Upcoming Meetings & Seminars

Committee Meetings via Zoom
Actuarial Advisory Committee - September 9, 2pm-3:30pm
Commercial Surety Advisory Committee – September 10, 1pm-3pm
Contract Bonds Advisory Committee – September 17, 1pm-3pm

The 2-day meeting schedule and highlights can be found here

2020 Commercial Surety Seminar – October 12, 2020 – October 16, 2020
The SFAA, with the Commercial Surety Advisory Committee Education Subcommittee, is holding the 2020 Commercial Surety Seminar virtually online. The Seminar will consist of Fundamentals and Intermediate programs held concurrently Monday through Thursday. The program on Friday will cover COVID-19 issues and the impact of the pandemic on the economy and the surety industry. More details will follow. Please note that the Fundamentals and Intermediate classes may be limited to 25 participants each to facilitate full engagement and robust discussions.
SFAA Strongly Opposes the Use of Indexing for Federal Payment Bond Requirement

Last week, SFAA issued a comment letter in strong opposition to the Federal Acquisition Regulation (FAR) proposed increase of the threshold, under The Miller Act, of construction payment bonds. Although the performance bond threshold, currently set at $150,000, was not proposed to be increased, SFAA used the opportunity to strongly advocate the indexing of these thresholds. The amount of a payment bond and performance bond should not be subject to indexing for the following reasons:

1. Congress never intended for insurance requirements to be “acquisition related,” and surety payment bonds are a regulated insurance product;
2. Increasing bond thresholds has no impact on the Congressional intent for and objective of indexing, which is to eliminate onerous, red tape requirements preventing small businesses from doing business with the federal government;
3. The payment bond requirement is remedial and protective in nature—as recognized by the Supreme Court—which is inherently different from the red-tape, government requirements Congress was trying to reduce; and
4. Indexing the payment bonds will work counter to the very purpose for which indexing was adopted—to help small businesses.

Several members from the Construction Industry Procurement Coalition, including the American Subcontractors Association, the Associated General Contractors of America, the National Association of Surety Bond Producers, and others, are also strongly advocating against these changes.

Transportation Construction Coalition Increases Efforts on Federal Infrastructure Funding

With the expiration of the Fixing America’s Surface Transportation (FAST) Act looming at the end of September, the Transportation Construction Coalition (TCC), the American for Transportation Mobility (ATM), and the American Association of State Highway and Transportation Officials (AASHTO) finalized a new white paper encouraging Congress to pass legislation to prevent surface transportation project delays and protect construction jobs. The TCC, ATM and AASHTO includes virtually all stakeholders in the infrastructure space, demonstrating the significant and unanimous support behind this request. A year-long extension of federal surface transportation programs with increased investment levels would provide the stability necessary to enable the planning, letting, and building of projects through the 2021 construction season, putting Americans to work. The extension would also bolster market certainty for businesses in 2021, making them more likely to hire workers while investing in new equipment and technologies. SFAA is working hand in hand with its partners in the TCC to disseminate and amplify this advocacy message.

Updated Resources Available to Members
SFAA has posted state tracking reports for **Adopted Regulations** which can be found [here](#) and **Enacted Legislation** which can be found [here](#). These will be part of our quarterly reporting moving forward.

The **Law Library** can be found [here](#).

The **New Bond Requirements** can be found [here](#).