



# Joint Program Executive Office for Chemical and Biological Defense

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## Multi-Phased Acquisition

JPEO Contract Operations





# Bottom-Line Up Front

- **Industry partners have requested use of the Two Step Contracting Approach for JPEO-CBD procurements**
  - **Acquisitions have traditionally taken considerable time from Requirements generation to contract award**
  - **Contractors spend a lot of money preparing proposals for efforts that they are not technically capable of performing**
  - **Government wastes resources evaluating proposals that are technically inferior**
  
- **JPEO-CBD will consider using the Multi-phase Acquisition Approach in coordination with ACC-APG where applicable**



# Multi-Phased Acquisition

**No definition provided by FAR, but mentioned:**

- FAR 16.505(b)(1)(iv)(A)(5)(ii)
- FAR 15.202 (Advisory multi-step process)
- A new and Innovative solution.
  
- This approach is suitable for a Requirement that is:
  - Complex
  - Never been procured before
  - Seeking very specific expertise
  - Any legitimate reason

## **PROS**

- Reduces formal evaluation time
- Eliminates the risk of mid-procurement protest
- Saves the Government AND the Vendors valuable resources
  - Time
  - \$\$ Money \$\$

## **CONS**

- Requires thorough acquisition planning and development
  - keen level of trust and intimacy with your customer.
- The “upfront” work is the key to success or failure.
- The importance of identifying those key discriminators and of developing the questions cannot be understated.



# Multi-Phased Acquisition cont.

- **1st Phase GOV Request (Technical)**
  - Oral Presentation
  - Concept Demonstration
  - Demonstration of Requirement Understanding
  - White Paper
  - Questions
- Structured Technical Interview
- Entire Scope is on the table
- Can be an Advisory Phase or an Evaluated Phase.
- Advisory Phase is usually recommended
- At the end, all offerors are given a “viable” or “non-viable” rating (likelihood of being successful in winning the award)

- **2nd Phase – RFP/RFQ (Price & Past Performance)**
  - Under the Advisory approach, nothing in Phase One gets evaluated. Only the proposals provided in Phase TWO are actually evaluated
  - Under the Advisory Phase all offerors may submit proposals
    - “non-viable” offerors often decide not to compete
  - Under the Evaluation approach you would have officially “down selected,” forbidding some contractors from competing further



# Example

- **Highly complex Information Technology (IT) technical support executing a variety of development and operational IT activities for the testing and development of a major weapons systems.**
  - **Wide variety of network engineering support, test and evaluation, security, software, database and computer systems development, project and configuration management, video teleconferencing, and operational test and evaluation support.**
- **Re-compete of an existing task order issued under the legacy GWAC.**
- **Discriminators were numerous and highly technical.**

- **It became overwhelmingly apparent that using a more traditional evaluation approach was going to be laborious on all parties, consume a great deal of valuable time, and be difficult in addressing all our discriminators.**
- **We needed a new and innovative solution to drill straight down to what mattered.**
- **Took the flexibilities built in to FAR 16.505 to heart and developed a multi-phased evaluation process that addressed the challenges.**



# Phase I and Phase II

- **“Capability Demonstration (CD),” offerors sit for structured technical interview.**
  - Open to all current primes and the entire scope of the requirement was on the table.
  - Questions tied to key technical discriminators were developed.
    - For each question we had also developed the framework that a strong response should include.
    - Done in person and very few restrictions were levied on the number of participants for any offeror.
    - Presented by technical experts of an offeror and the style of the presentation didn’t matter.
    - Offerors were allowed to preview questions thirty (30) minutes before their scheduled demonstration.
    - Managed their own allocated time and each event was recorded.
    - At the conclusion all the offerors were rated and given a “viable” or “non-viable” notice as de-tailed in our Request for Quote (RFQ).
    - Each offeror was put on notice of their likelihood of being successful in winning the award. At this point, the technical portion of the evaluation was complete.
    - Out of (10) CDs , we issued (3) “viable” and seven (7) “non-viable” notices.

- Consisted of price and past performance
  - Open again to all offerors who participated in Phase I.
  - While this might sound like an advisory multistep process or a competitive range determination as defined in FAR 15, it was not.
  - No one was excluded from continuing. It was simply designed as an opportunity for offerors to make a “business decision” as to how best to spend their precious bid and proposal dollars.
  - We had no idea what was going to happen. Were all the offerors going to submit Phase II packages or only the viable offerors?
    - Sure enough...only those who were determined “viable” chose to proceed.
    - Those that decided not to continue were offered debriefs at their request.
  - We received the remaining Phase II submittals, conducted our final evaluations of those past performance and price, and made an award decision.



# Findings

- **Based on the feedback, industry truly found the process to be fair, innovative, and appreciated the focus on streamlining.**
- **In our current economy, companies have fewer and fewer dollars to spend pursuing new opportunities.**
- **The more time and money spent assembling quotes/proposals...the fewer opportunities a company can pursue.**
- **With an ever increasing push for more competition, we have to be sensitive to the financial limitations within industry.**
- **The amount of competition we receive on any acquisition and the cost for industry to compete on that same acquisition are inheritably intertwined.**



# Recommendations

- **Traditional Approach**

- Laborious
- Time Consuming
- Costly
- Difficult to address all the discriminators

- **Multi-Phased Approach**

- New and Innovative
- Reduces Time
- Allows offerors the opportunity to make an informed business decision whether to compete
- May reduce the number of proposals that require evaluation

➤ ***JPEO-CBD will consider using the Multi-Phase Acquisition Approach in coordination with ACC-APG. It does appear that the approach is useful to acquire requirements that are: Complex; being procured for the first time; and requiring very specific expertise. This approach is not suitable for routine acquisitions.***