

Space Systems Acquisition Law SPSM-5600

F2 2021 Section 36 3 Credits 10/18/2021 to 12/17/2021 Modified 09/27/2021

Meeting Times

Lecture /Discussion

Weekly

Thursday, 5:30 PM to 9:30 PM, Colorado Springs Campus (& Via WebNet/Zoom)

I plan to present from Campus each week; if COVID-19 restrictions permit. On campus attendance is encouraged for local students, following all Webster University's COVID-19 protocols.

First Session: Thursday, 21 Oct., 2021

Last Session: Thursday, 16 Dec., 2021

Zoom Link each Thursday Evening: <https://webster-edu.zoom.us/j/98740892103>

Contact Information

Instructor: Mr. Kendrick Youden

Email: kendrickyouden@webster.edu

Office: 719-552-1616

Phone: 719-331-8673

Website: Webster University

Daytime Office: 719-552-1616 (Emergencies only, please)

Backup Email: Ken.youden@gmail.com

Description

The law and legal processes associated with government procurement are explored. An overview of government procurement and acquisitions management is presented, with particular attention given to the legal framework in which these activities must take place. Students who have completed PROC 5890 may not enroll in this course.

Requisites

None

Outcomes

The student will:

- develop a familiarity with the authority of Government contracting personnel.
- understand the key terms and glossary of contract administration in Government contracts.
- understanding the requirements of Contract Administration.
- understand the standards of conduct applicable to Government procurement.
- become acquainted with key provisions of the Federal Acquisition Regulation (FAR) directly related to the administration of general and space program Government contracts.
- understand the differences between Government and commercial contracting (emphasizing the requirement for competition) and explore potential exceptions as related to space program contracts for one-of-a-kind spacecraft, sensor or defense systems.
- understand the legal principles which control the administration of government contracts, including engineering change proposals (ECPs), performance award assessment, and dealing with the unique risk of space systems development or sustainment.
- recognize and learn to prevent common problems under Federal Government contracts.
- understand the contract dispute, claim and request for equitable adjustment process.

Please Select a Textbook

Deliverables

Key deliverable will be a Research Paper on a relevant topic from the Space Contract field of study. Money for space projects (DoD, NASA, academia, private industry) is spent right here on Earth; and it is spent in accordance with specific laws and regulations. This course focuses on the laws surrounding federal expenditure of your tax dollars that support government space activities. Research topics will be proposed and approved NLT the third class session (4 Nov 2021) and the Research Paper will be due NLT the 8th Class Session (2 Dec 2021). Length will be from 6-8 pages, with proper citations and Bibliography.

Research Paper: Federal Contract Law: An Example From Space Acquisitions Field

Research Paper: An **American Psychological Association (APA) formatted paper** on a topic of the student's choosing dealing with the broad fields of government contracts; Explore a space contract issue *as able*

- Paper may be connected with the student's professional experience or personal interest, as appropriate.
- **Body of the paper will be 6 - 8 pages**
- Cover // Abstract // Bibliography
- Research topics will be proposed and approved NLT the 3rd class session (**2 Nov 2021**)
- Research Paper will be due NLT the **8th Class Session (7 Dec 2021)**
- The University uses the American Psychological Association (**APA**) format, currently in its **7th Edition**
- APA guide is available at the below website, from the Campus Bookstore, and other major e-commerce websites, etc.
- Webster offers several resources in the online library:
- <https://libguides.webster.edu/apastyle>
- <https://apastyle.apa.org/products/publication-manual-7th-edition>
- Purdue University runs a well known & widely recognized Online Writing Laboratory (OWL) here:
- https://owl.purdue.edu/owl/research_and_citation/apa_style/apa_formatting_and_style_guide/general_format.html
- This is a Graduate Level course, please ensure your citations and research format is in accordance with APA, 7th Edition
- Students who are discovered cheating or committing plagiarism will be awarded a failing grade for the Course, and may be subject academic discipline to include dismissal, in accordance with University policies.
- <http://www.turnitin.com> is a tool Webster University uses to assist faculty in identifying plagiarism.
- APA formatting and citation protocol is available at: <http://owl.english.purdue.edu/resource/560/01/>

Possible Topic Ideas:

- Space operations management and space program management is the key areas of your degree (for most of you)
- **Any contract that touches these areas can be examined**
- Any part of the full acquisition and contracting process
- **Any contract that applies to the ground, space or user segments;**
- Space mission requirements definition
- DoD Space
- NASA Space
- Commercial Space;
- Any commercial or military applications are OK;
- **Avoid: Classified, proprietary or sensitive data;**
- Contractor or Customer perspective;
- Failed or Significantly Delayed Space Projects
 - NASA's Constellation Program;
 - Failures where the failure was due to budget/project/legal/contract issues; not a failure in basic science.
- NASA's Wide Field Infrared Survey Telescope (WFIRST), now the Nancy Grace Roman Space Telescope (2025?)
- James Webb Telescope: Contract & Project Management Aspects
- **Acquisition & Contract issues with any of the following:**
 - Space-Based Infrared System (SBIRS)
 - Global Positioning System IIF (GPS IIF) or Global Positioning System III (GPS III)
 - Advanced Extremely High Frequency (AEHF)
 - Wideband Global SATCOM (WGS)
 - Next Generation Operational Control System (OCX) (GPS Ground Stations)

- Mobile Objective User System (MUOS)
- Future Imaging Architecture (FIA); under the NRO
- Ground-Based Midcourse Defense
 - To include Next Generation Interceptor (NGI)
- Ground Based Strategic Deterrent (GBSD) (new ICBM to replace Minuteman III)
- Space Traffic Management under the Dept of Commerce....Progress and Challenges
- Look for Draft RFPs or other govt planning actions
- AEHF #1 apogee engine failure and the long road to orbit: Govt/Industry partnership in a contractual environment
- Blue Origins recent Protest to NASA on the Moon Lander Contract
- Other Transactions Authority (OTA) usage in space contracting: examples and lessons learned
- Blue Horizon protest of NASA Moon Lander Contract

Oral Report/Brief in Class: Legal Case Brief

Your second key deliverable will be a presentation of a legal case. You will locate one case from federal acquisition case law. You will prepare a short summary of the case, the issues, and the Court's finding (ruling).

- First Resource: The Table of Cases listed on pages XXXIII – XXXIV of the textbook:
- *Government Contracts in a Nutshell*, 6th Edition (or 7th Ed.), by Steven W. Feldman
- Second Resource: I will provide a list of candidate cases
- Case Brief will be due in **Week 7**
- I will ask you to identify your case NLT **Week 3**
- They will likely range from 6 – 9 slides, but that's an estimate, not a hard requirement
- Student Handout to get you started

Format for the Brief will be:

- Title and Citation
- Facts of the Case / Summary / Timeline (varies by case)
- Issues: What are the parties arguing about?
- Decisions: What did the Court determine? (a.k.a. Holdings)
- Reasoning: What logic/reasons did the Judge(s) cite? (a.k.a. Rationale)
- Separate Opinions: If any
- Analysis: What do **you** think?
- **Length:** Depends on length/detail of the Court's ruling, but 6 – 9 slides is generally sufficient. Focus on **key facts, key rulings, key issues** -
- You will present you Brief to the class
- **You will see me do this about a dozen times in our "Approach the Bench" sessions, beginning in Week 2**
- A brief, informal presentation of your case brief
- Informal: Method to share your discoveries with the rest of the class
- Generally, these will run somewhere in the **5 – 8 minute range**, with time added for questions (target max: 10 minutes)
- Presentations are currently slated for **Week 7**; might adjust slightly, but only with fair warning
- If someone is in need of "extra credit," they might do a 2nd case

✓ Evaluation

Deliverable	Description	Max Points	When
Research Description	<i>Brief paragraph</i> describing research <i>topic title</i> and <i>intent</i> (thesis) Select a Case	50	Week 3 (2 Nov 2021)
Midterm Exam	Exam will cover Weeks 1 - 4, inclusive (see schedule below)	250	Week 5 (16 Nov 2021)

Legal Brief (Presentation)	6 - 8 minute presentation to Instructor and fellow students on a specific case from contract case law. Plan on presentation being on campus. We may convert to Zoom platform, based on COVID-19 status. (COVID-19 will require flexibility throughout the Term)	150	Week 7: (30 Nov '21)
Research Paper	Deliverable will be a Research Paper on a relevant topic from Space contracts field. The full range of government contracts will be 'Fair Game,' as long as you can connect the legal issue (e.g. contract protests) to the field of Space Operations and Management. As such, the specific case law examples need not be drawn specifically from a "space contract;" contract principles can be illustrated from any area of govt contracting. Paper will be formatted per <i>current American Psychological Association (APA) standards</i> , per Webster University practices. <i>Body of the paper will be 6 - 8 pages.</i>	250	Week 8: (7 Dec '21)
Final Exam	Exam will cover Weeks 5 - 8, inclusive (see schedule below)	250	Week 9 (14 Dec '21)
Participation	Williness to contribute to class discussions	50	Weekly, Weeks 1 - 9
Total Potential Points:		1000	

Schedule

This is a DRAFT Schedule, subject to minor adjustment prior to the Term.

Session	Date	Theme	Chapters	Space Systems Case Study	Assignment Due
1	21 Oct 21	Fundamentals	Admin/Intro/Chap 1 / Fundamentals	None	
2	28 Oct 21	Planning to Contract	Chapters 2 – 10, except #8	General Issues with Space Contracts	
3	4 Nov 21	Contract Methods and Types	Chapters 11, 14, 15, 16, 35	SBIRS	Case Selection Due Thesis Statement Due
4	11 Nov 21	Small Business Issues	Chapters 19 & 44 & Jeopardy	Comm Satellite Contracts Issues: AEHF & WGS	Veteran's Day (Y)
5	18 Nov 21	Midterm	None	None	No Class

6	25 Nov 21	Financial Concerns & Commercial Items	Chapters 12, 13, 27, 32, 17	GPS IIF Issues	Thanksgiving (N)
7	2 Dec 21	Managing the Contract	Chapters 42, 43, 46, 48, 49	SDA, Part I	Legal Case Briefs, 1st Half
8	9 Dec 21	Protests & Disputes	Chapter 33 / Jeopardy	SDA, Part II	Legal Case Briefs, 2nd Half Research Paper Due (All)
9	16 Dec 21	Final	None	None	Enjoy the Break!

* Course Policies

Text Book

For this Course, we will use:

[Feldman, Steven W. "Government Contracts in a Nutshell, 6th Edition \(ISBN 978-63459-444-8\), West Publishing Company](#)
or:

[Feldman, Steven W."Principles of Government Contracts,7th Ed.;West Publishing Company](#)

ISBN: 978-168647-940-9.

[Either Edition is satisfactory.](#)

Note: Current listed textbook with the Campus Bookstore **will not be used** (Tiefer, Shook, "Govt Contract Law in the 21st Century," Carolina Academic Press, ISBN 978-159460-804-9 -- **Do Not Buy This One**

Class Attendance & Absences

Students are expected to attend each session, for the full session. Students are responsible to make up missed work, assignments, etc. Unexcused and/or excessive absences will be subject to the appropriate academic penalties, per University guidelines. If you need to be excused, please send me on Outlook appointment noting your absence and reason. [Let me know. Before Class.](#) In order to work with you for illnesses, business travel, extended work hours, family issues and emergencies, etc., I need to know about it. We are all professional adults, with jobs, family, and other stressors. I get it. I want all of you there, every class session. I actually do! But life happens, and we can work through those tight spots together. Communication and a willingness to make up the missed time will be best for all of us,

Institutional Policies

Academic Policies

Academic policies provide students with important rights and responsibilities. Students are expected to familiarize themselves with all academic policies that apply to them. Academic policies for undergraduate students can be found in the Undergraduate Studies Catalog; graduate students should review the Graduate Studies Catalog.

[Undergraduate Studies Catalog](#)

The Undergraduate Studies Catalog contains academic policies that apply to all undergraduate students. The *academic policies and information* section of the catalog contains important information related to **attendance, conduct, academic honesty, grades, and more**. If you are an undergraduate student, please review the catalog each academic year. The current Undergraduate Studies Catalog is at:

<http://www.webster.edu/catalog/current/undergraduate-catalog/> (<http://www.webster.edu/catalog/current/undergraduate-catalog/>).

[Graduate Studies Catalog](#)

The Graduate Studies Catalog contains academic policies that apply to all graduate students. The *academic policies* section of the catalog contains important information related to **conduct, academic honesty, grades, and more**. If you are a graduate student, please review the catalog each academic year. The current Graduate Studies Catalog is at:

<http://www.webster.edu/catalog/current/graduate-catalog/> (<http://www.webster.edu/catalog/current/graduate-catalog/>).

Grading

The Grades section of the academic catalog outlines the various grading systems courses may use, including the information about the final grade reported for this class.

Undergraduate

<http://www.webster.edu/catalog/current/undergraduate-catalog/academic-policies.html#grading>
(<http://www.webster.edu/catalog/current/undergraduate-catalog/academic-policies.html#grading>).

Graduate

<http://www.webster.edu/catalog/current/graduate-catalog/academic-policies.html#grades>
(<http://www.webster.edu/catalog/current/graduate-catalog/academic-policies.html#grades>).

Incomplete

There are important policies that govern grades of Incomplete (I), including the circumstances under which Incomplete grades are granted, deadlines for completion, and consequences should the remaining course work not be completed. It is the responsibility of a student who requests an Incomplete to ensure that he/she understands and follows the policies.

Grade Appeals

Instructors are responsible for assigning grades, and student should discuss grade issues with the instructor. Policies and procedures for appealing grades are available in the appropriate catalog.

Academic Honesty Policy

Webster University is committed to academic excellence. As part of our Statement of Ethics, we strive to preserve academic honor and integrity by repudiating all forms of academic and intellectual dishonesty, including cheating, plagiarism and all other forms of academic dishonesty. Academic dishonesty is unacceptable and is subject to a disciplinary response. Students are encouraged to talk to instructors about any questions they may have regarding how to properly credit others' work, including paraphrasing, quoting, and citation formatting. The university reserves the right to utilize electronic databases, such as Turnitin.com, to assist faculty and students with their academic work.

The University's Academic Honesty Policy is published in academic catalogs:

Undergraduate

<http://www.webster.edu/catalog/current/undergraduate-catalog/academic-policies.html>
(<http://www.webster.edu/catalog/current/undergraduate-catalog/academic-policies.html>).

Graduate

<http://www.webster.edu/catalog/current/graduate-catalog/academic-policies.html>
(<http://www.webster.edu/catalog/current/graduate-catalog/academic-policies.html>).

As a part of the University commitment to academic excellence, the Academic Resource Center provides student resources to become better acquainted with academic honesty and the tools to prevent plagiarism in its many forms:

http://www.webster.edu/arc/plagiarism_prevention/ (http://www.webster.edu/arc/plagiarism_prevention/).

Statement of Ethics

Webster University strives to be a center of academic excellence. The University makes every effort to ensure the following:

- The opportunity for students to learn and inquire freely
- The protection of intellectual freedom and the rights of professors to teach
- The advancement of knowledge through scholarly pursuits and relevant dialogue

To review Webster University's statement of ethics, see the Undergraduate Studies Catalog and the Graduate and Studies Catalog:

Undergraduate

<http://www.webster.edu/catalog/current/undergraduate-catalog/overview.html#ethics>
(<http://www.webster.edu/catalog/current/undergraduate-catalog/overview.html#ethics>).

Graduate

<http://www.webster.edu/catalog/current/graduate-catalog/ethics.html> (<http://www.webster.edu/catalog/current/graduate-catalog/ethics.html>).

Contact Hours for this Course

It is essential that all classes meet for the full instructional time as scheduled. A class cannot be shortened in length. If a class session is cancelled for any reason, the content must be covered at another time.

Important Academic Resources

Academic Accommodations

Webster University makes every effort to accommodate individuals with academic/learning, health, physical and psychological disabilities. To obtain accommodations, students must identify themselves and provide documentation from a qualified professional or agency to the appropriate campus designee or the Academic ADA Coordinator at the main campus. The Academic ADA Coordinator may be reached at 314-246-7700 or disability@webster.edu (<mailto:disability@webster.edu>).

If you have already identified as a student with a documented disability and are entitled to classroom or testing accommodations, please inform the instructor of the accommodations you will require for this class at the beginning of the course.

Academic Resource Center

Additional support and resources may be accessed through the Academic Resource Center (ARC). Support and resources include academic counseling, accommodations, assistive technology, peer tutoring, plagiarism prevention, testing center services, and writing coaching. Visit www.webster.edu/arc (<http://www.webster.edu/arc>) or Loretto Hall 40 on the main campus for more information.

Student Success Portal

Webster University's Student Success Portal, powered by Starfish, is a communications tool to connect students with faculty members and campus support services. It allows faculty and staff members to communicate with you regarding academic achievements as well as areas where support may be helpful. You may use the portal to contact faculty and staff members for assistance and to arrange meetings. Activity in the portal will be communicated to your Webster University email account. The Student Success Portal is available via your course home page in WorldClassRoom or via Connections. Learn more about the Student Success Portal at <http://www.webster.edu/success/students.html> (<http://www.webster.edu/success/students.html>).

University Library

Webster University Library is dedicated to supporting the research needs and intellectual pursuits of students throughout the University's worldwide network. Resources include print and electronic books, journal articles, online databases, DVDs and streaming video, CDs and streaming music, datasets, and other specialized information. Services include providing materials at no cost and research help for basic questions to in-depth exploration of resources. The gateway to all of these resources and services is <http://library.webster.edu> (<http://library.webster.edu>). For support navigating the library's resources, see <http://libanswers.webster.edu/> (<http://libanswers.webster.edu/>) for the many ways to contact library staff.

Drops and Withdrawals

Drop and withdrawal policies dictate processes for students who wish to unenroll from a course. Students must take proactive steps to unenroll; informing the instructor is not sufficient, nor is failing to attend. In the early days of the term or semester, students may DROP a course with no notation on their student record. After the DROP deadline, students may WITHDRAW from a course; in the case of a WITHDRAW, a grade of W appears on the student record. After the WITHDRAW deadline, students may not unenroll from a course. Policies and a calendar of deadlines for DROP and WITHDRAW are at:

Undergraduate

<http://www.webster.edu/catalog/current/undergraduate-catalog/enrollment.html>
(<http://www.webster.edu/catalog/current/undergraduate-catalog/enrollment.html>).

Graduate

<http://www.webster.edu/catalog/current/graduate-catalog/enrollment.html> (<http://www.webster.edu/catalog/current/graduate-catalog/enrollment.html>).

Academic Calendar - <http://www.webster.edu/academics/academic-calendar/> (<http://www.webster.edu/academics/academic-calendar/>).

Current tuition rates, policies, and procedures, including details of pro-rated tuition refunds, are available in the "Tuition, Fees, and Refunds" section of Webster's Academic Catalogs:

Undergraduate

<http://www.webster.edu/catalog/current/undergraduate-catalog/tuition.html>
(<http://www.webster.edu/catalog/current/undergraduate-catalog/tuition.html>).

Graduate

<http://www.webster.edu/catalog/current/graduate-catalog/tuition.html> (<http://www.webster.edu/catalog/current/graduate-catalog/tuition.html>).

Student Handbook and Other Important Policies

Student handbook and other non-academic policies may apply to you and may impact your experience in this class. Such policies include the student code of conduct, privacy, technology and communications, and more. Please review the handbook each year and be aware of policies that apply to you. The handbook is available at:

<http://www.webster.edu/student-handbook/> (<http://www.webster.edu/student-handbook/>).

Sexual Assault, Harassment, and Other Sexual Offenses

Webster University makes every effort to educate the community to prevent sexual assault, harassment, and other sexual offenses from occurring, and is committed to providing support to those affected when this behavior does occur. To access information and resources or to review the Policy on Sexual Assault, Harassment, and Other Sexual Offenses, visit:

<http://www.webster.edu/sexual-misconduct/> (<http://www.webster.edu/sexual-misconduct/>).

Research on Human Subjects

The Webster University Institutional Review Committee (IRB) is responsible for the review of all research on human subjects. The IRB process applies to all Webster University faculty, staff, and students and must be completed prior to any contact with human subjects. For more information on the IRB, visit:

<http://www.webster.edu/irb/index.html> (<http://www.webster.edu/irb/index.html>).

Course Evaluations

At the end of this course, you will have the opportunity to provide feedback about your experience. Your input is extremely valuable to the university, your instructor, and the department that offers this course. Please provide your honest and thoughtful evaluation, as it helps the university to provide the best experience possible for all of its students.

Important Technology Information

Connections Accounts

Webster University provides all students, faculty, and staff with a University email account through Connections. Students are expected to activate their Connections account and regularly check incoming University email. Students may choose to have their University email forwarded to an alternate email address. Connections account holders can call the Help Desk (314-246-5995 or toll free at 1-866-435-7270) for assistance with this setup. Instructions are also provided on the Information Technology website at:

<http://www.webster.edu/technology/service-desk/> (<http://www.webster.edu/technology/service-desk/>).

WorldClassRoom

WorldClassRoom is Webster's Learning Content Management System (LMS). Your instructor may use WorldClassRoom to deliver important information, to hold class activities, to communicate grades and feedback, and more. WorldClassRoom is available using your Connections ID at:

<https://worldclassroom.webster.edu/> (<https://worldclassroom.webster.edu/>).

Webster Alerts

Webster Alerts is the University's preferred emergency mass notification service, available free to current students, faculty and staff at all US campuses. By registering a valid cell phone number and email address, you will receive urgent campus text, voice mail and email communications. Valuable information concerning a range of incidents affecting you - from weather-related campus closures, class delays and cancellations, to more serious or life-threatening events - are immediately and simultaneously delivered through multiple communication channels. To register for Webster Alerts, visit:

<http://www.webster.edu/technology/services/webster-alerts/> (<http://www.webster.edu/technology/services/webster-alerts/>).

Coploprado Spriongs Metro Campus; Fall 2 Will be executed on campis and via Zoom, see contact info above.