

# Department of Justice

## Vendor Communication Plan



March 2020

## **A. Introduction**

Annually, the Department of Justice (Department or DOJ) spends billions on contracts for goods and services in support of its mission. Access to current market information is critical for agency program managers as they define requirements and identify sources; and to contracting officers as they develop acquisition strategies, seek opportunities for small business, and negotiate contract terms. Industry partners are the best source of this information; therefore, the federal government is encouraged to have productive interactions to gain a clear understanding of the marketplace and award optimal contracts. Further, the DOJ acquisition community has an obligation to conduct procurements in the most effective, responsible, and efficient manner possible.

## **B. Purpose**

The purpose of this Vendor Communication Plan is to promote collaborative communication between program offices, acquisition offices and industry partners. This plan identifies the steps that the DOJ will take to promote collaborative communication. The enhanced communication will lead to reduced barriers for vendor engagement and promote effective acquisition management. This plan will identify publication opportunities for the DOJ to communicate with industry and prioritize engagement opportunities for high impact acquisitions, including identifying opportunities for small and new businesses.

## **C. Applicability**

This plan applies to acquisitions of a high dollar value and/or high-risk, complex programs, [Exhibit 300 Information Technology Systems](#), and procurements for re-competition that need to attract new entrants to ensure adequate competition.

## **D. Authority**

Federal Acquisition Regulation (FAR) 1.102(d) and 10.000, Office of Management and Budget's (OMB) memorandums entitled:

- [“Myth-Busting: Addressing Misconceptions to Improve Communication with Industry during the Acquisition Process” \(February 2, 2011\)](#)
- [“Myth-Busting 2: Addressing Misconceptions and Further Improving Communication During the Acquisition Process” \(May 7, 2012\)](#)
- [“Myth-Busting 3: Further improving Industry Communication with Effective Briefings” \(January 5, 2017\)](#)
- [“Myth-Busting 4: Strengthening Engagement with Industry Partners through Innovative Business Practices” \(April 30, 2019\)](#)

## **E. Statement of Department Commitment**

The Department of Justice is committed to ensuring the satisfaction of customer requirements while obtaining the best possible price, schedule, and performance under the fairest market conditions. This is best accomplished through clear, concise, and open communication with industry.

The Department of Justice and all of its bureaus, and Offices, Boards and Divisions (OBDs) are committed to –

- Communicating early, frequently, and constructively with industry to conduct fair and open discussions for business opportunities. The DOJ will review advance procurement plans to forecast the earliest opportunity to engage industry.
- Including and encouraging small businesses (and subgroups of small businesses) in dialogue with industry. The DOJ will engage the small business sector and set aside procurements for small businesses and subgroups, as appropriate. The DOJ's Office of Small and Disadvantaged Business Utilization (OSDBU) hosts vendor outreach sessions to give small businesses an opportunity to meet with the respective Small Business Technical Advisors from each bureau.
- Holding industry days to encourage new vendor participation in the federal procurement process, solicit industry feedback, and reduce unnecessary restrictions and barriers to procurements. Early and constructive exchange of information is crucial to effective acquisition management, which will result in realistic, well-defined requirements. The DOJ will leverage the industry's technical knowledge and feedback to achieve optimal acquisition solutions that properly considered industry capabilities with Government requirements.
- Identifying which procurements are likely to involve opportunity for additional communication with industry through the DOJ's published procurement forecast.
- Increasing the transparency of the federal procurements while protecting non-public information such as vendors' proprietary information and source selection information.

DOJ's commitment to these goals and this plan will ultimately improve the quality, timeliness, and cost savings of products/services acquired to fulfill the DOJ's mission.

## **F. Senior Agency and Bureau Official Responsible for Promoting Vendor Engagement**

As delegated by the DOJ Chief Acquisition Officer, the DOJ Senior Procurement Executive has the overall responsibility for direction of the DOJ's vendor engagement efforts and has support from the highest management levels within the agency. The following positions have the shared responsibility to execute an effective Vendor Communication Plan: Senior Procurement Executive, Bureau Procurement Chiefs, OSDBU Director, and the various Competition Advocates throughout the DOJ share responsibility for ensuring the Vendor Communication Plan is effectively executed.

Each DOJ bureau oversees management of vendor communication with input and assistance from its Small Business Technical Advisors (SBTA) and Competition Advocates. Other stakeholders involved with carrying out the plan include program offices, contracting officer's representatives (CORs), contracting officers, and contract specialists. Bureau legal counsel will be engaged as necessary in all aspects of the procurement process, including acquisition planning, market research, and the procurement itself.

The DOJ Industry Liaison serves as a conduit among acquisition stakeholders by promoting strong agency vendor communication practices. The DOJ Industry Liaison actively collaborates with the DOJ Acquisition Innovation Advocate (AIA) on agency initiatives and Department-wide efforts to bolster vendor engagement across DOJ. Information on how to contact the DOJ Industry Liaison and Acquisition Innovation Advocate are provided below:

DOJ Industry Liaison  
Office of Acquisition Management  
Justice Management Division  
U.S. Department of Justice  
[DOJIndustryLiaison@usdoj.gov](mailto:DOJIndustryLiaison@usdoj.gov)

DOJ Acquisition Innovation Advocate  
Office of Acquisition Management  
Justice Management Division  
U.S. Department of Justice  
[DOJInnovationAdvocate@usdoj.gov](mailto:DOJInnovationAdvocate@usdoj.gov)

## **G. Efforts to Reduce Barriers and Promote Vendor Engagement**

Reducing barriers and promoting vendor engagement leads to innovation. In order to effectively issue a Vendor Communication Plan, internal and external stakeholders must engage early and often with industry.

DOJ will take the following steps to reduce barriers and promote vendor engagement:

- Distribute the Vendor Communication Plan and encourage wide dissemination to all stakeholders
- Distribute OMB Myth-Busting Memos to the DOJ acquisition workforce (See Section D)
- Incorporate the Vendor Communication Plan in procurement training
- Post the plan on DOJ and bureau websites
- Provide the Vendor Communication Plan (or information to access the plan) at vendor outreach sessions
- Require contracting officers to address vendor communications (as appropriate) in acquisition plans
- Post draft statements of work on the Government Points of Entry (GPE) for industry comment
- Sponsor vendor expos (including small business only expos)
- Use the GPE to conduct market research (i.e., Requests for Information, sources sought notices, pre-solicitation conferences)

- Collect appropriate business size and socio-economic information from vendors
- Hold pre-solicitation and pre-proposal conferences
- Hold bureau industry days
- Publicize vendor engagement events through e-gov tools
- Hold monthly small business vendor meetings
- Engage the OSDBU early in acquisition planning; include opportunities in forecasts
- Encourage program offices to engage early with the procurement office
- Use social media tools to announce and advertise opportunities (in accordance with [OMB M-10-23, “Guidance for Agency Use of Third-Party Websites and Applications”](#))
- Provide contact information on the DOJ Website for the DOJ and its bureau contracting offices including:
  1. Full Department and Bureau Name of Procurement Activity
  2. Bureau Procurement Chief information
  3. Websites for Bureau acquisition offices
  4. Forecast Opportunities – displayed on the DOJ site and the bureau acquisitions office sites
  5. Department Competition Advocate and OSDBU contact
  6. Bureau Competition Advocate and Small Business Technical Advisors contact information
  7. Schedule of Vendor Engagement Opportunities (i.e., planned vendor outreach sessions, small business conferences, pre-solicitation conferences, industry days)
  8. DOJ Vendor Communication Plan

## **H. Identifying Acquisitions and Opportunities for Vendor Input**

During the acquisition planning phase, the DOJ contracting and program staff and OSDBU will consider opportunities for vendor engagement and address the vendor engagement strategy in the acquisition plan (as applicable).

A vendor engagement strategy will be prepared for a high dollar value and/or high-risk, complex programs, [Exhibit 300 Information Technology Systems](#), and procurements for re-competition that need to attract new entrants to ensure adequate competition. This strategy will address the type(s) of vendor engagement to occur, such as one-on-one meetings, industry days, and pre-solicitation conferences. When vendor engagement is not feasible, the contracting officer will prepare and include in the file a written statement addressing the decision.

## **I. Publication of Engagement Events**

DOJ will publicize engagement events such as industry days, small business outreach sessions, and pre-solicitation conferences through the GPE, and/or OSDBU and Bureau websites. Request for Proposal (RFP)/Request for Quote (RFQ) questions and answers will be posted and updated regularly.

## **J. Description of Roles and Responsibilities**

The following government team shares responsibility for improving vendor communications:

## Industry Liaison

- Promote timely responses to general vendor requests where appropriate, including from new entrants and small businesses
- Help program and acquisition personnel develop strategies for engaging potential vendors that can provide capabilities necessary to achieve agency missions
- Review and update, as appropriate, the Vendor Communication Plan to improve interaction throughout the acquisition lifecycle
- Work with the DOJ AIA and OSDDBU to drive practices, such as those highlighted in the OMB Myth-Busting Memos that improve communication with vendors
- Encourage vendor feedback on agency acquisitions to the extent possible, monitor marketplace interest in agency requirements
- Share stories on the Acquisition Gateway Innovation Hub to promote adoption of good communication practices

## Contracting Officer / Contract Specialist (Contracting Staff)

- Determine the plan for each appropriate acquisition (especially high-risk or complex acquisitions) – establish the timing, frequency, and degree of vendor engagement necessary to develop requirements, acquisition strategy, and performance metrics
- Identify and execute an appropriate means of communication (one-on-one meetings, industry days, draft RFPs/RFQs, teleconferences, or a combination of these methods)
- Consider methods that would generate new entrants to the market to increase competition
- In conjunction with the OSDDBU and SBTA, identify the best small business outreach opportunities
- Communicate to the agency team and set expectations with the program staff and COR regarding vendor engagement efforts and how these sessions will be conducted
- Encourage the program staff and COR to communicate as part of pre-solicitation efforts
- Be the focal point for vendor communication after the solicitation is issued
- Become knowledgeable of the agency procurement forecast in the case that vendor communication activities can be coordinated across the agency or bureau
- Share the OMB Myth-Busting Memos with program staff and CORs
- Lead and/or participate in vendor engagement activities
- Continue vendor outreach and communication improvement efforts post-award

## Contracting Officer's Representative (Program Staff)

- Confer with the contracting staff as soon as a need is identified and recommend an approach to vendor engagement that will assist the program staff in conducting effective market research
- Evaluate the expected level of competition and assess the need for introducing new entrants to the market
- Become knowledgeable of the agency procurement forecast in the case that vendor communication activities can be coordinated across the agency or bureau
- Share the OMB Myth-Busting Memos with program staff
- Research the market to determine if there are an adequate number of vendors to ensure competition and small business participation

- Continue vendor outreach and communication improvement efforts post-award

#### General Counsel

- Advise the contracting staff and other acquisition professionals regarding their efforts to encourage communications to the maximum extent practicable to ensure communications are appropriate in terms of content, delivery methodology, etc.
- Provide advice while planning vendor communication efforts, as requested
- Provide legal advice and, to the extent feasible, participate in training acquisition professionals on appropriate vendor engagement activities

#### Ethics Officer

- Include vendor communications in annual ethics training and ensure the inclusion of details explaining what is permissible – not only what is prohibited

#### Acquisition Career Manager

- Keep the acquisition workforce informed of training and related opportunities concerning vendor engagement approaches and strategies

#### OSDBU and Small Business Technical Advisors

- Help program and acquisition personnel develop strategies for engaging potential small businesses that can provide capabilities necessary to achieve agency missions
- Work with the DOJ AIA and Industry Liaison to drive practices, such as those highlighted in the OMB Myth-Busting Memos that improve communication with small businesses
- Focus on the agency procurement forecast and apprise contracting staff whether vendor communication activities can be coordinated across the agency or bureau
- Use the GPE to publicize opportunities to promote small business participation

#### DOJ Competition Advocate and Bureau Competition Advocates

- Promote competition by encouraging industry outreach for procurements

### **K. Debriefing Best Practices**

To maximize the value of debriefings, DOJ has adopted the debriefing myth-busters identified by OMB in its Myth-busting 3 memorandum.<sup>1</sup>

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<sup>1</sup> [“Myth-Busting 3: Further improving Industry Communication with Effective Debriefings” \(January 5, 2017\)](#)

## **L. Use of Innovative Techniques**

To keep up with the rapidly accelerating pace of technological change, DOJ seeks to use new processes and develop, test, and offer more modern solutions as discussed in OMB's Myth-busting 4 memorandum.<sup>2</sup>

## **M. Training and Awareness Efforts for Employees**

The DOJ will distribute this Vendor Communication Plan to its bureaus for distribution to acquisition professionals and program office staffs involved in bureau acquisition planning.

The DOJ bureaus engage their acquisition workforce members through targeted outreach and training events. These events can be informational via email or other communication methods such as the Acquisition Gateway website, acquisition discussion forums, formal course offerings related to vendor outreach and market research activities. The DOJ bureaus use various collaborative informational technologies to ensure a broad dissemination of information and collective engagement. Individual bureaus host acquisition information sharing sessions and update policies and procedures, as necessary.

## **N. Links to existing policies**

DOJ policy related to the Vendor Communication Plan will be published on the Department's public website at <https://www.justice.gov/jmd/doj-vendor-communication-plan>.

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<sup>2</sup> ["Myth-Busting 4: Strengthening Engagement with Industry Partners through Innovative Business Practices" \(April 30, 2019\)](#)