

Acquisition Policy  
DOT DASH  
2012-04

**Date:** December 7, 2011  
**To:** Chief of the Contracting Office (COCO)  
Acquisition Personnel  
**From:** Office of the Senior Procurement Executive  
**Subject:** Vendor Communication Plan

**Summary:** The Office of Federal Procurement Policy, Office of Management and Budget (OMB) on February 2, 2011, issued a memorandum, entitled, "Myth-Busting": Addressing Misconceptions to improve Communications with Industry during the Acquisition Process encouraging agencies to improve communication with industry during the acquisition process. As part of the initiative, agencies were required to develop Vendor Communication Plans; submit the plans for OMB review and clearance; and publicly post finalized plans no later than 30 days after completion of OMB's review.

In accordance with OMB policy guidance, the DOT Vendor Communications Plan identifies efforts undertaken and planned by the Department to promote greater effectiveness in its engagement with industry. In addition, as a means of informing industry understanding and expectations, the DOT Communications Plan identifies Department-wide rules for meeting with industry representatives.

**Required Action:** Operating Administrations (OA's) should review the Vendor Communication Plan and add it to their existing strategies to promote and strengthen communications with vendor community. The vendor Communication Plan should be considered a living document and additional OA input is welcome and will be considered when the document is updated.

This DASH and its attachment will be available online at the following website:  
<http://www.dot.gov/ost/m60>, under Breaking News or Quick Picks, Policy DASHES.

Questions concerning this policy DASH should be directed to Lenita Ahmadi at (202) 366-4974 or [lenita.ahmadi@dot.gov](mailto:lenita.ahmadi@dot.gov).

  
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ATTACHMENT (1)

# **U.S. Department of Transportation Vendor Communications Plan**



**FY 2011  
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**Prepared by:  
U.S. Department of Transportation  
Office of the Secretary  
Office of the Senior Procurement Executive**

## **Department of Transportation Vendor Communication Plan**

### **Introduction**

The Department of Transportation (DOT) spends over \$5.5 billion annually on contracts for goods and services. The DOT has an obligation to conduct procurements in the most efficient, effective and responsible manner possible. Access to current market information is critical for agency program managers as they define requirements. Such access is also important for contracting officers as they develop acquisition strategies, seek opportunities for small business, and negotiate contract terms. Industry partners are often times the best source of this information. Productive interactions between the federal government and industry partners are encouraged in order that the government clearly understands the marketplace and can award premium contracts. This requires the development of a sound acquisition strategy and effective acquisition planning.

Acquisition strategy and planning is a pre-solicitation activity and is a critical part of the source selection process. It involves up-front planning for source selection and is the foundation for how the contract will be executed after award. During the pre-solicitation phase, requirements are determined and market research is conducted. After the requirement is established the acquisition team collects and analyzes information about the ability of the marketplace to satisfy the need. Market research is critical in gaining a complete understanding of the requirements.

### **Purpose**

The purpose of this Vendor Communication Plan is to promote collaborative communication between program offices, acquisition offices and industry partners. By providing information on solutions, strategies and success stories, all stakeholders can become more empowered to support vendor communication. This plan establishes the DOT's Vendor Communication Plan.

### **Applicability**

The Vendor Communication Plan applies to all procurement actions at or above the Acquisition Planning threshold of \$2.5 million dollars.

### **Authority**

The authority for this plan is the Federal Acquisition Regulation (FAR) 10.000 and Office of Management and Budget's memorandum dated February 2, 2011 entitled, "Myth-Busting": Addressing Misconceptions to Improve Communication with Industry during the Acquisition Process.

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As the DOT turns increasingly to the commercial market for the products and services it needs, knowledge and understanding of the industries and sectors that make up the global commercial market becomes a vital capability. Market research is conducted to determine the availability of commercial products and services and to identify market practices. The DOT recognizes that acquisition strategy and planning is a pre-solicitation activity and is probably the most important part of the entire source selection process. It involves up-front planning for source selection and is the foundation for how the contract will be executed after award is made. This also supports a foundation for a strong competitive environment.

DOT procurement officials continuously seek "best value" options in a competitive environment to meet the Department's needs. In accordance with FAR 6.101, "Contracting Officers shall provide for full and open competition." With best value, we trade off technical and other non-price factors against the price. The acquisition process ensures that best value is received by the DOT. All procurements are advertised on a website and any interested vendor notifies the acquisitions office for inclusion on the source list. During the pre-solicitation phase, needs are determined and market research is conducted. After the need is established, the acquisition team collects and analyzes information about the ability of the marketplace to satisfy the need. This process is termed market research and involves a thorough examination of the marketplace by the acquisition team to develop a shared understanding and to identify possible public and private sector solution to the acquisition. Recognizing the importance of market research, the Office of the Senior Procurement Executive developed a Market Research Guide for the Chiefs of the Contracting Office's and Acquisition Personnel. In addition, information and guidance on market research is posted on an internal website.

### **1) Statement of Commitment**

The Senior Procurement Executive (SPE) is committed to developing new requirements documents for acquisitions; soliciting offers for acquisitions with an estimated value in excess of the simplified acquisition threshold; and soliciting offers for acquisitions with an estimated value less than the simplified acquisition threshold when adequate information does not exist and the circumstances justify its cost.

The SPE is committed to:

- a) Early, frequent and constructive communication with industry; including small businesses and subgroups of small businesses in communications with industry;
- b) Inclusion of vendors that the agency has not worked with in the past;

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- c) Identification, in the procurement forecast, those procurements that possibly involve opportunity for additional communication with industry; and
- d) Protection of non-public information including vendors' confidential information and agency source selection information.

### **2) Senior Official Responsible for Promoting Vendor Engagement**

The DOT consist of the Office of the Secretary (OST) and ten (10) Operating Administrations (OA): Federal Aviation Administration (FAA), Saint Lawrence Seaway Development Corporation (SLSDC), Federal Motor Carrier Safety Administration (FMCSA), Federal Railroad Administration (FRA), Research and Innovative Administration (RITA), Pipeline and Hazardous Material Safety Administration (NHTSA), Federal Transit Administration (FTA) and Maritime Administration (MARAD). Within each of the OAs the Chief Acquisition Officers (CAO) have overall responsibility for the Departments vendor engagement efforts, and has support from senior management within the Department to include: Senior Procurement Executive, modal CAO's, Small and Disadvantaged Business Utilization, and modal Competition Advocates. These officials have a shared responsibility for ensuring the vendor communication plan is effectively executed.

The Chief of the Contracting Offices oversees the management of vendor communication with a team of acquisition workforce professionals to include the program office, contracting officer technical representative, contracting officer and contract specialist and other requiring office officials.

### **3) Planned Efforts to Reduce Barriers and Promote Vendor Engagement**

An effective communication plan requires a balance between internal and external stakeholders' interests. Such a balance is necessary to manage competing interests in operational security concerns, privacy matters; executive deliberative processes; compliance with statutes, rules and regulations, resource availability, and "level playing field" environment for potential and incumbent contractors.

DOT will promote the following steps (as appropriate) to reduce barriers and promote vendor engagement:

- Early vendor engagement in the acquisition process
- Distribution of the vendor communication policy via a DOT DASH
- Distribution via DOT DASH of the "Vendor Communication Myths – Busted"
- Incorporation of the Vendor Communication Plan in procurement training
- Posting of the Vendor Communication Plan on DOT and modal share point websites as well as other internal information retrieval systems such as the M60 website
- Provision of the Vendor Communication Plan (or information to access the plan) at vendor outreach sessions

- Periodic review of acquisition plans to ensure that contracting officers address the Vendor Communication Plan
- Posting of pre-solicitations on FedBizOpps
- Posting of draft statements of work on FedBizOpps/e-Buy for industry comment
- Sponsoring vendor expos (including small business only expos)
- Use of Request for Information and sources sought through FedBizOpps
- Use market surveys
- Holding pre-solicitation and pre-proposal conferences
- Use oral presentations
- Holding vendor one on one matchmaking with small businesses and agency buyers
- Conducting industry days
- Publicizing vendor engagement events through e-gov tools (i.e., FedBizOpps)
- Conducting small business outreach sessions
- Developing and providing a list of "Do's and Don'ts"
- Engaging the OSDBU early in acquisition planning; include opportunities in forecast
- Encouraging early engagement of the procurement office
- Ensuring source list of GSA Federal Supply Schedule vendors include the widest range of capable firms
- Ensuring that industry is given adequate time to provide comments on draft documents, submit questions on final solicitations, and submit proposals/quotations
- Planning for pre-proposal conferences and site visits where appropriate for complex/significant acquisitions.
- Utilizing post award surveys of Contracting Officer, Program Manager and Contracting Officer Representatives to determine the effectiveness of the Department's acquisition communications. Survey results will be used to further refine and improve future vendor communication

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**4) Identification of Acquisition and Opportunity for Vendor Input**

During the acquisition planning phase, DOT acquisition, program staff and the OSDBU will consider opportunities for vendor engagement and address the vendor engagement strategy in the plan itself. A vendor engagement strategy will be outlined for (a) those requirements that are deemed high-risk as determined by the contracting officer within each of the Operating Administration, (b) in accordance with FAR 7.103, "Acquisition Planning", all procurements at or above \$2.5 million dollars and (c) re-competes where one or few proposals were received under the current contract and are of a complex nature as determined by the contracting officer. When a plan is required contracting officer strategy shall address as appropriate the ten misconceptions about Vendor communications such as (1) acquisition planning and when it is appropriate for government officials to dialogue one-on-one with potential offerors; (2) registered lobbyist and when disclosure is required; (3) protest and the misnomer that restricting communication will prevent protest; (4) allowing adequate time for discussions and how the avoidance thereof may cause delays and other problems during contract performance; (5) unsolicited proposals; (6) debriefing of unsuccessful offerors; (7) how industry days as well as presolicitation and preproposal conferences are valuable opportunities for potential vendors and the government; (8) the benefits of dialogue with industry at requirements inception; (9) giving industry adequate time to prepare a good proposal and (10) opportunities to increase competition and widen the pool of potential government vendors and ensure small businesses get fair consideration.

**5) Publication of Engagement Events**

The DOT will utilize existing technologies such as FedBizOpps, FedTeds, Central Contractor Registration, Social Media as well as sponsor engagement events, industry days, small business outreach sessions, pre-solicitation conferences and SharePoint websites.

**6) Sample Roles and Responsibilities**

Official	Vendor Communication Roles and Responsibilities
Contracting Officer/Contract Specialist	<ul style="list-style-type: none"> <li>• <u>Determine the plan</u> - For each appropriate acquisition (especially high-risk or complex acquisitions), establish the timing, frequency, and degree of vendor engagement necessary to appropriately develop requirements, acquisition strategy, and performance metrics.</li> <li>• <u>Identify means</u> - Recommend appropriate means of communication (one-on-one meetings, vendor days, draft RFPs, teleconferences, or combination of these methods).               <ul style="list-style-type: none"> <li>○ Consider methods that would generate new entrants to the market to increase competition</li> </ul> </li> </ul>

Official	<b>Vendor Communication Roles and Responsibilities</b>
	<ul style="list-style-type: none"> <li>○ Work with the OSDDBU and small business specialist to identify the best ways to reach out to small businesses.</li> <li>• <u>Communicate to the agency team</u> - Set expectations with the PM (and COTR if appropriate) about who will conduct vendor engagement efforts and how these sessions will be conducted <ul style="list-style-type: none"> <li>○ Encourage the PM and COTR to communicate appropriately for pre-solicitation efforts</li> <li>○ Be the focal point for vendor communication after the solicitation is issued</li> </ul> </li> <li>• Send success stories and best practices to OMB'sMAX site: <a href="https://max.omb.gov/community/xEWFoIQ">https://max.omb.gov/community/xEWFoIQ</a></li> <li>• <u>Document</u> - document the file as appropriate</li> <li>• <u>Know the agency procurement forecast</u> – the forecast is used by many small businesses to determine where to invest bid and proposal costs so be as knowledgeable as possible about the content of the document</li> <li>• <u>Myth Busters</u> – share myth buster information with program/project managers and COTRs; incorporate myth buster information/guidance in COTR delegation letters</li> <li>• <u>Participate in vendor engagement activities</u> - Lead and/or participate when appropriate/necessary</li> <li>• <u>Conduct Pre-proposal Conference</u></li> <li>• <u>Issue Draft Solicitation</u></li> <li>• <u>Confer with other Federal agencies that have awarded contracts for same or similar work</u></li> <li>• Utilize existing technologies including social media to communicate with vendors</li> </ul>
Program/Project Manager	<ul style="list-style-type: none"> <li>• <u>Confer with the CO early</u> – As soon as a need is identified, inform the CO about the level of vendor engagement needed to help the PM and others conduct effective market research.</li> <li>• <u>Evaluate expected level of competition</u> - Assess the need for introducing new entrants to the market and recommend to the CO ways to do this</li> <li>• <u>Notify the CO</u> - Discuss vendor engagements activities with the CO prior to the meetings – the CO may not attend but should be aware of all communications</li> <li>• <u>Know the agency procurement forecast</u> – the forecast is used by many small businesses to determine where to invest bid and proposal costs so be as knowledgeable as possible about the content of the document</li> <li>• <u>Research the market</u> - to determine if there is an adequate number of vendors to ensure good competition</li> </ul>

Official	<b>Vendor Communication Roles and Responsibilities</b>
COR/COTR	<ul style="list-style-type: none"> <li>• <u>Focus on post-award opportunities</u> - Identify ways to improve communication after award, such as award kick-off events, vendor boards (for multiple award contracts)</li> <li>• <u>Notify the CO</u> – keep the CO informed and document as appropriate</li> <li>• <u>Be cautious</u> – Don't let communications with the contractor evolve into constructive changes to the contract, which could cost money and time.</li> </ul>
General Counsel	<ul style="list-style-type: none"> <li>• <u>Encourage communications to the maximum extent practicable</u> - Advise the CO and team so they understand what is considered appropriate communications in terms of content, delivery methodology, etc.</li> <li>• <u>Assist with the development</u> of the Vendor Communications Guidelines and Procedures</li> <li>• <u>Assist with training the staff</u> on appropriate vendor engagement activities</li> </ul>
Ethics Officer	<ul style="list-style-type: none"> <li>• <u>Include vendor communications in annual ethics training</u> - Ensure ethics training clearly explains what is permissible – not only what is prohibited</li> </ul>
Agency Outreach POC (per MythBuster memo)	<ul style="list-style-type: none"> <li>• <u>Promote vendor engagement</u> – this senior agency or bureau official is responsible for the agency's overall efforts to improve engagement with large and small businesses, increase awareness of the need to communicate with industry, and to seek feedback on engagements to improve the agency's outreach effort on a regular basis</li> <li>• <u>Use the community of practice</u> – seek information and provide best practices to the COP to leverage other good tools</li> </ul>
Acquisition Career Manager (ACM)	<ul style="list-style-type: none"> <li>• <u>Keep everyone informed of training or related opportunities</u> - Provide COs, PMs, COTRs, and others with information on training or awareness activities to improve vendor engagement</li> </ul>
OSDBU and Small Business Specialists	<ul style="list-style-type: none"> <li>• <u>Focus on the agency procurement forecast</u> - Ensure that the CO and the contract specialist understand what is in the agency's procurement forecast in case they start getting inquiries.</li> <li>• <u>Use the Small Business Central Event Listing on FedBizOpps to publicize opportunities</u> – this functionality, recently released, helps small businesses find outreach events and promotes competition</li> </ul>
CIO	<ul style="list-style-type: none"> <li>• <u>Keep up with technology</u> - CIOs and CTOs should offer new media suggestions for increasing outreach (social media, new technologies, etc.) and assist the team in developing rules and record keeping</li> </ul>
Competition	<ul style="list-style-type: none"> <li>• <u>Promote competition</u> - Encourage industry outreach for</li> </ul>

<b>Official</b>	<b>Vendor Communication Roles and Responsibilities</b>
Advocate	competition

**7) Training and Awareness Efforts for Employees**

DOT will develop and make available to the Operating Administrations a Vendor Communication training presentation to include the elements of Market Research (i.e. what is market research, why conduct market research, benefits of market research, roles and responsibilities of the acquisition team and techniques used to conduct market research).

Vendor communication will be incorporated in in-house contracting officer, COTR, program manager, and ethics training.

**8) Links to existing policies**

DOT policy related to the vendor communication plan will be published at [www.dot.gov/ost/m60](http://www.dot.gov/ost/m60).

**9) Plans to Follow up with Employees and Industry Representatives**

1. DOT will utilize post award surveys to determine the effectiveness of the Department's acquisition communications. Survey results will be used to further refine and improve future vendor communication.

DOT will solicit feedback for improvement of the Vendor Communication Plan, as well as challenges and barriers that impede vendor engagement.