USAID PROCUREMENT EXECUTIVE
PROCUREMENT EXECUTIVE'S BULLETIN NO. 2016-03
SUBJECT: Communication with Partners during the Acquisition & Assistance Process

1. Scope:

This Bulletin applies to all USAID Contracting and Agreement Officers (COs/AOs) and Acquisition & Assistance (A&A) staff worldwide.

2. Purpose:

The purpose of this bulletin is to highlight best practices for effective engagement with firms and organizations. Engaging with firms and organizations from pre-solicitation to award helps the Agency better define project and activity design, objectives, and implementation; improves scopes of work and activity descriptions; provides potential partners with insights into how USAID plans to implement and achieve the intended outcomes of a specific project or activity, reduces PALT and ultimately contributes to accomplishing the Agency's mission.

3. Responsibilities and Requirements:

The Office of Federal Procurement Policy (OFPP) issued supplementary guidance to all acquisition professionals government-wide. COs and AOs should become familiar with the guidance and to the extent practicable, utilize the engagement methods provided below.

4. Background:

In 2011 and again in 2012, OFPP published Myth-Busting 1 and Myth-Busting 2 – Addressing Misconceptions to Improve Communication with Industry during the Acquisition Process. These two memorandums, address the misconceptions present when communicating with industry. They highlight the importance of improved agency-industry communication to maximize the return on acquisition investment and to ensure access to high-quality solutions. OFPP continues to work towards generating stronger engagement between the government and the firms and organizations who partner with the government to provide goods and services. These principles of engagement, while focused on acquisition by OFPP, also have similar benefits in assistance processes.

5. Discussion:

Access to current market information is critical for technical and program officers as well as A&A staff in order to define requirements, develop acquisition and assistance strategies, seek local solutions and small business opportunities, and negotiate contract and agreement terms. Early engagement with firms and organizations takes many forms such as industry days, issuing Requests for Information (RFIs), draft solicitations, draft Notices of Funding Opportunities (NOFOs) and holding pre-proposal conferences to mention a few. In addition to reducing PALT, early industry engagement has the following added benefits:

- It improves industry's clarity on the government's specifications/activity descriptions and the evaluation/selection criteria.
- It improves the government's understanding of the existing marketplace.
- This improved understanding results in the Agency receiving higher quality proposals and applications that offer the best solutions at a reasonable price.
- It decreases ambiguity which may result in fewer questions asked by firms and organizations during the solicitation phase, decreasing the need to revise the Request for Proposal (RFP) or NOFO.
- It may reduce the need for modifications due to misunderstandings about the terms, conditions and provisions of the contract or agreement.
- It leads to improved outcomes in project and activity implementation.

In Myth-Busting 1, OFPP identified and clarified common misconceptions around the rules governing government-vendor communication as these misconceptions often prevent agencies from taking full advantage of available opportunities to communicate and interact with the industry community. Myth-Busting 2 addresses more misconceptions from a vendor's perspective, and highlights best practices from other government agencies, thus providing valuable insight into how others have managed to successfully balance outreach to industry. As previously noted, these strategies are engagement tools that can also be utilized during assistance processes.

Existing rules permit communication with firms and organizations at varying levels during the acquisition and assistance process. All methods of communication that are not prohibited should be considered, if they would be helpful. COs/AOs and Planners must utilize sound judgment and not compromise the integrity of the acquisition and assistance process by engaging in any action that could be deemed as favoring one offeror/applicant over another, creates potential for conflict of interest, or in any way reveals information about an offeror/applicant to another.

Communications that are appropriate to the situation and phase of the acquisition and assistance process help us achieve the best solutions for our development challenges.

Certain A&A mechanisms such as the Global Development Alliance (GDA) Annual Program Statement and Broad Agency Announcements (BAA), allow for a more collaborative design process with key partners and stakeholders. When appropriate, USAID recommends using these approaches not only to generate innovative development solutions, but also to build the base for local ownership and sustainability of outcomes. For example, USAID's GDA concept encourages robust and expansive discussions. By working together to jointly identify, define, and solve key business and development challenges, USAID and the private sector are building mutually beneficial partnerships that leverage our respective expertise, assets, technologies, networks and resources to achieve greater development impact.[1] Another example is co-creation under the BAA which also encourages robust and inclusive discussions with firms and organizations who can potentially partner with the Agency. The BAA is a competitive approach to consider potential partners that will help the Agency harness scientific research and innovation to solve critical development challenges.

All are encouraged to review the OFPP documents provided through the links found below.

February 2, 2011 -- Myth-Busting: Addressing Misconceptions to Improve Communication with Industry during the Acquisition Process.

May 7, 2012 -- Myth-Busting 2: Addressing Misconceptions and Further Improving Communication During the Acquisition Process.

On September 22, 2016, OFPP informed Senior Procurement Executives that it will release a new "Myth-Busters" memo in the upcoming weeks specifically addressing the effective use of debriefings.

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[1] ADS 201.3.4.5 notes that " The steps for leveraging A&A-based partnership platforms that facilitate co-design or co-investment, such as Global Development Alliances (GDAs), are often much more integrated and interdependent than defined in this chapter. Missions and Washington OUs should consult with CO/AOs for additional guidance on carrying out these processes and ensuring that legal and regulatory requirements on Organizational Conflict of Interest (OCI), procurement integrity, and competition are satisfied."

Do's and Don'ts of Industry Engagement

Don't	Do
Wait until the NOFO, RFP, is posted to begin communicating with vendors.	Interact with firms and organizations using pre-solicitation/pre-proposal conferences, and/or issuing Requests for Information. Live webinars and streaming video can also be used. Consider hosting multiple outreach sessions for large or complex requirements. FAR Section 10.002 Issue draft RFPs, NOFOs.
Decline a meeting with one vendor because of a fear of sharing information.	Schedule the meeting with the vendor, if information is shared with the vendor that should be shared with others, send it to industry via FedBizOpps and Grants.gov
Allow a solicitation to close and leave questions unanswered.	Ensure that all questions are answered in a way that helps the offeror/applicant prepare a better proposal or application. Inform vendors about any delays in the solicitation process
Overlook the value of a debriefing.	Prepare well for a robust debrief that educates the offeror/applicant on how to improve on any future submissions.

6. Inquiries:

The point of contact for this PEB is, Ombudsman, at ombudsman@usaid.gov.

7. Effective Date:

This Bulletin is effective immediately and will remain in effect unless or until cancelled by the Procurement Executive.

_____10/31/2016_____   _____/s/_____

       Date   Roy Plucknett

                                                     Senior Procurement Executive

ANNEX -- Ways to Engage with Industry at USAID

A variety of outreach tools and tactics are available to Agency staff and can be utilized to connect with the partner community throughout the A&A process. Provided below are a number of ways to engage with industry and helpful tips for how it can be done.

Way to Engage with Firms & Org.	Tips for Engaging
Sharing materials with Industry, such as: ● Draft Scopes of Work ● Draft Request for Proposals ● Requests for Information ● Presolicitation Notices ● Draft Notices of Funding Opportunity	● Post on materials on FedBizOpps.gov or on Grants.gov ● Promote materials through Agency Social Media channels, such as @USAIDBizOpps or Mission handles. ● Share information on USAID.gov's Partnership Opportunities page. ● Request for support from the Mission's Development Outreach and Communication (DOC) Officer or lead Bureau/Office Communicator in promoting information.
Questions and Answer Exchanges with firms and organizations, before or during the solicitation, such as: ● In-person events and conferences ● Virtual meeting through AIDConnect Webinar ● Conference call	● Record the session and take notes of the Q&A. ● Post all materials on FBO.gov or Grants.gov at the conclusion of the event. ● Request for support from the Mission's DOC Officer or leader Bureau/Office Communicator.
Meetings and Events with Partners	● When present in country, U.S.-based staff of implementing partners are strongly encouraged to reach out to COs/AOs in the field for face-to-face meetings, and vice versa. ● Local Solutions conferences, Industry

	Days, Partner Days.

Additional Tools for Engaging with Industry:

1. Business Forecast -- The Agency releases a quarterly Business Forecast with upcoming funding opportunities.
2. Business Forecast Conference Call -- M/OAA hosts a quarterly Business Forecast phone call to answer partner's questions.
3. Ask the Procurement Executive -- M/OAA also hosts a regular conference call for which Partners can submit their questions on non-procurement specific topics.
4. Work with USAID information USAID.gov -- The Agency's external website has been revamped to provide information to both new and existing partners. The site is broken down into three key sections: 1) How to Work with USAID, which is targeted to organizations that are new to USAID; 2) Partnership Opportunities, which has information related to the Agency's Business Forecast and grant programs; and 3) Resources for Partners, which has information geared towards the Agency's existing partners.
5. Online Training for How to work with USAID -- The Agency has developed a series of online training modules for partners interested in working with USAID.
6. A&A Updates Email Distribution List -- M/OAA has created an e-mail distribution list that allows organizations to sign-up to receive updates from USAID. Information, such as Business Forecast updates, upcoming events, policy changes, etc. are shared through this email list.
7. @USAIDBizOpps -- M/OAA has a twitter handle that is used to promote upcoming events, policy updates, online training, and information available on Grants.gov and FedBizOpps.gov.
8. Resources for Working with USAID -- M/OAA has developed a resource page for Agency staff explaining how to work with USAID. The page includes a standard PowerPoint presentation with talking points, one-page handout, and guidance specifically written for Agency staff.
9. Agency Events -- The Agency hosts a number of annual events such as the Small Business Conference, Partners' Day, and more. These events are important opportunities for Agency staff to engage with the implementing partner community.