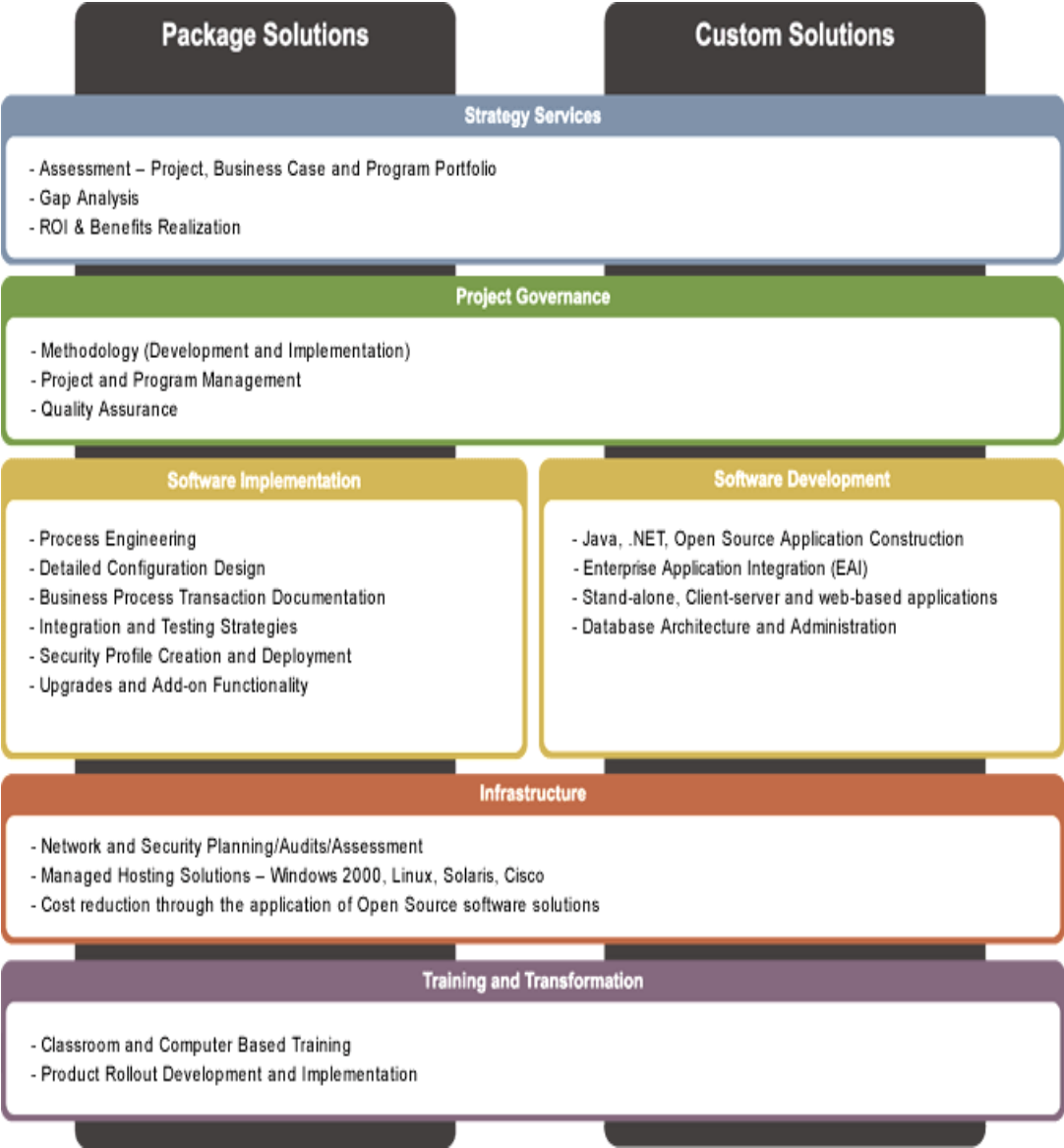
We focus on delivering quality solutions for our customers to ensure that each project is a success. Within each of our core solutions we offer additional value-added services from which to choose from depending on your specific needs. These include:

- ◆ **Package Solutions:** Our skilled team of consultants that can assist you in selecting and delivering your Enterprise Application Software. We have a long history of Enterprise Application Software implementations and will ensure project success. We bring program and project management, business process expertise, strong technology knowledge, quality risk management techniques and continuous business improvement.
- ◆ **Custom Solutions:** We have proven expertise in developing and integrating custom solutions to front-end, back-end and stand alone applications. Our team is well versed in numerous programming languages and technologies to ensure your solution is customized to your specific needs.
- ◆ **Strategy Formulation:** We help your business bridge process and technology solutions to ensure that they create value for your organization. We are also experienced in streamlining business processes to optimize efficiency and reduce costs based on best practices. Identify and leverage opportunities to improve your current investment.
- ◆ **Project Governance:** We utilize effective program management, project management, quality assurance and change management techniques. Use our proven methodology to ensure that your implementation is delivered in an efficient and cost-effective manner.
- ◆ **Business Analysis:** We ensure that you receive the maximum value for your business through our unique business analysis of your needs, and show you how different technologies can improve your workflow and production. We take a hard look at the bottom line value of the project.
- ◆ **Training and Transformation:** We can deliver classroom, technology-based training and change management to ensure adoption and maximize utilization of your new system.
- ◆ **Infrastructure:** We provide a secure and reliable foundation upon which to build the applications that your business requires, and then help you manage and control the Total Cost of Ownership (TCO).



Bridge Computer Systems, Courtesy of Royal Caribbean Cruise Lines.

**Package and Custom Solutions**



**References**

FTG's satisfied information technology customers include:



## Licensing Services

The intent of Congress essentially has remained the same for many years: When licensing government technologies, industry can gain access to government technologies and further develop them into commercial products from which economies of scale can be realized, resulting in lower-cost government components for military and other government applications. The licensing of government inventions is one means of achieving this intent, and can result in the following:



- ◆ Making commercial off-the-shelf products available for purchase by U.S. government agencies.
- ◆ Fostering new working relationships between federal laboratories and private industry resulting in furthering R&D.
- ◆ Creation of new business lines and products that benefit both the private sector and government agencies and has the additional benefit of generating revenues back to laboratories.
- ◆ Further maturing of government technologies by licensees, who then sell these enhanced products back to the government.

The purpose of technology transfer is to make federally generated scientific and technological developments accessible to private industry and the state and local governments. Users are encouraged to develop the technology further into new products, processes, materials, or services that will enhance the nation's industrial competitiveness or otherwise improve the nation's quality of life. Licensing government technologies, further developing them, and bringing them to commercialization is one means of accomplishing technology transfer. Legislation increasingly is encouraging the licensing of government technologies by the private sector.

FTG supports government and the commercial sector in licensing technologies. Many Department of Defense laboratories, NASA and technology-transfer intermediaries have significantly increased their licensing metrics by obtaining the services of FTG licensing staff. FTG has brokered commercial technology-licensing agreements in six countries and plays a significant technology-transfer role with U.S. government agencies and commercial clients.

## Technology Brokering

Our experienced technology licensing officers assist clients by identifying those technologies potentially suitable for licensing. They don't always have to be cutting-edge technologies in new markets or have a broad range of potential applications – they simply must fulfill a need in order to be licensed successfully. FTG staff members have realized great success in assisting federal laboratories and technology-transfer intermediaries in generating active licenses. FTG supports private enterprise ranging from the largest of Global 500 companies to the smallest of new-venture startups. We attribute our success to the following factors:

- ◆ An ability to work with clients to focus on the best of their technology portfolios, success in working with scientists, and the ability to foster an entrepreneurial spirit among inventors.
- ◆ Clear mission objectives that create wins for all clients, whether licensees or licensors.
- ◆ A staff of technically trained, experienced licensing officers who understand government, academia and industry, and get a great deal of satisfaction from "getting the deal done" within client policy. Most have negotiated many licenses, so that they can visualize alternative solutions to roadblocks and know how to set realistic expectations between parties.
- ◆ Fostering client relationships that create value with a product focus, instead of a technology focus. FTG licensing staff members are problem solvers who help licensors and licensees resolve issues that arise when commercializing technologies that generate a positive return on investment. We focus on everything from financing and strategic partnering, to dealing with supply systems and subsystems. Licenses result after resolving these and other commercialization issues.

## Education

In working with federal laboratories, academic institutions and corporations, FTG has found a common thread – most need help with licensing. In addition to our staff directly marketing your technologies, let our experienced team provide your faculty with additional skill sets in the evaluation of invention disclosures, management of literature searches, market assessment and decisions on patent filing, management of attorneys on patent prosecution, marketing of the technology to potential licensees, negotiation of license agreements and monitoring of licensee performance. Our highest demand program is "rifle-shot" marketing – that is, matching the specific technology with the specific needs and interests of companies or investors as a means of licensing technology. This method has proven to be far more effective than traditional technology-transfer mechanisms.

Businesses frequently wonder how to protect a product, a process, a service or a plan, and how to safeguard *knowledge* of those items as well. This is becoming increasingly difficult as the "cyber age" we live in reaches maturity. Business success is often measured by what a company *knows* and what it has *learned*, not just what it produces. FTG will also help your agency develop a management strategy for protecting your organization's intellectual property. We focus on both the government and commercial marketplace, and specialize in methods of protecting intellectual property in U.S. government contracts and intellectual property in the international marketplace.

## Creating Wealth from Technology

Statistics show that there is a positive correlation between research, innovation and U.S. economic prosperity. Total U.S. investment in R&D was approximately \$264 billion in 2000. Since the 1980s, industry's investment in R&D has been increasing, reaching about \$179 billion in 2000. The federal government is a major sponsor of R&D in the U.S., providing approximately \$83 billion in funding in 2000, of which the Department of Defense's portion was approximately \$39 billion. The number of U.S. patents, including federal and non-federal, continues to rise, and reached nearly 155,000 in 1998. Patent licensing revenue was well over \$100 billion in 1998, and experts predict that the licensing of patents is a practice still in its infancy. These experts also predict that revenues could exceed a half-trillion dollars within the next five years. FTG works with commercial clients, universities and the government to capture the value from their intellectual property.



Technology IT Migration.



Joint Strike Fighter (JSF)

Commercial clients typically generate a very significant return on their investment towards FTG services. Government clients are graded on other mechanisms, and we therefore focus on increasing the numbers of licenses and creating success stories for companies licensing government technologies and creating products that those agencies then purchase to meet their mission-critical needs. Often, related product lines also are purchased by the U.S. marketplace.

## Program Development

Whether working with a commercial client, university or federal laboratory, FTG staff members are well-versed in creating technology transfer programs. Each officer typically manages individual cases from beginning to end, including evaluation of invention disclosures, management of literature searches, market assessment, decisions on patent filing, management of outside attorneys on patent prosecution, marketing of the technology to potential licensees, negotiation of license agreements, determination of royalties, and monitoring of licensee performance. In generating executed license agreements, FTG utilizes "rifle-shot" marketing as described in the education section.

## Intellectual Property

Our intellectual property management groups are experienced practitioners in both commercial methods of intellectual property protection and the unique issues in government contracting. As outsourcing and commercialization blur the traditional distinctions between public and private enterprise and entrepreneurship, safeguarding intellectual assets is critically important to both contractors and the government. FTG assist clients with the following issues concerning intellectual property rights for government contractors and government agencies.

### Basic Intellectual Property Assets and Key Intellectual Property Policy Issues in Government Contracting

Current Department of Defense IP Policy  
Stevenson-Wylder Act and Recent Amendments  
Bayh-Dole Act and Implementing Executive Orders

### Defining Rights In Intellectual Property Under Government Contracts

Patent Rights  
Principles of Patent Law  
Background Inventions  
Subject Inventions  
Types of Patents  
Impact of Authorization and Consent Clause  
Copyrights  
Principles of Copyright Law  
Noncopyrightable Subject Matter  
Compilations and Derivative Works  
Government Works  
Exclusive Rights vs. Limitation on Rights  
Unpublished Works  
Considerations Arising From E-commerce  
Trademarks  
Principles of Trademark Law  
Recent Developments in Trademarking Government  
Terms and Nomenclatures  
Considerations Arising from E-commerce  
Technical Data  
Technical Data and Computer Software Defined  
Regulatory Revisions and Frameworks  
Unlimited Rights  
Limited Rights in Technical Data  
Restricted Rights in Computer Software  
GPLR and GPR  
Non-Standard Rights  
Trade Secrets  
Principles of Trade Secrets  
Trade Secrets Necessary to Performance of a Contract  
Trade Secrets Developed During Contract Performance

### Commercialization of Government-Owned Technologies

Statutes and Legal Authority in the Commercialization of Technology  
Federal Requirements  
35 U.S.C. 209, Restrictions on Licensing of Federally Owned Inventions  
Development Plans  
Publication of Intent  
Obtaining and Utilizing Rights in Government-Owned Property  
Procurement Contract vs. Cooperative Agreement, CRADA or Other Transaction  
Rights in Grants  
Exclusive vs. Non-Exclusive Rights  
Licensing Patents  
Licensing Technical Data  
Setting and Paying Royalties

### Intellectual Property Rights Under Cooperative Agreements, Other Transactions and Other Non-Traditional Instruments

Funds-in vs. Funds-out Distinctions  
IP Rights in Cooperative Agreements  
IP Rights in Cooperative Research and Development Agreements  
Provisions of 15 U.S.C. 3710a, Cooperative Research and Development Agreements  
Roles and Responsibilities of the ORTA  
Roles and Responsibilities of the Patent Attorneys  
IP Rights in Other Transactions

### Maximizing and Preserving the Value of Intellectual Property in Government Contracts, Cooperative Agreements, Other Transactions and Other Non-Traditional Instruments

Negotiating Greater Rights in Patents  
Negotiating Greater Rights in Technical Data  
Licensing  
Patents  
Non-patented Inventions  
Technical Data  
Trademarks  
Utilizing Trade Secret Protections

### Enforcing Intellectual Property Rights in Government Contracts

Impact of Authorization and Consent  
Express  
Implied  
Claims Against the United States Government for Infringement  
March-In Rights  
Addressing misappropriation and Misuse of Trade Secrets and Proprietary Information  
Addressing Licensing Problems  
Antitrust Issues

### Strategies for Gaining the Competitive Edge: Development and Implementation of a Strategic Plan for Maximizing the value of IP Rights Acquired Through Government Contracts and Non-Traditional Instruments

IP Audit  
Conducting a Self-Audit  
Evaluating Your Own Processes  
Systematic Mining of Patents and Other IP Assets

### Emerging and Global Intellectual Property Issues

Special Considerations in the Age of E-Commerce and Electronic Contracting  
Agreements and Treaties  
Berne Convention  
Universal Copyright Convention  
NAFTA  
WTO/Trade Related Aspects of Intellectual Property (TRIPS) Agreement  
Risks and Considerations in International IP Issues  
International IP Disputes





## Special Forms of Contracting

Cooperative Agreements and Other Transactions are special forms of contracting with the federal government containing unique legal issues and procedures that are not commonly found in government contracting. They are excellent mechanisms for leveraging the collective synergies of both the public and private R&D communities. Cooperative Agreements and Other Transactions increasingly are providing important opportunities for commercial companies, universities, local governments, and non-profit organizations, particularly in the areas of technology transfer and research and development projects. Many agencies are aggressively pioneering the use of Cooperative Agreements and Other Transactions for research and numerous other projects.

FTG provides step-by-step guidance into the unique business and contract issues that must be recognized, managed, and solved to assure success under Cooperative Agreements and Other Transactions. We help companies, universities, and other entities enter into these agreements and comply with the specialized rules and regulations. We can broker the agreements and/or offer key guidance on a wide range of issues, including:



- ◆ Identifying the right partners.
- ◆ Deciding whether a Cooperative Agreement or Other Transaction provides the best arrangement for the government and the cooperating parties.
- ◆ Drafting successful agreements between the parties.
- ◆ Determining what to include in the agreement.
- ◆ Techniques and strategies for negotiating the agreement.
- ◆ Protecting your proprietary information and data.
- ◆ Successfully administering and managing the cooperative relationship.

## Cooperative Agreements

Substantial government participation in the research characterizes Cooperative Agreements (CAs). There are several variations of CAs. The primary difference among them is a recovery-of-funds feature. A recovery-of-funds clause can be attractive to the government laboratories because it allows for account augmentation that has not been possible under conventional contracts. If a CA is desired, the government and its partner usually can select the variation that is most appropriate for the joint effort. CAs are designed to allow the government to more easily conduct collaborative R&D with industry. Sections of U.S. Code allow the government laboratories to cost-share by contributing money to the collaborative effort. For example, CAs allow for joint ventures on specific research, with the government laboratory bearing part of the cost and its industry partner's bearing the remaining costs. Other allowed examples of collaborative efforts include joint funding of broader agendas of research conducted at multiple sites, and jointly funded and managed research at a single industrial or government laboratory site.

## Cooperative Research

Until recently, several government agencies may have been deterred from using collaboration as a principal R&D management strategy, because few instruments were available for it to conduct collaborative R&D. In the past, Cooperative Research and Development Agreements (CRADAs) were the principal instruments for collaborative efforts. CRADAs are business contracts, not procurement contracts, which allow the government and industry to cooperate and share intellectual property resulting from joint efforts. Under a CRADA, the industry partner is allowed to contribute resources such as personnel, services, property, and funding to the effort. The government can contribute all the above, except funding. For example, under a CRADA, a government laboratory may enter into joint R&D efforts for which it provides all or some of the required facilities, equipment, and materials, as well as some personnel. CRADAs were created as mechanisms to conduct joint R&D for mutual benefit, or to transfer technology from the government to industry (spin-offs) and thereby help improve U.S. competitiveness. They were not designed as mechanisms to efficiently transfer technology from industry to the military (spin-ons). CRADAs are not effective instruments to allow the government laboratories to take advantage of technological leads held by industry.

**Other Transactions**



**O**ther Transactions (OTs) are authorized by 10 U.S.C §2371. OTs are the most flexible instrument, because fewer regulations apply to them than to other instruments. OTs also allow return on investment for the government laboratories. The government laboratories may, for example, enter into an OT that invests in a startup company doing innovative research in a technology of interest to the laboratories. Such an OT arrangement can be designed to yield equity interest to the government lab. OTs also can facilitate the government laboratory's ability to take advantage of technological leads held by industry. When industry holds the technological lead, it may not be particularly eager to enter into a collaborative agreement that would allow the government laboratory to exploit that lead. OTs are flexible enough to allow the laboratory to design an agreement in which its industry partner sees some financial advantages from entering into the collaboration. The government laboratory also can negotiate other terms that might compensate industry for the laboratory's exploitation of a technological lead. The flexibility of OTs includes the waiver of almost all regulations that would force a prospective industrial partner to change its way of doing business.

**Conventional Contracts**

**C**onventional contracts, although not specifically designed to be instruments to conduct collaborative research, can be used to execute joint efforts. However, conventional contracts require adherence to burdensome regulations such as the Federal Acquisition Regulation (FAR), Defense Acquisition Regulation Supplement (DFARS), or Department of Defense Grant and Agreement Regulations (DoDGARs). In many instances, this sort of instrument has proved too restrictive to attract many industrial firms that are recognized technological leaders in their fields, either because of the management, accounting, or other regulations that apply, or because of the high cost to bid. The following table summarizes four basic instruments of collaboration and the relevant features of each:

Feature	Contract	Cooperative R&D Agreements	Cooperative Agreements	Other Transaction
Administrative Regulations	Rigid, cumbersome (FAR/DFARS)	Minimal	Waived guidelines (DoDGARs)	Commercial practice (GAAP)
Cost to Bid	Lengthy proposals	Short proposals	Short proposals	Short proposals, white papers
Management Oversight	Frequent meetings, extensive reporting	Minimal	Reduced	Reduced
Intellectual Property Rights	Government owns	Specified, but may be negotiable	Inventor owns and government has fully paid, nonexclusive license (Bayh-Dole Act)	Negotiable
Subcontractor Relationship	Rigid, complex	Usually not applicable	OMB Circular A0110, Attachment O	Commercial Practice
Socioeconomic Requirements	Numerous	Minimal	Participation of HBCU/MI by policy	Minimal (Civil Rights Act of 1964)
Fee	Allowed	Not permitted	Not permitted	Not permitted
Cost sharing	No	No government funds can be spend on a CRADA	Optional (10 U.S.C. §2358) Extent practicable (10 U.S.C. §2371)	Extent practicable
Recoupment, augmentation	No	Royalties OK	No (10 U.S.C. §2358) Extent practicable (10 U.S.C. §2371)	Optional
Oversight	Contracts officer, program office	Minimal	Grants officer	Negotiable (board of directors concept)

## Technology and Product Development



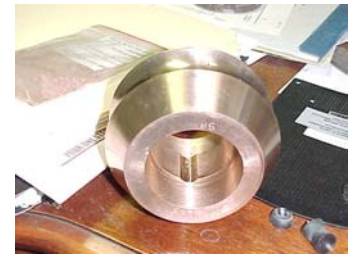
Lotus Elise Metal-Matrix Brakes.

In addition to its collaborations with U.S. federal laboratories, Federal Technology Group works with firms ranging in size from new-business startups to Global 500 companies to provide complete solutions in technology and product development. Whether it is preparing teaming agreements, securing project financing or developing management resources, FTG focuses its services on delivering to the specific and individual needs of each client.

FTG considers technology and product development to be much more than just providing prototypes. Rather, our product and technology development services revolve around assisting clients to provide the public with new goods and services that yield high returns-on-investment for stakeholders. We appeal to dozens of capital corporations and investment funds by helping these investment firms participate in generating investment-grade technologies to market – those based on revenues, not just technology. To achieve these objectives, we assist clients through our collaborations with thousands of scientists and hundreds of potential customers and suppliers. We often conceptually sell client technologies prior to ever developing new products.

Within technology and product development, FTG offers a full range of services including:

- ◆ Preparation of investment-grade business plans
- ◆ Intellectual property protection
- ◆ Securing funding
- ◆ Customer and other teaming agreements
- ◆ Cost-structure analyses
- ◆ Product positioning
- ◆ Production methodology optimizations
- ◆ Supply-chain analysis and overcoming constraints
- ◆ Product development timelines
- ◆ Creation of sources for competitive advantage.
- ◆ Licensing complementary technology
- ◆ Optimization of cost structures through forward-costing models
- ◆ Structuring technology agreements and deals to supply systems or subsystems



Bronze MMC Roll, Courtesy of AMT.

We have successfully funded, licensed and launched products in just about every industry; aerospace, medical, consumer goods, electronics, automotive, chemical, agricultural, etc.

## Incubator Program



TZM Molybdenum Impellers, Swan Metal Composites.

Since starting its company incubator program in July 2002, Federal Technology Group has successfully taken NASA and U.S. Department of Defense technologies and transformed them into commercial products for over a dozen companies. Many technologies initially developed to meet defense requirements have been re-adapted for commercial use. These companies are at the forefront of high-technology services and products, which range from advanced materials to computer security devices.

The fastest growing area for FTG is its incubator program, which meshes well with its technology transfer services by ensuring that the results of government and industrial research are made available for the benefit of the economy and wider society. There is increasing recognition that successful technology transfer is critical to the process of improving business performance and meeting important national needs.

Unlike any other incubator program in the country, we act as true problem solvers for our incubator clients. Our philosophy is that anyone can consult – ideas are just the beginning of progress. The FTG guiding principle is that there must be a drive to act on those ideas. Our services start with precise thinking and analysis, followed by relentless execution, and we don't stop until the companies are achieving revenues from product sales and are realizing a significant growth trend.

**Solutions**

We are focused on delivering quality solutions for our customers to ensure that each project is a success. Within each of our core solutions we offer additional value-added services that you can choose from depending on your implementation specific needs.

**Government Contract Administration**

Now that you've been awarded a government contract, government and contractor teams will focus on completing the requirements of the agreement. FTG guides client companies through the legal and regulatory underpinnings of government contract administration, and acts as the company liaison to the government contracting officer, helping companies meet each request of government contracting officers. In most cases, we represent the client and interface with the government contracting officers, serving as the company's point of contact to provide a vital link and bridge between the government team and the contractor team. The government team focuses on quality, performance, managing costs, and meeting the contract schedule. The contractor team focuses on performance, quality, costs, profit and managing risk. We have found that without our support, many issues and problems can surface quickly during the contract administration phase. Both government and contractor personnel must understand their rights and obligations under the contract and be aware of different ways in which to approach difficult situations and resolve problems to the mutual benefit of both parties. By acting as the company point of contact, we guide companies through:



- ◆ The roles of various contracting personnel and their corresponding authority
- ◆ Contract types and their impact on contract administration
- ◆ Managing changes and following proper procedures for modifying a contract
- ◆ Inspection, acceptance and final payment
- ◆ Contract payments, contract financing and progress payments
- ◆ Subcontract management and flow-down provisions
- ◆ Properly closing out a contract
- ◆ Learning the elements of a claim and the forums for filing a dispute
- ◆ Understanding contract termination
- ◆ Any other issues pertaining to the successful administration and fulfillment of the contract

**Commercial vs. Government Contracts**

We help clients understand the important differences between operating in the private sector and the world of government contracts, providing information about such issues as:

- ◆ Statutory and Regulatory Framework
- ◆ Competition Requirements
- ◆ Types of Contracts
- ◆ Other

**Key Statutes, Rules and Regulations**

All government contracts are based on statutes and regulations. We provide guidance to clients so that they can administer their contracts successfully because they have accurate, up-to-date information on:

- ◆ Competition in Contracting Act
- ◆ Armed Services Procurement Act
- ◆ Federal Property and Administrative Services Act
- ◆ The Federal Acquisition Regulation System
- ◆ Federal Acquisition Streamlining Act
- ◆ Federal Acquisition Reform Act

**Personnel**

We act as the client's point of contact to government contracting officers. We understand:

- ◆ Authority of Personnel - Who Has It and Who Lacks It
- ◆ Contracting Officers - PCO, TCO, ACO
- ◆ CO Representatives: COR/COTR

**Contract Types**

We provide guidance for contract administration because administrative issues vary among the many different types of government contracts, including:

- ◆ Fixed Price/Fixed Price Incentive
- ◆ Cost Reimbursement, CPFF, CPIF, CPAF
- ◆ Recurring Contracts - Indefinite Delivery, Indefinite Quantity and Requirements
- ◆ Schedule Contracts (MAS)

**Financial Aspects**

We help clients choose from a variety of methods that are available to finance their government contract. We help companies determine how contracts qualify for financing mechanisms, and help them develop an understanding of their impact on pricing arrangements, fee adjustments, billing procedures and company cash flow. Some examples include:

- ◆ Progress Payments, including SF 1433, Request for Progress Payments
- ◆ Loan Guarantees
- ◆ Advance Payments
- ◆ Unallowable Costs
- ◆ Payment of Indirect Costs
- ◆ Limitation of Costs

**Subcontract Management**

Government contracts are complex and generally require extensive subcontracting arrangements. Understanding the government's rights and limitations with respect to subcontractors is essential. We educate companies about reporting requirements, so that they are sure to comply with regulations that govern the following:

- ◆ Privity of Contract
- ◆ Subcontracting Plans
- ◆ Consent Requirements
- ◆ Purchasing System Reviews
- ◆ Disputes with Subcontractors

**Managing Contract Change**

Changes are inevitable after contracts are awarded. Failure to properly manage the change process can result in claims, disputes, and legally unenforceable contracts. We guide companies through the contractual authority for changes, the limitations these changes impose on the government, and the responsibilities they require of the contractor, including:

- ◆ SF 30, Amendments of Solicitation/Modification of Contract
- ◆ Supplemental Agreements
- ◆ Unilateral Changes
- ◆ Change Orders
- ◆ Constructive Changes
- ◆ Value Engineering Change Proposals



**Monitoring, Inspection and Acceptance**

The government has substantial rights to monitor performance and to take appropriate steps when performance is unsatisfactory. We guide clients through the procedures used by the government to ensure compliance to specifications, and also explain how contract performance issues such as the following can lead to the threat of default:

- ◆ Delays
- ◆ Stop Work
- ◆ Terminations for Convenience
- ◆ Terminations for Default
- ◆ Documenting Past Performance

## Payment and Disputes

Payment and the timely flow of funds are critically important. We guide clients through the essential steps for closing out a contract. Areas we cover include:

- ◆ The Prompt Payment Act
- ◆ Invoicing
- ◆ Collecting Contractor Debts
- ◆ Claims/Requests for Equitable Adjustments
- ◆ Contract Closeout
- ◆ Disputes and Appeals Before the Board of Contract Appeals and the Court of Federal Claims

## Other Issues

There are many other issues pertaining to contract administration, for which we offer advice, including:

- ◆ Government-furnished Property
- ◆ Audits
- ◆ Investigations
- ◆ Defective Pricing/Price Reductions
- ◆ Cost Accounting Standards
- ◆ Labor Laws



## More Information

Our accomplished services have been led by Todd Johnson, FTG's executive director. He has led licensing efforts for patents developed by NASA and the Department of Defense by generating 10 fully executed licensing agreements in just 15 months. With his broad technology background, proven business development skills, and expertise in government technology transfer, we believe we will be a valuable partner. We hope that with the basic information that we have provided, you will be interested in working with us.

Federal Technology Group is dedicated to providing quality services to government agencies and private industries. We base our successes on the customers' successes. For more information, please contact:



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