

FLIGHT LINE

Newsletter of the Management Association for Private Photogrammetric Surveyors (MAPPS)

December 2005

MAPPS Winter Meeting Set for January 27-31, 2006 in Cabo San Lucas, Mexico

Join your MAPPS colleagues and friends at the Annual Winter Conference January 27-31, 2006 at the Presidente Resort in San Jose del Cabo, Mexico. More than 250 principals, owners and senior professional's from the leading private geospatial firms along with spouses and guests are expected to attend.

MAPPS meetings are known as the community's best networking opportunities. The relaxed atmosphere allows interaction among the profession's leaders to share information, continue education and discuss business partnering. The conference also features activities and social events designed to foster relationships among firm principals. Advance registration with MAPPS ends January 6. After the 6th, registration is available for an additional \$100 fee. Go online today to [REGISTER TODAY](#).



The conference begins Friday, January 27 with a keynote address featuring Jay Feuquay, Director of the USGS's Land Remote Sensing Program. Mr. Feuquay will discuss implementation of President Bush's Commercial Remote Sensing Policy, including a new initiative in which they are cataloguing the airborne and satellite imagery needs of all federal agencies. The archive, which is estimated to include over \$100 million in imagery requirements (both funded and unfunded), represents a powerful source of information to enable states and regional agencies to cost-share with federal partners and private firms to market their services. It is followed by a Welcome Reception sponsored by [OPTECH](#).

The General Session on Saturday, January 28 is sponsored by [VEXCEL](#). It includes sessions on the Future of Feature Extraction Technology, which will cover the status of current software developments in feature extraction, discuss the issues and constraints, and include perspectives of developers and customers and a discussion of Human Resources in the Geospatial World, in which several recent research studies indicating the geospatial profession is woefully understaffed and will face an even greater "crisis" of human resources over the next decade will serve as a backdrop to explore some of the human resource issues facing the profession, such as recruiting and hiring strategies and tactics, and compensation, retention, and training standards and strategies. Additionally, the firm of Global Marketing Insights, Inc. was retained by NOAA to conduct a comprehensive commercial remote sensing market study. Shawana Johnson will reveal to MAPPS members the most recent findings on trends, highlights of the survey, emerging markets, issues of concern, and other data. An afternoon social, networking and teambuilding activity, sponsored by [Intergraph](#), includes a Jeep scavenger hunt that gets the MAPPS group acquainted with the Los Cabos scenery and attractions from the seat of a Jeep.

The program for the balance of the conference includes a presentation on Intellectual Property Issues Associated with Geospatial Information, in which Pat Olson of Aerometric will point out that contract language used by some government agencies is limiting, in terms of data ownership and intellectual property rights, as they pertain to digital geospatial data and is especially problematic for digital sensors as it potentially precludes the use of other bands and interim data for the creation of value-added and ancillary data that the collection firm could sell to other than the primary client. Mr. Olson will discuss the business and legal sides of this issue.



A panel will discuss experiences with state sales tax efforts affecting photogrammetry and other geospatial services. MAPPS member firm principals who have faced state audits will present their experience on the issue and how they defended their case. There will also be a legislative update in which the MAPPS staff provides a full briefing on Federal issues direct from Washington and a session on technology for data management, focusing on data management from aerial digital sensors and the issues and ramifications of a fully digital workflow. Topics may include the capital investment process required for data management.

Other business sessions will also be held, and social events include a Beach Party sponsored by the [MAPPS Board Members](#), a Sunset Whale-watching Cocktail Cruise in the Sea of Cortez coastline of the Baja Peninsula, and a scramble format Golf Tournament sponsored by [Photo Science](#) with a "Closest to the Pin" Contest sponsored by [BAE Systems](#).



For the full program, on-line registration, or membership information, visit www.mapps.org.

SBA Raises Size Standard by \$500,000

The Small Business Administration (SBA) announced this week that it is adjusting its definitions of small business, or "size standards", for inflation. In a notice in the Federal Register on December 6, SBA said its last inflation adjustment was in 2002. The size standard defines a small business, as categorized by North American Standard Industrial Classification System (NAICS) codes, for purposes of eligibility for small business set asides on government contracts, small business status as a subcontractor, and eligibility for loans and other financial assistance programs. While the NAICS Code applied to a contract may vary and is based on the contracting officer's determination, the most common code for the geospatial community, NAICS 541370 Surveying and Mapping (except Geophysical) Services, has been raised from \$4 million to \$4.5 million in gross annual receipts. The SBA announcement is an interim rule and request for comments. Comments are due January 5, 2006.

OFPP Reports on A/E Acquisition Workforce Improvements

At the December 1 meeting of the Council on Federal Procurement of Architectural and Engineering Services (COFPAES), the Office of Federal Procurement Policy reported on its recently released Memorandum on Implementation of a Congressional Directive on Improvements to the Federal A/E Acquisition Workforce [click here](#).

The FY04 Defense Authorization bill for fiscal year 2004, enacted as Public Law 108-136 on November 24, 2003, included a provision, that COFPAES (MAPPS, ACSM, AIA, ASCE and NSPE) promoted, providing, "The Administrator for Federal Procurement Policy, in consultation with the Secretary of Defense, the Administrator of General Services, and the Director of the Office of Personnel Management, shall develop and implement a plan to ensure that the Federal Government maintains the necessary capability with respect to the acquisition of architectural and engineering services to -- 1) ensure that Federal Government employees have the expertise to determine agency requirements for such services; (2) establish priorities and programs (including acquisition plans); (3) establish professional standards; (4) develop scopes of work; and (5) award and administer contracts for such services.

The memorandum includes a series of training and career development steps agencies can take to assist its personnel involved in A/E acquisition, but it falls short of proposals suggested by COFPAES. At the December 1 meeting, officials of OFPP, GSA and the Defense Department agreed that further steps are needed and the memorandum is not the end of their efforts. For further information on COFPAES, go to www.cofpaes.org.

President's Column

by Kurt Allen
MAPPS President



"The Time to Talk Has Ended"

There is a poem by Robert Frost, titled "A Time to Talk", that my father has always liked:

When a friend calls to me from the road
And slows his horse to a meaning walk,
I don't stand still and look around
On all the hills I haven't hoed,
And shout from where I am, 'What is it?'
No, not as there is a time to talk.
I thrust my hoe in the mellow ground,
Blade-end up and five feet tall,
And plod: I go up to the stone wall
For a friendly visit.

No, this article is not about my father; it is about the business of MAPPS. For several months, the leadership of MAPPS has made a concerted effort to visit and consult with a number of Federal officials. Rather than "shouting across fields", we have attempted to professionally open a dialogue on moving our association's agenda forward with regard to ensuring that the Brooks Act's qualifications based selection (QBS) process is broadly defined to Federal mapping contracts.

As an association, we have come a long way over these last 24 years, but we have somehow not been able completely implement our QBS goals. Let me digress by way of history ...

When MAPPS was founded in 1982, it supported a new joint government affairs program formed at that same time by the American Society of Photogrammetry (as it was then known) and the American Congress on Surveying and Mapping, with both financial contributions and volunteer members. One of the reasons for that support was to provide a unified, profession-wide effort to clarify surveying and mapping services under the Brooks Act. The director of the ACSM-ASP program was John Palatiello.

In 1987, when John started his own consulting firm and became Executive Director of MAPPS, our association became more focused and dedicated to QBS clarification. The following year, 1988, Congress passed not one, but two pieces of

legislation that amended the definition of architectural and engineering services in the Brooks Act to specifically and unequivocally include "surveying and mapping". The only exception was the then-Defense Mapping Agency (DMA). When DMA became the National Imagery and Mapping Agency (NIMA) in the 1990s, it changed its culture and business models. NIMA embraced QBS, the agreement with MAPPS was documented in a policy memo signed by the NIMA Director, another legislative provision was enacted by Congress to codify NIMA's QBS compliance, and the "Omnibus" contracting program was launched. NIMA was replaced by the National Geospatial-Intelligence Agency (NGA) and the Omnibus Contract has been succeeded by the Global Geospatial Intelligence contracts, which were also pursuant to QBS.

In the meantime, Congress passed some 12 different pieces of legislation clarifying that mapping, broadly defined, is covered by QBS across the Federal government. The Federal Acquisition Regulation (FAR), which implements Federal procurement law, has not kept up with these laws and expressions of Congressional intent. A change in the FAR was issued by the Clinton Administration in 1999, *without public comment*. While Congress intended to expand mapping in QBS by removing the DMA/NIMA/NGA exception, the Clinton Administration narrowed the application of QBS to mapping in the FAR. Despite requests by MAPPS and several members of Congress, the regulation was not changed.

During this time, geospatial programs such as the USGS Cartographic Services Contract (CSC), the FEMA Flood Map Modernization Contract, the Census MAF/TIGER Contract, the NOAA Coastal Services Center Geospatial Services Contract, and the NOAA Hydrographic Services and Shoreline Mapping contracts (to name just a few) were issued using QBS. Other agencies procurements, however, such as the digital orthophoto services within the Agriculture Department's National Agriculture Imagery Program (NAIP), certain Navy and Air Force activities, and a major EPA

geospatial contract all went through non-QBS procurement processes.

When President Bush took office, MAPPS, and the Council on Federal Procurement of Architecture & Engineering Services (COFPAES) appealed to the Bush White House to revisit the issue. The Office of Federal Procurement Policy agreed. It ruled that a public comment period should have been provided in 1999, and found that the legislative history on the issue was substantial enough to merit a review. A Notice for Comment was issued on March 23, 2004. Hundreds of comments were submitted. MAPPS and COFPAES both submitted comments that outlined our interpretation of the law and the legislative history. On April 19, 2005, the FAR Council issued a notice concluding the regulation would *not* be changed.

That is when the “time to talk” with our Federal colleagues accelerated. Despite three different requests that I am aware of, the FAR Council has still not yet provided OFPP a legal and legislative history justification for its April 19 action. Despite numerous Herculean attempts by MAPPS to resolve this matter through meetings, discussions and negotiations, the FAR Council has not responded. *We have done everything we could do. We have met with everyone we could talk to. We have made every effort to work this out.* This issue has been the topic of sessions at MAPPS meetings in which we queried the membership for advice and strived to keep you informed. We have provided special email and web messages to the membership.

The matter has occupied a tremendous amount of the Board’s time.

Our rights are being trampled upon. We believe that our members are being injured. The will of Congress is being thwarted. Our members who are licensed are being confronted with the choice of either violating their state ethics regulations (as defined in some states) or being denied the ability to compete for Federal contracts because price is a primary selection criterion.

As your President, I outlined that the QBS issue was one of my highest priorities in the inaugural speech I gave to the membership last July. Your Board has provided tremendous advice and counsel to me as we diligently worked over the last six months to see this issue resolved in a manner that would be acceptable to most MAPPS members.

The time to talk has, unfortunately, ended. In the coming days, MAPPS will file in *Federal District Court* a complaint for declaratory relief to have the Court order the FAR Council to follow the law and faithfully implement the laws passed by Congress providing for full, government-wide application of the Brooks Act to mapping services.

Our legislative attempts on this issue have been thwarted by the FAR Council. The current Administration seems unwilling to risk the political capital necessary to see the changes we need enacted. The judicial option, though expensive, is currently our best chance for relief. We will keep you informed as this process unfolds.

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GAO Reports on Services Offshoring

The Government Accountability Office (GAO), the investigatory arm of the U.S. Congress, has issued a report on services offshoring [click here](#). The report notes there is little empirical information on the frequency, economic value or anticipated job loss due to services being sent offshore, but notes that the transition from manufacturing to services offshoring raises issues for further research and policy analysis. Among issues GAO identified as deserving of more attention is data security, particularly data on critical infrastructure.

DoD’s Col. Brian Cullis Kicks-Off Washington Policy Forum

A Defense Installation Spatial Data Infrastructure (DISDI) that includes an Installation Visualization Tool (IVT), a tool that assisted with the 2005 Base Closure and Realignment (BRAC), will provide base data for such core Defense Department functions as human resource management, weapon system lifecycle management, materiel supply and service management, real property and installation lifecycle management, and financial management.

That was the message to MAPPS members by Colonel Brian Cullis (USAF), Special Assistant to the Deputy Under Secretary of Defense for Installations and Environment for Geospatial Information Policy and Executive Manager of the Defense Installation Spatial Data on December 8.



Col. Cullis was the featured speaker at the inaugural MAPPS Washington Policy Forum. His presentation, "Geo-Enabling the DoD Business Enterprise," highlighted the new attention being given to the role of geospatial information resources and spatial technologies in achieving the goals of the business modernization management program for the Department of Defense. He noted that DISDI and IVT can become a model for a geospatially enabled, U.S. Government-wide, Federal real property asset management inventory. MAPPS has been a leader in promoting legislation in Congress, H.R. 1370, the Federal Land Asset Inventory Reform (FLAIR) Act, introduced by Rep. Chris Cannon (R-UT), to provide a cadastre of Federal property. The Government Accountability Office (GAO) has found that DOD lacks reliable information about the quantity, location, condition, and value of inventory and property and



that "ineffective and inefficient asset management and accountability leave the department vulnerable to fraud, waste, and abuse" and that the environmental liability amounts presented in DOD's financial statements were not reliable because the department did not have (1) sufficient guidance for identifying and categorizing cleanup activities whose costs must be included in the liability calculation, (2) complete inventories of the sites and weapons systems that will require cleanup or containment. Cullis called DISDI a significant tool in the modernization of DoD business systems.

The new MAPPS Washington Policy Forum is designed to provide an opportunity for MAPPS member firm principals based in the Washington, DC area, those from out of town who are visiting the Nation's Capitol, as well as marketing and government affairs consultants to MAPPS member firms, was held at the City Club at Franklin Square. The next Forum will be on Thursday, February 9, also at the City Club, 1300 I (Eye) St, NW, Washington, DC. The speaker will be announced shortly. For the announcement and further information, watch Future Events at www.mapps.org.

Small Business Competitiveness Program Survives Threat

House-Senate negotiators dropped a Senate-approved provision that would have repealed the Small Business Competitiveness Demonstration Program (SBCDP). The provision, added to the Senate version of the 2006 Defense Department Authorization bill by Senator Olympia Snowe (R-ME), would have resulted in virtually a total set aside for small business of all Federal contracts in architecture, engineering, surveying, mapping, construction, and several other professions and industry groups. The provision was passed in the Senate by a voice vote after earlier being rejected in the House 235-180. The Program assures that small businesses win at least 40 percent of an agency's contracts in certain business categories through unrestricted competition, otherwise small business set asides are imposed. SBCDP was enacted in 1988, with MAPPS support, to provide firms of all sizes ample opportunities to compete for Federal contracts. House Small Business Committee Chairman, Rep. Don Manzullo (R-IL) and House Government Reform Committee Chairman, Rep. Tom Davis (R-VA) were leaders in preserving the program and defeating the Snowe amendment. SBCDP can be found in law at 15 USC 644 (note).

Virginia Drafts Rules on Licensing Photogrammetrists, Remote Sensing Professionals; Oregon Bill Enacted

The Virginia Department of Professional and Occupations Regulation (DPOR) has issued a set of draft regulations providing for licensing of "surveyor photogrammetrist", defined as "a person who by reason of specialized knowledge in the area of photogrammetry has been granted a license by the board to survey land for the determination of topography, contours and/or location of planimetric features using photogrammetric methods or similar remote sensing technology." The regulations include a one year grandfather period, and comity for those licensed in other states. The rules implement a law passed by the General Assembly and signed by the Governor earlier this year. For the VA Law details, [click here](#). Concurrently, a bill to provide for licensing of photogrammetrists has also passed in Oregon. SB 55 was signed by the Governor on July 7. Under the new law, a grandfather period for licensing without examination is open until January 1, 2008. To view the Oregon bill passed into law, [click here](#).

Federal Programs Conference in DC March 13-15, 2006

The annual Federal Programs Conference, the most important event on the MAPPS calendar, will be held March 13-15 at the Hyatt Regency Washington on Capitol Hill. 400 New Jersey Avenue, NW, Washington, DC. The conference features briefings by Federal agencies on their programs, budgets and upcoming procurement opportunities; visits to Capitol Hill to educate members of the U.S. House of Representatives and Senate, and their staff, on legislative issues affecting the private geospatial community; and liaison meetings with Federal agencies. Mark your calendar and make plans to attend. Registration and hotel information will be posted on the MAPPS web site beginning January 6th.

Transportation Appropriations Bill Requires State DOTs to Follow FAR Rules on Overhead, Audits and QBS

A provision in the recently enacted Treasury-Transportation Appropriations bill, Public Law 109-115, reforms procurement rules for A/E services (including surveying and mapping) by striking out the "opt-out" authority that allowed many state DOTs to place arbitrary caps on overhead, require redundant audits, and adopt price-competitive procurement procedures.

Section 174 of H.R. 3058 requires state DOTs to accept indirect cost rates established through procedures under the Federal Acquisition Regulations (FAR) without arbitrary caps. The provision also specifies that a single audit for a firm, undertaken by a recognized federal or state agency, will be applicable nationwide - no more duplicative or redundant audits in the affected states. Additionally, the provision requires all state DOTs to use qualifications based selection (QBS) for federally-funded A/E (including surveying and mapping) work - closing a loophole in the law that permitted some states to use non-QBS procedures.

MAPPS was part of a coalition that led an effort in the mid 1990s to require states to follow uniform federal procurement standards for federal-aid highway projects; Congress agreed, but also allowed states to "opt-out" if they wished, and 13 states did so - Connecticut, Delaware, Florida, Kentucky, Louisiana, Maine, Maryland, Minnesota, New York, North Carolina, Utah, Tennessee, and West Virginia. Section 174 now brings 11 of the 13 original opt out states back under FAR-based overhead and audit rules. The two exceptions are Minnesota and West Virginia, which due to continuous opposition from senior Congressional members were "carved out" of the requirement. The legislation does, however, eliminate the ability of Minnesota and West Virginia to opt-out of using QBS.

Support the MAPPS Katrina Relief Fund

In this season of giving, please remember the employees of MAPPS member firms who lost their homes, cars, clothes and personal possessions in Hurricane Katrina. The photo above is what was left of a MAPPS member firm employee's home. MAPPS and the Institute for Geographic Information Studies (IGIS) have established a Katrina Relief Fund to accept tax-deductible contributions to help our fellow MAPPS members. Send your contribution to The IGIS Foundation, 357 Riverside Drive, Suite 160, Franklin, TN, 37064. Make your check payable to the IGIS Foundation and note in the memo section of your check: MAPPS Katrina Relief Fund. To date, more than \$20,000 has been raised.



MAPPS, ASPRS to Cosponsor Automated Feature Extraction Conference in San Antonio

MAPPS and ASPRS today announced they will cosponsor a specialty conference on automated feature extraction technologies and applications, November 6-10, 2006 at the Crown Plaza Riverwalk Hotel in San Antonio. *MEASURING THE EARTH II - Latest Developments with Digital Surface Modeling and Automated Feature Extraction*, is the third of a series jointly sponsored by MAPPS and ASPRS.

This is a "must-attend" conference in 2006 for all professionals, geospatial executives, managers and decision makers, as well as security specialists, data users, data providers, resource managers, land-use planners, engineers and GIS experts who are interested in sharing their work and learning more about the state-of-the art in terrain data applications, technology and automated feature extraction.

Main features include both invited presentations and those submitted in response to an upcoming "Call for Papers." Papers on Disaster Response/Homeland Security; Research and Development; Standards; Imaging Systems; Image Data Rectification using DEM Technology - LIDAR, IFSAR, SRTM; Natural Resource Management; National Programs; Automated Feature Extraction; Visualization Technologies; and Simulation Systems will be accepted through March 9, 2006.

The Conference will also include education workshops hosted by ASPRS, and a "conference within the conference", sponsored by MAPPS, will include its traditional Fall Policy Conference featuring sessions on government policy issues and liaison committee sessions between MAPPS member firm principals and Federal agency officials.

Representing MAPPS as Conference Co-Chair is Scott Perkins, Vice President of Western Air Maps (Overland Park, KS) and a member of the MAPPS Board of Directors. While Paul Brooks, Aeromap, US, (Anchorage, AK) is representing ASPRS.

Watch for details to be posted on both the MAPPS www.mapps.org and ASPRS www.asprs.org websites.

MAPPS 2006 Dues Invoices Mailed

A key principal in each MAPPS member firm should have received an invoice for 2006 dues in the renewal notice mailed in mid-November. For 2006, the MAPPS Board approved a budget with no dues increase, following last year's Board implementation of a new dues structure scaled based on firm size and revenues. Member reaction to the new system was closely monitored by the Board, and found that 2005 member retention was consistent with other years. The Board thanks the membership for their acceptance of the new, weighted dues program, and continues to believe it puts MAPPS in line with other member-firm associations and provides a more fair and equitable membership arrangement. If your firm has not yet renewed its 2006 dues, payment can be made [on-line](#) at DUES RENEWAL. Contact Rebecca Lutz of MAPPS at 703.787.6996 or by [email](#), if you have any questions.

Upcoming MAPPS Events

MAPPS Winter Meeting
January 27-January 31, 2006
[Presidente Intercontinental Los Cabos Resort](#)
Cabo San Lucas, Mexico

MAPPS Washington Policy Forum
February 9, 2006
City Club at Franklin Square
Washington, DC

Federal Programs Conference
March 13-15, 2006
[Hyatt Regency Capitol Hill](#)
Washington, DC
Online Registration Begins January 6th

MAPPS Summer Meeting
July 15-19, 2006
[Four Seasons Resort](#)
Whistler, BC Canada

MAPPS/ASPRS Specialty Conference
November 6-10, 2006
*Measuring the Earth: Digital Surface
Modeling & Automated Feature Extraction*
[Crown Plaza Riverwalk Hotel](#)
San Antonio, TX