

## INTERFACING WITH CONTRACTORS

Contractors, potential contractors, former employees, and other non-federal entities often ask to be put on your calendar or look for other ways to get their ideas and products on your scope. However there are specific rules for such encounters and it is key for you to be aware of them so you do not compromise a potential or current procurement or your office.

### Capability Briefings, Symposiums, Technical Interchanges

*Listening* to market presentations or capability briefings is acceptable if there is not an ongoing procurement involving that contractor as competitor or potential competitor for that, or similarly related, product or service

Do not make promises relating to future contracting actions to include statements that there will even be a solicitation

When acquisition-related information is communicated to industry, all potential industry sources must be treated fairly by providing equal access to information to all known potential offerors

Exercise caution in disclosing information - disclosure of source selection information including contractor bid or proposal information and disclosure of information gained in the course of official duties which pertain to trade secrets or other proprietary information is prohibited and can carry criminal penalties

If you allow one contractor to make a presentation on a potential acquisition, you must be willing to offer the same time to all who ask

You may not allow a contractor to communicate with you concerning an acquisition during the source selection process unless you are authorized to do so by the contracting officer

Federal law, as well as DoD and USAF regulations, expressly prohibit accepting voluntary service to include the “free” use of a contractor’s product beyond the demonstration period

Avoid actions that could be construed as endorsement of the product, service, or contractor

Unsolicited Proposals – are written proposals submitted on the initiative of the submitter for the purpose of obtaining a Government contract which is not in response to a formal or informal request (FAR Part 15)

A valid unsolicited proposal must:

Be innovative and unique and be independently originated/developed

Be prepared without Government supervision, endorsement, direction, or direct involvement

This includes explaining a Government need, filling in “holes” in their approach, providing information not accessible to other contractors

Include sufficient detail to determine that Government support could benefit the agency’s research and development or mission

Not be an advance proposal for a known agency requirement that can be acquired by competitive methods

Do not share/use data, concept or other part of unsolicited proposal with another contractor

Contracting officer determines if proposal meets requirements of an unsolicited proposal so early contracting office participation is critical

Advertising material, commercial item offers, and technical correspondence are not unsolicited proposals

Advertising material acquaints the Government with a prospective contractor’s products or capabilities, or determines Governmental interest in buying these products

Commercial item offer is an offer of a commercial item the vendor wishes to introduce in the Government supply system as an alternative or replacement for an existing item

Technical correspondence means written requests for information regarding Government interest in research areas, submissions of research description, and other written technical inquiries

## SUMMARY

Interaction with industry can have a positive impact on mission accomplishment. However there are specific rules for such encounters and it is key for you to be aware of them so you do not compromise a potential or current procurement or your office.

Note: This BBP was prepared by AFLOA/JACQ (with some additions made by HQ AFMC/JA)  
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