

# EXECUTIVE OFFICE OF THE PRESIDENT OFFICE OF MANAGEMENT AND BUDGET WASHINGTON, D.C. 20503

March 18, 2015

# MEMORANDUM FOR CHIEF ACQUISITION OFFICERS SENIOR PROCUREMENT EXECUTIVES

FROM: Anne E. Rung

Administrator

SUBJECT: Acquisition 360 – Improving the Acquisition Process through Timely

Feedback from External and Internal Stakeholders

Successful acquisitions depend on a clear understanding of the market's capabilities and dynamics, and this requires early and meaningful engagement with industry and the application of strong management practices within the agency. During the first open dialogue on improving the way the Federal Government does business, many participants expressed concern that the lack of communication between government and industry during the pre-award phase creates a significant disadvantage for both sides. Vendors invest considerable time and money in responding to government requests for proposals (RFPs), and ambiguous requirements, unnecessarily complex solicitations, and other process challenges can greatly increase the burden on offerors and the cost to the government. Additionally, ineffective communication between the program office and contracting team can adversely impact an acquisition leading to unfavorable outcomes for taxpayers.

To ensure that agencies can continually consider and improve their performance in early vendor engagement efforts and internal acquisition practices, they need robust, timely, and specific feedback from key stakeholders. Building upon the Office of Federal Procurement Policy's (OFPP) efforts on building strong vendor relationships as outlined in the December 4<sup>th</sup>, 2014 Transforming the Marketplace memorandum<sup>2</sup> and earlier "Myth-Busting" efforts,<sup>3</sup> all Chief Financial Officers ("CFO") Act agencies shall take the additional steps outlined below to improve how they receive and use industry and internal feedback to strengthen their acquisition function from pre-award activities up to, and including, contract award and debriefings. This effort is not intended to be used to rate individual contracting officers, program managers, or integrated project teams (IPTs), or to compare procuring offices generally, as the complexity of procurements varies greatly among agencies, and unexpected challenges can arise. However, these tools are meant to help agencies identify strengths and weaknesses with industry partnerships so they can make internal improvements on the planning and making of contract awards.

<sup>&</sup>lt;sup>1</sup> Open Dialogue on Improving How to Do Business with the Federal Government.

<sup>&</sup>lt;sup>2</sup> Transforming the Marketplace: Simplifying Federal Procurement to Improve Performance, Drive Innovation, and Increase Savings (December 4, 2014).

<sup>&</sup>lt;sup>3</sup> "Myth-Busting": Addressing Misconceptions and Further Improving Communication During the Acquisition Process (May 7, 2012) and "Myth-Busting": Addressing Misconceptions to Improve Communication with Industry during the Acquisition Process (February 2, 2011).

#### Soliciting Actionable Feedback from External and Internal Stakeholders:

To gain experience with collecting and using this important information, at a minimum agencies shall implement the surveys described below for the lesser of 50 or 5% of new awards for complex information technology (IT) development, systems, or services by the end of Fiscal Year 2015. Prioritizing new, high dollar IT awards will allow for further insight into the acquisition process for complex procurements, and will further support the Administration's Smarter IT Delivery efforts to ensure that we attract the best businesses as partners and continue to improve our IT acquisition practices. However, agencies are strongly encouraged to expand the application of these surveys as necessary to meet their management needs.

#### Industry Feedback

At the conclusion of the final debrief, agencies are instructed to use the survey questions shown in Attachment A ("Rate the Agency' Survey") to seek vendor feedback. Agencies may add questions to the survey to meet their specific needs, but shall retain the core set of questions. All vendors who submitted proposals, whether they were in the competitive range or not, shall be asked to rate various aspects of the acquisition process, such as the strength of the requirements development process, the clarity of the solicitation, and the efficacy of the agency in executing awards and debriefing offerors. The post-award survey shall be voluntary and confidential for the vendors. Similarly, the survey does not convey any protections, rights, or grounds for protest, but creates a way for vendors to give the government constructive feedback about the pre-award and debriefing process on a specific acquisition.<sup>4</sup>

Because this effort surveys the public, agencies should begin discussions with their Paperwork Reduction Act (PRA) officers to determine what steps are needed to implement this voluntary vendor survey. Some agencies may have already received approval from the Office of Management and Budget (OMB) for a generic clearance for the collection of qualitative feedback on agency service delivery. OFPP worked closely with the Office of Information and Regulatory Affairs (OIRA) to ensure the attached vendor survey questions are appropriate for the expedited generic clearance process and OIRA is aware that agencies will be submitting questions shortly. Agencies may expand the use of this survey, as needed, to help them meet their management goals, but are reminded to ensure that the PRA requirements have been met. For agencies that do not currently have OMB approval for a generic clearance for the collection of qualitative feedback on agency service delivery, agency PRA offices should be consulted to begin the PRA clearance process. OFPP will continue to work with OIRA to use existing flexibilities under the PRA to help agencies in future survey efforts.

#### Internal Customer Satisfaction Feedback

Many agencies use customer satisfaction tools to assess how well their contracting offices are meeting the demands of their program clients. While this is an important element of the

<sup>4</sup> Solicitations where competitive procedures were used, but where only one bid was received, represent an area of particular concern in any contracting operation and can be explored using <a href="FedBizOpps">FedBizOpps</a> subscriber information or other tools. While the surveys within this memo do not specifically address one-bid scenarios, OMB will continue to require agencies to focus on reducing one-bid scenarios through the President's Management Agenda Benchmarking Initiative. Agencies are encouraged to use their own questions in investigating one-bid scenarios and OFPP will consider one-bid questionnaires in future survey iterations.

<sup>&</sup>lt;sup>5</sup> FAQs for New Fast-Track Process for Collecting Service Delivery Feedback under the Paperwork Reduction Act.

acquisition process, contracting offices also depend on effective program offices and other team members as partners. To ensure that valuable feedback from the entire acquisition team is captured, agencies shall use the questions in Attachment B ("Evaluation of the Contracting Operation") for program offices to evaluate their contracting offices, and Attachment C ("Evaluation of the Program Office's Participation in the Procurement") for contracting offices to evaluate their customers. If other offices played a significant role in the process (e.g., the agency's Office of General Counsel or privacy officials), program office staff are strongly encouraged to involve these key members in formulating the survey response. Agencies may add questions to the surveys to meet their specific needs, but shall retain the core set of questions for each of the surveys.

In addition to getting feedback on how well the acquisition team worked, we are also interested in better understanding why contracting officers choose certain interagency solutions over others, or why they choose certain contract vehicles. As such, there are two additional questions on the contracting officer's survey for those awards made using Government-wide Acquisition Contracts (GWACs) and General Services Administration (GSA) Schedules. Surveying these customers will allow servicing agencies<sup>6</sup> to compare satisfaction rates with different procurement services across government. This information will be helpful as we implement category management and further leverage the buying power of the government while reducing the number of duplicative vehicles. Simultaneous to this effort, GSA will begin surveying agency customers and vendors regarding their eBuy experience on select acquisitions, which will provide further information on the effectiveness of our acquisition solutions and processes.

Ensure that you check with your agency's PRA officers to determine if any agency-specific steps are required to collect information, including surveys, from government personnel. Additionally, agencies should determine any requirements based on existing labor management relationships and collective bargaining agreements prior to surveying employees.

#### Implementation Timeline and Considerations

Agencies should immediately begin identifying the acquisitions for which they plan to use these surveys, and work with their PRA officer to determine what steps, if any, need to be taken. To help agencies jumpstart their implementation, within one month of the date of this memorandum, agencies must identify at least the two of their largest contracts or orders for complex IT development, systems, or services awarded within the past six months and conduct the external survey and two internal surveys retroactively for each of these awards.<sup>7</sup>

Agencies must then provide OFPP with an aggregate-level summary of data from these initial retroactive surveys by July 2015 or within one month of the surveys' issuance if nongeneric PRA clearance is needed. Later data collections of internal survey efforts will be directed by OFPP and may supplement customer satisfaction data collected through the President's Management Agenda Benchmarking Initiative, informing decisions as agencies identify areas of focus and develop plans to address key findings. Moving forward, we expect

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<sup>&</sup>lt;sup>6</sup> e.g., Department of the Interior (DOI), Health and Human Services (HHS), National Aeronautics and Space Administration (NASA), General Services Administration (GSA), and others.

<sup>&</sup>lt;sup>7</sup> If non-fast track PRA approval is needed, agencies must take action within one month after the date of approval.

<sup>&</sup>lt;sup>8</sup> Benchmarking data is available to MAX account holders at http://benchmarks.gsa.gov/.

to further align these initiatives to make the best use of this data. OFPP welcomes feedback and will revisit thresholds and implementation issues as we receive agency input.

Agencies should strive to use common tools to gather information. The survey is relatively simple and can be administered using free or low-cost commercially available tools or even e-mail. A list containing various free survey tools which have "federal friendly" Terms of Use is available at <a href="http://www.digitalgov.gov/resources/negotiated-terms-of-service-agreements/">http://www.digitalgov.gov/resources/negotiated-terms-of-service-agreements/</a>. Agencies can easily set up a survey using one of these tools, or implement their survey using their existing tools and methods. There is no need to develop additional systems for implementation at this time.

This initiative is not intended to replace any general agency customer satisfaction surveys, but to promote the use of transactional data to better target opportunities for improvement. Agencies may add questions to the surveys to meet their specific needs, but shall retain the core set of questions for each of the surveys. However, agencies should be aware of survey fatigue and seek to consolidate and reduce the number of queries where possible.

#### Using the Feedback

The results of agencies' external and internal surveys shall be submitted to the agencies' Chief Acquisition Officer, Senior Procurement Executive, vendor engagement official, and other appropriate agency leaders in order to strengthen their acquisition practices. Additionally, agencies will be asked to submit aggregate response data, so that OMB can improve any potential future surveys. Agencies should use their responses to identify best practices and any subject areas in need of improvement, not to evaluate individuals or make programmatic changes.

Feedback collected under this initiative should be used to complement agencies' regular post-award program management activities and performance assessments, such as those required by Federal Acquisition Regulation (FAR) 42.15 to evaluate contractor performance, to identify planning and engagement practices that lead to better program results.

Through this effort we hope agencies will have better, more actionable data that will help them improve the efficiency and effectiveness of the acquisition process so that we can partner with the best and most innovative companies and reduce the cost of the process for all stakeholders. As we gain experience with this feedback effort, we will reevaluate the questions, focus areas, and survey thresholds after the initial results are received in order to continuously improve our customer feedback efforts. In order to coordinate efforts and share information, each of the 24 CFO Act agencies is asked to send Porter Glock, <a href="mailto:pglock@omb.eop.gov">pglock@omb.eop.gov</a>, a point-of-contact for survey implementation by April 1st.

Thank you for your attention to this important initiative to help us improve the acquisition process.

#### Attachment A - "Rate the Agency" Survey

#### **Pre-Award & Debriefing Satisfaction Survey**

| Your firm submitted an offer for Solicitation No | _ from procurement office |
|--|---------------------------|
|--|---------------------------|

Please provide us with your feedback on the acquisition process. Your answers will help us assess our performance and identify our strengths and weaknesses. The survey should take no more than 10 minutes to complete. The survey will be issued after any and all debriefings have been conducted and therefore cannot impact the award decision in any way. The results from the survey will not be published or made publicly available.

Please submit your response within the next thirty days to: [insert agency contact information here].

Please rate your level of satisfaction on a scale of 1 to 5, with 5 being "Very Satisfied" and 1 being "Very Dissatisfied"

|  | Very <b>←</b> Satisfied |   |   |   | Very<br>Dissatisfied |     |
|--|-------------------------|---|---|---|----------------------|-----|
| Requirements Development Process - How satisfied   | were you:               |   |   |   |                      |     |
| 1. With the agency's vendor engagement methods (e.g., RFIs, draft RFP, pre-award conferences) in fostering early communication and exchange before receipt of proposals?                   | 5                       | 4 | 3 | 2 | 1                    | N/A |
| 2. That the exchange offered by any industry day(s) offered valuable information that improved your understanding of the agency's requirements?  | 5                       | 4 | 3 | 2 | 1                    | N/A |
| 3. With the agency's understanding of your firm's marketplace?   | 5                       | 4 | 3 | 2 | 1                    | N/A |
| 4. With the clarity of the final requirements?   | 5                       | 4 | 3 | 2 | 1                    | N/A |
| Solicitation Phase - How satisfied were you:   |                         |   |   |   |                      |     |
| 5. That the agency kept vendors informed about any delays in the solicitation process (considering both the initial release and any subsequent delays)?                                    | 5                       | 4 | 3 | 2 | 1                    | N/A |
| 6. That the solicitation included clear proposal submission instructions that sufficiently guided offerors or respondents in preparing proposals or responses to requests for information? | 5                       | 4 | 3 | 2 | 1                    | N/A |
| 7. That the government chose an appropriate contract type?   | 5                       | 4 | 3 | 2 | 1                    | N/A |
| 8. That the government chose an appropriate source selection methodology?  | 5                       | 4 | 3 | 2 | 1                    | N/A |

| 9. That the agency answered questions regarding the solicitation in such a way that it helped you to prepare the proposal?               | 5       | 4   | 3 | 2 | 1  | N/A |
|--|---------|-----|---|---|----|-----|
| 10. With the opportunity to propose unique and innovative solutions (i.e., the solicitation promoted innovation)?                        | 5       | 4   | 3 | 2 | 1  | N/A |
| 11. With the clarity of the solicitation's evaluation criteria?  | 5       | 4   | 3 | 2 | 1  | N/A |
| 12. With the amount of time the agency gave to submit a proposal?  | 5       | 4   | 3 | 2 | 1  | N/A |
| 13. That the solicitation's evaluation criteria allowed for the best selection among competing proposals?                                | 5       | 4   | 3 | 2 | 1  | N/A |
| Award Execution and Debriefings- How satisfied we  | re you: |     |   |   |    |     |
| 14. With the agency's resolution of issues/concerns related to the contracting process?  | 5       | 4   | 3 | 2 | 1  | N/A |
| 15. With the robustness of the agency's debriefing (i.e., it allowed you to understand how to improve on similar efforts in the future)? | 5       | 4   | 3 | 2 | 1  | N/A |
| 16. How satisfied were you with your overall experience on this acquisition?   | 5       | 4   | 3 | 2 | 1  | N/A |
| 17. Please provide any additional comments:  |         |     |   |   |    |     |
| 18. Are you a small business?  |         | Yes |   |   | No |     |

[Insert agency PRA notice here.]

## Attachment B – Evaluation of the Contracting Operation

| As you recently worked with the       | procurement office on solicitation # | in |
|---------------------------------------|--------------------------------------|----|
| making an award, please evaluate your | experience.                          |    |

Please rate your level of satisfaction on a scale of 1 to 5, with 5 being "Very Satisfied" and 1 being "Very Dissatisfied"

|   | Very <b>←</b> Satisfied |     |            |           | Very<br>Dissatisfied |       |
|---|-------------------------|-----|------------|-----------|----------------------|-------|
| Planning - How satisfied were you:  |                         |     |            |           |                      |       |
| 1. With the acquisition milestone schedule?   | 5                       | 4   | 3          | 2         | 1                    | N/A   |
| 2. With the procurement office's ability to keep you informed of any changes to the acquisition milestone schedule?                                     | 5                       | 4   | 3          | 2         | 1                    | N/A   |
| 3. With the procurement office's assistance in the Acquisition Plan process, which allowed you to better understand and participate in the procurement? | 5                       | 4   | 3          | 2         | 1                    | N/A   |
| 4. With the procurement office's engagement with industry early in the acquisition process?   | 5                       | 4   | 3          | 2         | 1                    | N/A   |
| Communication - How satisfied were you:   |                         |     | •          |           |                      |       |
| 5. With the procurement office's responsiveness to your questions (communicating in a clear, courteous, timely, and professional manner)?               | 5                       | 4   | 3          | 2         | 1                    | N/A   |
| 6. With the procurement office's effectiveness in resolving any issues or delays encountered during the acquisition process?                            | 5                       | 4   | 3          | 2         | 1                    | N/A   |
| 7. With your understanding on how - and to whom – you should elevate problems for resolution?   | 5                       | 4   | 3          | 2         | 1                    | N/A   |
| 8. With early communications describing the roles and responsibilities of the procurement office and of your office (program office)?                   | 5                       | 4   | 3          | 2         | 1                    | N/A   |
| 9. How satisfied were you with the overall support provided by the procurement office in the acquisition process?                                       | 5                       | 4   | 3          | 2         | 1                    | N/A   |
| 10. Please provide any additional comments:   |                         |     |            |           |                      |       |
| 11. Were you part of an IPT (Integrated Procurement Team)?  |                         | Yes |            |           | No                   |       |
| · · ·   | ce, work w              |     | Contractii | ng Office |                      | luato |

Reminder: After one year, or completion of performance, work with your Contracting Officer (CO) to evaluate the contract awardee's performance in CPARS

## Attachment C – Evaluation of the Program Office's Participation in the Procurement

| As you recently worked with | program office on solicitation # | , please |
|-----------------------------|----------------------------------|----------|
| evaluate your experience.   |                                  |          |

Please rate your level of satisfaction on a scale of 1 to 5, with 5 being "Very Satisfied" and 1 being "Very Dissatisfied"

|  | Very < |   |   |   | Very<br>Dissatisfied | N/A |
|--|--------|---|---|---|----------------------|-----|
| Planning - How satisfied were you:   |        |   |   |   |                      |     |
| 1. That the program office conducted meaningful market research?   | 5      | 4 | 3 | 2 | 1                    | N/A |
| 2. With the program office's ability to provide any necessary documents allowing for the timely completion of the acquisition package? | 5      | 4 | 3 | 2 | 1                    | N/A |
| 3. That the program office allotted adequate time for a successful procurement?  | 5      | 4 | 3 | 2 | 1                    | N/A |
| 4. That the program office allotted adequate resources to allow for a successful procurement?  | 5      | 4 | 3 | 2 | 1                    | N/A |
| Communication - How satisfied were you:  |        |   |   | • |                      | •   |
| 5. With the clarity and effectiveness of the program office's communication of their needs and time constraints?                       | 5      | 4 | 3 | 2 | 1                    | N/A |
| 6. With the program office's responsiveness to your questions (communicating in a clear, courteous, timely, and professional manner)?  | 5      | 4 | 3 | 2 | 1                    | N/A |
| 7. With my understanding on how - and to whom – you should elevate problems for resolution in the program office?                      | 5      | 4 | 3 | 2 | 1                    | N/A |
| 8. With the program office's technical expertise in evaluating proposals?  | 5      | 4 | 3 | 2 | 1                    | N/A |
| 9. How satisfied were you with the overall support provided by the program office in the acquisition process?                          | 5      | 4 | 3 | 2 | 1                    | N/A |
| 10. Please provide any additional comments:  |        |   |   |   |                      |     |

Reminder: After one year, or completion of performance, work with your Contracting Officer's Representative (COR) to evaluate the contract awardee's performance in CPARS.

| For awards made using Government-wide Acquisition Contracts (GWACs) or GSA Schedules                                   | Very  Satisfied |   |   |   | > Very<br>Dissatisfied | N/A |
|--|-----------------|---|---|---|------------------------|-----|
| 1. Please rate your overall satisfaction with the contract vehicle based upon the outcomes you have experienced so far | 5               | 4 | 3 | 2 | 1                      | N/A |

| 2. Which of the following criteria played a role in |  |
|---|--|
| your selection of this contract vehicle (check all  | □ Saves Time                           |
| that apply):  | □ Flexibility                          |
|   | $\Box$ Ease of Use                     |
|   | ☐ Familiarity                          |
|   | □ Vendor Access                        |
|   | ☐ Ability to meet small business goals |
|   | ☐ Ability to meet sustainability goals |
|   | ☐ Complies with agency policy          |
|   |  |
|   |  |