



# DEPARTMENT OF AGRICULTURE VENDOR COMMUNICATION PLAN

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# Department of Agriculture Vendor Communication Plan

## Introduction

The Department of Agriculture recognizes the value of communicating with potential contractors early and often during the acquisition process. In addition to the Federal Acquisition Regulation (FAR) (Subpart 15.201), which encourages exchanges between the Government and interested parties, from the earliest identification of a requirement through receipt of proposals which should be conducted in a fair and transparent manner – USDA understands that true vendor communication and outreach leads to identification of more qualified sources and solutions, resulting in greater value to the agency and the taxpayer.

The USDA Vendor Communication Plan has been updated to reflect the latest memo from the Office of Management and Budget, Office of Federal Procurement Policy, entitled “Myth Busting #4 – [Strengthening Engagement with Industry Partners through Innovative Business Practices](#)”, dated April 30, 2019. The purpose is to improve awareness of vendor engagement strategies within the acquisition and procurement sector to create a more responsive buying process, modernize the acquisition culture, and deliver greater value to the taxpayer.

This plan identifies how the Department of Agriculture has and will continue to reduce unnecessary barriers to vendor engagement, publicize communication opportunities with industry, and prioritize engagement opportunities for high impact acquisitions. Opportunities also include engaging with small businesses and businesses that haven’t previously worked with USDA. USDA is committed to the principles of openness, fairness, and transparency in the acquisition process while protecting non-public information. This plan is intended to enhance vendor communication and engagement, increase the level of involvement of small and emerging businesses in USDA contracts, and promote efficient and effective operations while reinforcing public trust. We are pleased to share this Vendor Communication Plan with stakeholders from both inside and outside of the Department.

## 1. Statement of Agency Commitment

USDA’s vision is to make USDA the most efficient, effective, and customer-focused Department in the Federal Government which includes engaging effectively with industry to provide sound solutions in support of USDA’s mission.

USDA’s commitment to reducing barriers and encouraging vendor engagement throughout the acquisition process aligns with the Secretary’s Strategic Goal 1: Ensuring USDA programs are delivered efficiently, effectively, and with integrity and a focus on customer service.

Enhanced communications between Government and industry are vital to define and convey requirements clearly and realistically within the market environment, appropriately assess and assign risk for the effort, and set respective cost, schedule, and performance expectations to ensure effective contract management.

The Federal Acquisition Regulation (FAR) authorizes a broad range of options for vendor communication throughout the acquisition process. Awareness of these options is all too often limited to a relatively small cadre of staff within procurement offices. USDA is committed to acting to engage the broader acquisition community, comprised of program managers and executives in addition to the formal procurement staff, to increase awareness of available avenues to best engage the private sector. This increased awareness will enable the USDA acquisition community and industry to optimize interactions, making the best use of available time and resources.

Effective communication and collaboration with industry is a key component to the Department's success and USDA is committed to these actions:

- Communicate early, frequently, and constructively with industry in the conduct of fair and open business opportunities;
- Include small businesses and subgroups of small businesses in communications with industry;
- Include vendors that the Department of Agriculture has not worked with in the past;
- Identify, in our published procurement forecast, which procurements are likely to involve opportunity for additional communication with industry; and
- Protect non-public information including vendors' confidential information and the Department's source selection information.

**a. Innovative Technology Solutions**

In addition, the Department encourages using innovative technological solutions to effectively tap the understanding of industry partners during pre-solicitation phases, such as market research. In 2010, the U.S. Chief Information Officer released the [25 Point Implementation Plan to Reform Federal IT Management](#) to improve the Federal Government's acquisition and use of information technology assets. Included in this plan is an outline to increase engagement with industry in order to consistently leverage the most effective and efficient technologies.

Additional Federal Guidance regarding leveraging the most effective and efficient technologies includes:

- Memo, ["Transforming the Marketplace: Simplifying Federal Procurement to Improve Performance, Drive Innovation, and Increase Savings"](#), December 4, 2014

- Identifies steps to strengthen Federal acquisition practices to improve efficiency, reduce red-tape, and provide greater benefit for taxpayer dollars including vendor feedback and appointing enterprise-wide vendor managers.
- Legislation, [“The Federal Information Technology Acquisition Reform Act \(FITARA\)”](#), December 2014
  - Implementation guidance, [“M-15-14: Management and Oversight of Federal Information Technology”](#), June 2015

**b. Promoting Competition**

USDA is also committed to prioritizing engagement opportunities for high-risk, complex programs or those that fail to attract new vendors during recompletions. The Secretary of Agriculture is focused on promoting competition, limiting single source opportunities, and increasing market research to bring the most valued solutions for the USDA mission.

**c. Quarterly Strategic Review:**

The USDA has implemented a Quarterly Strategic Review (QSR) that serves as an update to each Mission Area’s Acquisition Programs and Requirements (APR) plans as described in the USDA Contracting [Deskbook](#) 407.170. This QSR effort highlights the status of major programs, IT contracting, and both service and advisory & assistance contracts exceeding the simplified acquisition threshold (currently \$250K).

**d. USDA Vendor Communication Plan Page**

The Department’s commitment to these goals and this plan will improve the quality, timeliness, and cost savings of products and services acquired to fulfill the agency’s mission. This Plan will be updated at least annually and we encourage agency staff, vendors, and other stakeholders to visit the [USDA Vendor Communication Plan](#) page.

**2. Senior Agency Officials Responsible for Promoting Vendor Engagement**

The Department of Agriculture Chief Acquisition Officer (CAO) has the overall responsibility of promoting the Department’s vendor engagement activities. In addition, the Senior Procurement Executive (SPE), Mission Area Senior Contracting Officials (MASCO), Mission Area Senior Program Managers (MASPM), the Office of Small and Disadvantaged Business Utilization (OSDBU), and Competition Advocates each have a responsibility for ensuring the vendor communication plan is effectively executed. Each Department of Agriculture contracting activity oversees management of vendor communication with input and assistance from their Small Business representatives and Competition Advocates.

Other stakeholders with roles and responsibilities for carrying out the plan include program offices, Contracting Officer’s Representatives (CORs), Contracting Officers (COs), Contract Specialists, and other agency officials.

### 3. Agency Innovation in Action

#### **a. Acquisition Innovation Advocate and Industry Liaison**

Acquisition Innovation Advocate - In March 2016, OMB requested that agencies appoint Acquisition Innovation Advocates (AIAs) and set up Acquisition Innovation Labs (AILs) to help agencies achieve better results for each taxpayer dollar through better and smarter execution of emerging and well-established acquisition practices. AIA's make up the AIA Council which consists of advocates from each agency subject to the CFO Act of 1990, as well as, an advocate from the Small Agency Council. The council is tasked with meeting regularly to broaden awareness and foster cross-agency collaboration and innovation. Among other things, they share the status of their IT-related activities, especially the acquisitions that govern them, and exchange information with OMB's US Digital Service, Presidential Innovation Fellows, GSA's 18F Consulting and other innovation communities regarding successes and challenges. AIA's provide their workforce with a clear pathway to test and document new acquisition practices and facilitate fresh perspectives on existing practices. USDA's AIA has been named Kelly Moore. Ms. Moore can be contacted at [Kelly.L.Moore@usda.gov](mailto:Kelly.L.Moore@usda.gov).

Industry Liaison – To keep up with the rapidly accelerating pace of technological change, a number of agencies have sought better ways to communicate with industry so they can better understand the commercial marketplace, attract new contractors, and encourage current partners to use new processes and develop, test, and offer more modern solutions. Despite this progress, the pace of adoption has been limited relative to the total volume of activity that potentially could benefit from these efforts; only a fraction of our transactions are using these new ways of doing business. For this reason, the Office of Federal Procurement Policy (OFPP) has asked Agencies to publicly designate an Industry Liaison (IL) to serve as a conduit among acquisition stakeholders and promote strong agency vendor communication practices. USDA's IL has been named Ayana Bailey. Ms. Bailey can be contacted at [Ayana.Bailey@usda.gov](mailto:Ayana.Bailey@usda.gov).

#### **b. Streamlining Acquisitions through Procurement Innovation**

Streamlining acquisitions allows vendors easier access to requirements, can reduce bid and proposal costs, and can result in a reduction in acquisition lead time. USDA officially launched their Procurement Innovation Effort in January 2020 focusing on educating acquisition professionals on flexibilities available in the FAR as well as streamlining procurement activities to reach the right sets of competitive vendors.

The Procurement Innovation Effort intends to collect feedback from both Government and Industry after awards that were based on innovative and or streamlined techniques to provide a basis for lessons learned and best practices.

#### 4. Efforts to Reduce Barriers and Promote Engagement

The Department will engage in the following activities, as appropriate, to reduce barriers and promote vendor engagement:

##### a. Transparency

Transparency in USDA's acquisition process serves to inform our industry partners, including those who have yet to engage in USDA business, about current and emerging needs.

Information is publicly available on the following sites:

- Information regarding USDA contracts are published through the [Federal Procurement Data System \(FPDS\)](#).
- Contract opportunities and request for information related to contract requirements are posted on the interactive <https://beta.sam.gov/> page.
- USDA publishes an annual forecast of planned acquisitions on its [Forecast of Business Opportunities](#) webpage and
- Information on how to do business with USDA is published on the [Business Opportunities](#) page.

The Department will post and regularly update vendor engagement events on Government-wide point of entry Contract Opportunities using the "special notices" function. Posted events will include industry days, small business outreach sessions, pre-solicitation conferences, solicitation question and answer sessions, etc.

##### b. Publicize Vendor Communication

- Widely distribute the Vendor Communication Plan along with the Office of Management and Budget (OMB) "Myth – Busting" memorandum included in Attachment 1 to all stakeholders both within USDA and to those seeking to do business with USDA.
- Incorporate the Vendor Communication Plan in the acquisition workforce onboarding and procurement training.
- Post the plan on Agency and Office websites.
- Promote the Vendor Communication Plan at industry outreach sessions.
- Require contracting officers to address vendor communications in acquisition plans.
- Post draft statements of work on Contract Opportunities ([beta.sam.gov](https://beta.sam.gov/))/e-buy for industry comment.
- Promote the use of vendor communication to conduct market research, including draft solicitations.
- Make use of oral presentations when applicable.
- Publicize vendor engagement events through the Government-wide point of entry Contract Opportunities ([https://www.beta.sam.gov](https://www.beta.sam.gov/)).
- Promote and conduct small business outreach meetings.

- Ensure that the vendor community is given adequate time to provide comments on draft solicitation documents, submit questions, and receive responses to help prepare and submit proposals.
- Plan for pre-proposal conferences and site visits where appropriate for complex/significant acquisitions.

**c. Protection of Non-Public Information**

USDA is committed to protect non-public information, including vendor’s confidential information and the Agency’s source selection information. Two statutory principles limit Government communications with industry in the acquisition cycle: preventing unfair competitive advantage through selective release of source selection information and preventing competitive harm to a firm through release of its proprietary information. USDA takes these obligations seriously and will use all available means to protect non-public information from unauthorized disclosure.

**d. Small and Emerging Business Outreach**

Small businesses drive innovation throughout the economy. USDA recognizes this and has implemented an aggressive small business outreach program to bring new and emerging businesses to the table with USDA. USDA’s OSDBU sponsors a series of Small Business Vendor (VOS) community outreach sessions throughout the year. The purpose of these sessions is to provide the small business community the opportunity to meet with OSDBU Specialists to discuss their capabilities and learn of potential procurement opportunities. OSDBU Specialists are in each contracting office and are responsible for carrying out the small business program in their respective agencies. The vendor outreach schedule is located on the [USDA Vendor Outreach Program](#) webpage. This webpage also provides information on doing business with USDA, forecast of business opportunities, three different types of outreach events, a subcontracting directory, and a directory of small business specialists. There is also a list of OSDBU contacts located at <https://www.dm.usda.gov/smallbus/specialists.htm>.

**e. Category Management**

Category Management is an integral part of an agency’s overall acquisition planning lifecycle and USDA recognizes the opportunity for leveraging available data to help remove barriers to competition, specifically surrounding other than full and open competition. USDA is using Category Management data to not only review buying patterns, but to collect like requirements and survey the marketplace to identify better overall solutions for USDA. Part of the data analysis includes looking at actions conducted with limited or no competition and validating mission requirements to promote competition.

**5. Partnering with Industry for Requirement Development and Pre-Solicitation Activities**

USDA procurement guidance has specific parameters for when formal acquisition plans are required which are referenced in part 407.104 of the [USDA Contracting Deskbook](#).

Although formal acquisition plans are not required for all acquisitions, USDA is focusing on earlier engagement with industry. Earlier and more frequent engagement with industry on overly restrictive requirements and better contracting methods creates better mission outcomes. Talking to industry aids in reducing assumptions and uncertainty while allowing Government acquisition staff to gather information on industry solutions. This gives the Government access to more common commercial solutions which can increase competition overall.

## 6. Publication of Engagement Events

The Department will post and regularly update vendor engagement events on Government-wide point of entry contract opportunities located on [beta.sam.gov](https://beta.sam.gov) and other Government contract platforms (i.e. GSA e-Buy and NIH e-GOS). Posted events will include industry days, small business outreach sessions, pre-solicitation conferences, solicitation question and answer sessions, etc.

## 7. Roles and Responsibilities

- a. **Chief Acquisition Officer** - Serves as the Assistant Secretary to the Secretary of Agriculture responsible for all departmental administrative activities including contracting and procurement. Responsible for overseeing vendor engagement.
- b. **Senior Procurement Executive** – Senior agency official responsible for promoting vendor engagement, accountable for overall efforts to improve engagement with businesses, and increasing awareness of the need to communicate with industry.
- c. **Mission Area Senior Program Manager** - The Secretary has determined that each mission area will appoint a Mission Area Senior Program Manager (MASPM) who will be responsible for the planning of acquisitions in the mission area. MASPM are responsible for ensuring that the requirements of acquisition planning and market research are followed and documented in an acquisition plan or a requirement plan.
- d. **Mission Area Senior Contracting Officials** - Senior agency officials responsible for promoting vendor engagement in the contracting activities, accountable for promoting vendor engagement and adherence to this plan within their respective activities.
- e. **Contract and Investment Review Boards** - Consider the engagement strategy early in the review process. If the engagement strategy is inappropriate for the acquisition, the action should not be approved until an acceptable vendor engagement strategy is submitted.
- f. **Contracting Officer (CO)**
  - i. For each appropriate acquisition, establish the timing, frequency, and degree of vendor engagement necessary to appropriately develop requirements, acquisition strategy, and performance metrics.
  - ii. Recommend appropriate means of communication (i.e. one-on-one meetings, vendor days, draft solicitations, teleconferences, or a combination of these methods).
    - a. Consider methods that would generate new entrants to the market to increase competition.
    - b. Work with the Office of Small and Disadvantaged Business Utilization (OSDBU) and Small Business Specialists to identify the best ways to reach out to small businesses.
    - c. Use the Small Business Central Event Listing on <https://beta.sam.gov/>.

- iii. Collaborate with the OSDDBU (as appropriate), Program/Project Manager (PM) and Contracting Officer's Representative (COR) to determine who will conduct vendor engagement efforts and how these sessions will be conducted.
  - a. Encourage the PM and COR to communicate appropriately for pre-solicitation efforts.
  - b. Be the focal point for vendor communication after the solicitation is issued.
- iv. Be as knowledgeable as possible about the content of the procurement forecast.

**g. Program/Project Officer and Contracting Officer's Representative (COR)**

- i. 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.
- ii. Assess the need for introducing new entrants to the market and recommend to the CO ways to do this.
- iii. Discuss vendor engagement activities with the CO prior to the meetings – the CO may not attend but should be aware of all communications.
- iv. Be as knowledgeable as possible about the content of the procurement forecast.

## **h. OSDBU and Small Business Specialists**

- i. Promote overall efforts to improve engagement with small businesses and increase Department-wide awareness of the need to communicate with industry.
- ii. Coordinate vendor engagement activities with program and acquisition teams<sup>1</sup>.
- iii. Coordinate and collaborate with interagency colleagues and the business community regarding vendor engagement activities with the OSDBU and acquisition teams.
- iv. Serve as the Department's primary contact for engaging prospective small businesses.
- v. Collaborate with the CO and the contract specialist to ensure a clear understanding by the acquisition team of the contents and importance of the Department's procurement forecast.
- vi. Publicize outreach and training opportunities using a variety of vehicles including the [USDA Vendor Outreach Program Page](#).
- vii. Lead the effort to assess the need for introducing new entrants to the market and recommend to the CO ways to do this.
- viii. Lead the effort to conduct market research to identify small businesses capable of meeting the Department's needs.
- ix. Lead the effort to identify opportunities to establish prime contractor mentor and small business protégé agreements.

## **i. Small Business Liaisons (in the contracting activities)**

- i. Assist acquisition teams in developing and executing vendor engagement strategies.
- ii. Coordinate vendor engagement activities with acquisition teams.
- iii. Assess the need for introducing new entrants to the market and recommend to the CO ways to do this.
- iv. Conduct market research to identify small businesses capable of meeting the Department's needs. Assist the CO and PM to encourage setting aside procurements for small businesses.
- v. Assist acquisition teams in identifying opportunities to establish prime contractor mentor and small business protégé agreements.

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<sup>1</sup> FAR 1.102(c) states: "The Acquisition Team consists of all participants in Government acquisition including not only representatives of the technical, supply, and procurement communities but also the customers they serve, and the contractors who provide the products and services." For the purposes of this chapter, the team

## j. Agency and Procuring Activity Competition Advocate

- i. Promote the acquisition of commercial items; full and open competition; challenge requirements that are not stated in terms of functions to be performed, performance required or essential physical characteristics; and challenge barriers to the acquisition of commercial items and full and open competition such as unnecessarily restrictive statements of work, unnecessarily detailed specifications, and unnecessarily burdensome contract clauses.
- ii. Promote competition - Encourage industry outreach for sole source procurements.

## 8. Training and Awareness Efforts for Employees

### Defense Acquisition University Courses:

- ACQ 315: Understanding Industry
- CLM 005: Industry Proposals and Communication

### Federal Training Courses:

- FCL-A-0021 (CL): To Bid or Not to Bid: Industry Perspective
- FCL-A-0027 (CL): Can We Talk: Industry Day Conferences

## 9. Links to Existing Policies

- Federal Acquisition Regulation - <https://www.acquisition.gov/far/>
- Agriculture Acquisition Regulations - <http://www.dm.usda.gov/procurement/policy/agar.html>.
- USDA Procurement – Policy and Regulations - <http://www.dm.usda.gov/procurement/policy/index.html>
- USDA Contracting Deskbook - <https://www.dm.usda.gov/procurement/policy/docs/USDAContractingDeskbookPhase1.32.pdf>
- Procurement Integrity Act (41 U.S.C. § 423) - Government officials may not disclose proprietary or source selection information. (FAR 3.104) [https://www.acquisition.gov/far/current/html/Subpart%203\\_1.html#wp1139280](https://www.acquisition.gov/far/current/html/Subpart%203_1.html#wp1139280)
- Freedom of Information Act (5 U.S.C. § 552) <http://www.justice.gov/oip/amended-foiaredlined-2010.pdf>
- Conflict of Interest Prohibition (18 U.S.C. § 208) – Government officials may not participate in a matter that presents an actual or apparent conflict of interest.

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consists of the CO, CS, PM, COR, OSDBU, Small Business Specialist, Small Business Liaison, and others in Section V. A-J as appropriate.

[http://www.law.cornell.edu/uscode/search/display.html?terms=208&url=/uscode/html/uscode18/usc\\_sec\\_18\\_00000208----000-.html](http://www.law.cornell.edu/uscode/search/display.html?terms=208&url=/uscode/html/uscode18/usc_sec_18_00000208----000-.html)

- Competition in Contracting Act (CICA) (10 U.S.C. § 2304) – Government officials may not give unauthorized preferential treatment to one firm but must treat all firms equally.  
[http://www.law.cornell.edu/uscode/html/uscode41/usc\\_sec\\_41\\_00000253----000-.html](http://www.law.cornell.edu/uscode/html/uscode41/usc_sec_41_00000253----000-.html)
- Trade Secrets Act (18 U.S.C. § 1905) – Government officials may not disclose trade secrets or other proprietary information without permission of the owner of the information. Government officials must protect procurement-sensitive information and information that would not otherwise be lawfully disclosed to the public under the Freedom of Information Act.  
[http://www.law.cornell.edu/uscode/html/uscode18/usc\\_sec\\_18\\_00001905----000-.html](http://www.law.cornell.edu/uscode/html/uscode18/usc_sec_18_00001905----000-.html)
- Federal Advisory Committee Act (5 U.S.C. Appendix 2, § 5) – Government officials must comply with the Federal Advisory Committee Act when seeking advice or recommendations from a group that includes non-Government employees to ensure that the Government is not inappropriately influenced by a special interest.  
<http://www.archives.gov/federal-register/laws/fed-advisory-committee/>

## 10. Follow-Up

USDA will identify a way to follow-up with employees and industry representatives within 6-months of posting the vendor engagement plan.

## 11. Best Practices

Will collect best practices and lessons learned from agencies as a part of follow-up activities.