



## Part 2: Federal Government Contract Debriefings, The Ten Commandments, Nos. VI - X

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In this blog post, we present Nos. VI - X of the Ten Commandments for Debriefings. These were developed over the years as best practices for government contractors with input from the entire spectrum of interested parties ? from government to industry and from attorneys to business leaders. Debriefings can serve many purposes and sometimes serve multiple purposes. You may want to get more familiar with the Agency so you can present a better proposal next time. Or, you may want the Agency to learn more about you and some of your special attributes that may have been missed by the Agency in the evaluation process. You may want to get as much information as possible for a protest. Or, you may want to maximize the interactions between your team and Agency personnel because you are the awardee, and you want to start performance on the right foot. Whatever your ultimate purpose, these Commandments really are just common sense tips to help you get the most out of your Debriefing.

**VI. Prepare Written Questions For Your Debriefing. Submit Them To The Agency In Advance.**

Prepare questions before your Debriefing. The Federal Acquisition Regulation (FAR) requires agencies to provide "reasonable responses to relevant questions" about whether the agency complied with applicable regulations and source selection procedures in the solicitation. See FAR 15.505(e) and 15.506(d). So, the Government should be expecting questions from you. We have included some sample questions in *A Practical Guide to Federal Government Contract Debriefings*. Please click [here](#) to access those. You can use them as a starting point to draft your own questions or tailor them to fit your RFP and your particular circumstances. What if your Debriefing is in writing? Do you still need questions? It doesn't matter whether the Debriefing is in person, by phone, in writing or otherwise. The FAR doesn't distinguish between those, and the FAR doesn't excuse the agency from answering questions just because the contracting officer chose to provide your Debriefing in writing. And, after you have gone to the trouble of preparing questions, submit them to the agency before your Debriefing. Don't hold back!

### **VII. Review The Evaluation Criteria In The RFP. Re-read Your Proposal. Conduct A "Mock Debriefing."**

If you're going to have an in-person Debriefing or even one by phone, then you want to be prepared. (By the way, if you have a preference for a telephonic debriefing or an in-person Debriefing or some other format, there's nothing wrong with letting the contracting officer know. You may not get what you ask for, but if you don't ask, you'll never know.) To get prepared, you should: (1) review the evaluation criteria in the RFP, (2) re-read your proposal and (3) conduct a "Dress Rehearsal." It's a three-step process that begins with you reviewing what the Government told you about evaluating your proposal and comparing that to what you told the Government you can do. It ends with you reconvening your proposal team and inviting others (your lawyers, your technical team, management, etc.) to help get the most out of your Debriefing. Always do a dry run. It will help you on your Debriefing day. It may help you come up with some good ideas before your Debriefing day, too.

### **VIII. Designate Specific Team Members To Be "Speakers" And To Be "Note Takers."**

While you've got everybody together, decide which team members will be attending the Debriefing. Hint: We recommend that you leave your outside counsel at home. You also need to decide who will do the talking and who will do the note taking. They're both important jobs. You'll be in front of your customer and will want to make a good impression, so choose well. Depending upon the size and complexity of the procurement, you may want a single speaker or a coordinated team effort. Sometimes it is natural for the leader to delegate certain areas to others; sometimes it is best for the Agency to hear only one voice. For note takers, be sure to take *verbatim* notes! Sometimes it's difficult to identify speakers on a conference call. In those cases, it's helpful to have more than one note taker, so you can be sure to get an accurate record of what transpired. After your Debriefing, circulate the verbatim notes to your team ASAP!

## **IX. Listen To The Agency's Presentation. Caucus With Your Team. Ask Your Questions.**

First, plan ahead. If your Debriefing is in-person, ask the contracting officer if there will be a room available for your team to meet in to caucus during the Debriefing that is separate from Government personnel. If your Debriefing is by telephone, make sure your team has access to a separate call-in line for internal discussions out of the presence of Government personnel. Listening is a special skill that can set apart one business from another and is an essential feature in communication. You should employ that skill at your Debriefing where you will listen closely to the Agency's side of the story. Then, you should take a break to caucus with your team to develop next steps, what questions to ask and what comments to make. If the Agency cannot answer your questions, ask if the Debriefing can be held open for a time after the session is complete to give the Agency more time to get answers. If the Agency agrees, be sure to confirm, via email, that the Debriefing has been extended and is not completed (for purposes of bid protest and automatic stay deadlines).

## **X. Always Be Professional. Do Not Argue With The Agency Or Try To Convince The Agency To Change Its Mind.**

So, if you read No. IX, you already know that you have to listen well. But you also have to be professional and respectful of Agency personnel. One simple step in that direction is to understand that a Debriefing is not an opportunity for you to try to convince the Agency to change its mind. It also is not the time to argue with the Agency. Besides being unprofessional, arguing and trying to convince the Agency to change its mind are dead ends.

Together with last week's post, "Part 1: Federal Government Contract Debriefings, The Ten Commandments, Nos. I - V," this concludes our "brief" foray into the world of Federal Government Contract Debriefings. Please stay tuned for our next posting.

To download a copy of *A Practical Guide to Federal Government Contract Debriefings*, please [click here](#).

## **Related People**

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