

Understanding Federal Contracting – NOTES

Slide 5: Responsive: did the bidder do what was asked by the Government in submitting their bid (i.e. sign forms, submit bid guarantee)

Responsible: can the bidder do the work with the resources they have, how well do they pay their suppliers, do they have the equipment, etc.

Slide 7: Key to point out is the selection is made based on qualifications and demonstrated experience – but also at a fair and reasonable price.

Slide 9: Best Value is not a new term in Government Contracting. Best Value, as defined by the Army's Source Selection Manual, is the expected outcome of an acquisition that provides the greatest overall benefit in response to the requirement.

Slide 13: There are two main methods to performing the Best Value Source Selection. The most common method is the Trade-Off Process.

Trade-off is used when a requirement is highly complex and/or factors other than cost, such as delivery or quality, need to be considered. It is also required to be used when the mandatory thresholds for evaluating past performance kick in. Award is made based on an evaluation of all factors and trade-off decisions that are made between cost and non-cost factors.

Lowest-Price is used when a requirement is less complex but non-cost factors still need to be considered. In this case, the Government reviews submissions for technical acceptability and awards a contract to the lowest-priced offer among those deemed technically acceptable.

Slide 14: Source Selection differs from sealed bidding in that the Government does not release any information beyond receipt of proposals because of the Procurement Integrity Act.

Slide 15: In plain language, source selection information pertains to any information where disclosure would jeopardize the integrity or successful completion of the acquisition.

It does extend to the post award period.

Slide 18: Cannot award a contract to an Offeror whose proposal contains a deficiency.

Slide 21: Bottom line is the report tells the story of what happened.

Slide 22: Reasonable: is it a fair purchase price for the work the Government needs performed?

Realism: is it a realistic price for the work effort proposed by the Offeror?

Slide 23: Negative past performance must be provided back to a firm – only when they have not previously had an opportunity to respond.

Slide 32: Was it a personality issue? Was it a performance issue with a key person? What steps were taken to correct the problem? Then explain what the result was. Performance issues are not always a deal breaker, if those issues are addressed upfront and a proper explanation is provided, including eventual resolution, then it won't be as damaging.

Slide 33: Did you save the Government money with your prior solutions? Is your solution based on past successes? If so, be specific and quantify the benefits to the Government in choosing your firm.

Slide 37: Late proposals cannot be accepted.