

Early Exchange of Information on Competitive DoD Acquisition Programs – What Does Industry Want? –

by Alan Goldberg, Source Selection Office Director, Naval Air Systems Command

Does Industry desire early exchange of acquisition information on future programs with the Government? The answer to this seems obvious.

“The purpose of exchanging information is to improve the understanding of Government requirements and industry capabilities, thereby allowing potential offerors to judge whether or how they can satisfy the Government’s requirements, and enhancing the Government’s ability to obtain quality supplies and services, including construction, at reasonable prices, and increase efficiency in proposal preparation, proposal evaluation, negotiation, and contract award.”

Clearly no one would dispute that exchanging information, that is, effective communication between Government and Industry, is essential.

“An early exchange of information among industry and the program manager, contracting officer, and other participants in the acquisition process can identify and resolve concerns regarding the acquisition strategy, including proposed contract type, terms and conditions, and acquisition planning schedules; the feasibility of the requirement, including performance requirements, statements of work, and data requirements; the suitability of the proposal instructions and

evaluation criteria, including the approach for assessing past performance information; the availability of reference documents; and any other industry concerns or question.”

Certainly the benefits of early, open communications between the Government and Industry are great. In fact, these are not just noble sen-

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timents; this is policy set forth in the Federal Acquisition Regulation (FAR Subpart 15.2) for the purpose of benefiting both the Government and Industry. The FAR promotes early exchange of information, as illustrated from the quotes above, a policy that dates back to a 1985 (if not earlier) Department of Defense Directive. The FAR continues on to say, “Exchanges of information among all interested parties, from the earliest identification of a requirement through receipt of proposals, are encouraged Agencies are encouraged to promote early exchanges of information about future acquisitions.... Some techniques to promote early exchanges of information are ... (1) Industry or small business conferences ... (4) One-on-one meetings with potential offerors ... (6) Draft RFPs....”

So why did the Naval Air Systems Command (NAVAIR) seek APMP’s help in surveying Industry to determine how they felt about early exchange of information? This article discusses the answer to that question. A second part to this article (to be written by Ms. Jessica Morgenstern, member of the APMP Acquisition Task Force, and published in the next issue of this magazine) will relate the results of the survey.

It has always been my belief that Industry clearly desires early exchange of acquisition documentation. It is more a question of **when** is it appropriate for the Government to release this information than **if it should** be released. The question of when is it appropriate to release draft acquisition documentation dwells on how early vs. how much perfection. This question tends to be mostly related to the draft RFP as an entity, rather than some of its technical parts, such as the specification and other technical documentation, as it has become fairly common to share that information early and frequently. Striking the right balance between how early vs. how much perfection is no easy task. The argument for perfection relates to credibility and fairness, with emphasis on ensuring that a level playing field is maintained. Will

incomplete documents cause Industry to head down the wrong path? Will errors in the documentation hurt the Government's credibility in the eyes of Industry? Will there be a perception that an RFP change was made to help a competitor? The argument for releasing early relates to good communication and better planning. Will it lead to a better understanding of the RFP? Will it help Industry make an early bid decision? Will it help Industry better plan out its proposal strategy? Will it help Industry improve the quality of their proposal, thereby giving the Government better proposals from which to choose? Deciding which is correct, early or perfection, is like that beer commercial argument ... great taste or less filling?

There is no perfect answer, but NAVAIR thought it had basically struck the right balance when a concern from Industry was raised. The concern was that changing requirements could cause unnecessary expenditure of their resources. This concern raised the question: does Industry really want information early when it is subject to change? In its desire to be responsive to Industry's needs, NAVAIR stopped sharing just about all draft information (including the technical requirement type information). A policy was quickly set to restrict the flow of information until the stability of the requirement could be assured. The implementation of the policy soon settled into a reasonable approach regarding the

appropriate flow of information and the communication resumed. But that short and intense episode left a lingering question in our minds as to what does Industry want and need. It was that moment in time that the idea of surveying Industry on this subject emerged.

The concern that was expressed was counter to everything we had heard from Industry in the past. The past concerns that we heard, albeit at a lower level, were that we were not sharing information early enough and sometimes not at all. Anecdotally, I was reminded of an offeror who told me at a debrief several years ago that he wished we had released the Proposal Instructions as a draft, because to do his job, he had to start proposal development using Proposal Instructions from another NAVAIR RFP. It turned out that this Proposal Instructions was nothing like the one that was in the final RFP, causing him a lot of work and a lot of late nights. How could there be such a disconnect between what we heard before and what we were hearing now? Was it because there are different perspectives within Industry depending on position and level? How could we get an Industry position so that we can align our needs and efforts with that of Industry? These were the questions that were being asked. Ms. Diane Balderson (NAVAIR Head of Contracts for ASW, Assault & Special Mission Programs, AIR-2.3) suggested that we should canvas Industry for the

answers. This task seemed to be a good fit for the Association of Proposal Management Professionals (APMP) Acquisition Task Force. Ms. Mary Mills, CEO of APMP, was then contacted, and APMP subsequently accepted the task.

With this genesis, the work began. NAVAIR developed the questionnaire with APMP input. Then APMP took over the effort of obtaining, collecting, and analyzing the responses. Ms. Morgenstern volunteered to lead this task on behalf of APMP. Initially, the responses were obtained through e-mail and the APMP website, but real success came by using the June 2004 National APMP Conference in Florida to facilitate that effort. Ms. Morgenstern collected 119 responses in all and was writing the analysis report at the time this article was being written.

NAVAIR is appreciative of the work that Ms. Morgenstern undertook, as well as of all the people who responded to the questionnaire, and APMP in general. The insight that will be gained through this effort will facilitate process improvement to benefit the Government and Industry alike. NAVAIR will review the analysis report once it is submitted and will assess if any policy adjustments that will be needed based on this information. We all await the results of the survey and Part Two of this article. ■