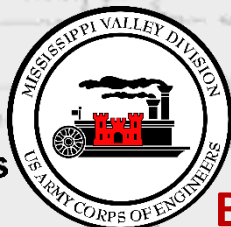


# CONTRACTING

**Ms. Margaret Maine**  
**Acting District Chief of**  
**Contracting**  
**St. Louis District**

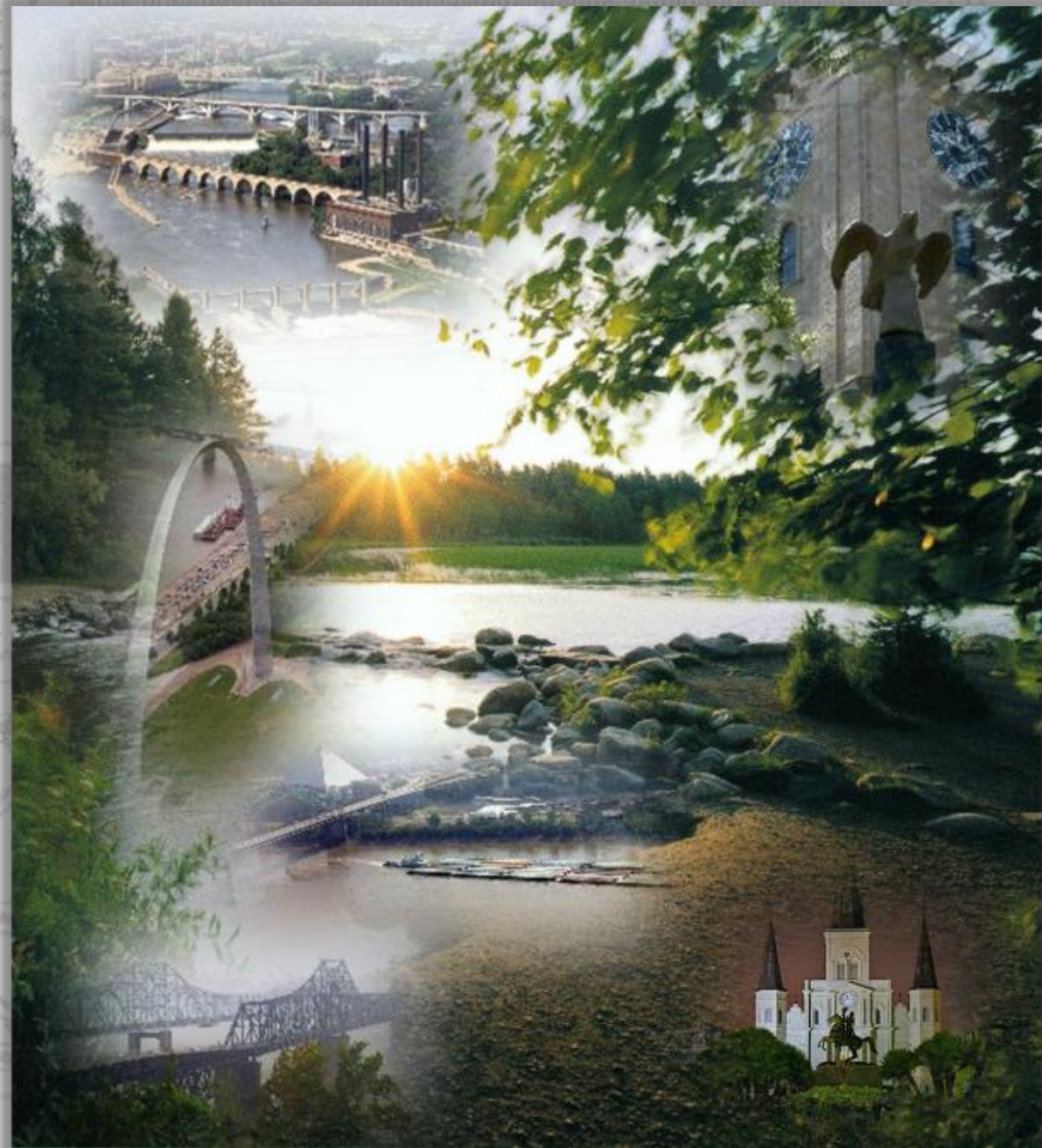


**US Army Corps**  
**of Engineers®**



**BUILDING STRONG®**

*and Taking Care of People!*



# HOW TO DO BUSINESS WITH THE GOVERNMENT

- REGISTER WITH SAM


- The System for Award Management or “SAM” continues to be the website for registering to do business with the Government. It is free to register.

- Update or renew your registration early as lags in updating have been observed.

- The website address is <https://www.sam.gov/SAM/>



# Finding business opportunities with USACE

1. Attend St. Louis District Industry Days 
  2. Search <https://www.sam.gov/SAM/>. SAM has replaced FedBizOpps as the online marketplace for federal business opportunities. Search by location (e.g. St Louis or Rend Lake), NAICS (What you are registered in), DoDAAC (W912P9), or office (W07V ENDIST ST LOUIS). It is free to use.
- Please take some time to familiarize yourself with it's features. You can search for and follow opportunities. As it is still being developed, it may not yet have all the functionality as FedBizOpps.

# CONTRACTOR STEPS IN THE FEDERAL CONTRACTING PROCESS

1. Pre-solicitation Notice or Sources Sought
2. Solicitation
3. Evaluation
4. Award
5. Administration



# UNDERSTANDING THE FEDERAL CONTRACTING PROCESS

## 1. Pre-Solicitation Notice or Sources Sought.

- Can be used to conduct market research, ask for industry comments, or provide notice that a solicitation is planned. *This is your opportunity to speak up and let us know your capabilities or provide your professional input.*
- For most requirements, a **pre-solicitation notice** must be published a **minimum of 15 calendar days** before the solicitation may be published, however, it can be months or even years depending on the scope of the project.

# UNDERSTANDING THE FEDERAL CONTRACTING PROCESS

## 2. Solicitation

- Most solicitations are advertised for a **minimum of 30 days**.
- Amendments are changes to the solicitation. Often this is the result of questions submitted by contractors. Amendments often answer questions, clarify the work to be performed, or correct errors in the solicitation. Amendments may also extend the due date of the offer. ***You must acknowledge each amendment when submitting your offer to confirm that you are offering on the most recent version of the work to be performed. Tracking the opportunity on SAM is imperative to receive notices of the amendments.***

# TYPES OF SOLICITATIONS

- **A Request for Quote (RFQ)** is used quotations on pricing. This solicitation type is most often used when the estimated value of the government's need is less than \$250,000, or with a commercial supply or service up to \$7.5M. ***In emergencies, it may be a email or a phone call.*** A purchase order issued from a quote is non-binding until the vendor begins performance or signs the contract.
- **A Request for Proposal (RFP)** is used to communicate government requirements to prospective contractors and solicit proposals. The RFP will describe the government's requirements, anticipated terms and conditions, information required and factors that will be used to evaluate the proposal. ***Depending on the complexity of the project, it may be used with construction.*** The basis for award is either Lowest Price Technically Acceptable (LPTA) or Trade-Off (aka Best Value).
- **An Invitation to Bid (IFB)** is often referred to as a sealed bid. These are generally used for construction contracts. Typically there will not be any discussions or negotiations following bid opening. While price is the key evaluation factor, ***the lowest bidder does not automatically win the contract.*** We check for bid responsiveness and the firm's responsibility. We also compare the bids against our internal estimate to see it is in the awardable range.

# THINGS TO CONSIDER BEFORE SUBMITTING A BID OR PROPOSAL

## Did you review?

- Statement of Work (SOW) or Performance Work Statement (PWS) that provides required deliverables, outcomes and quality standards.
- ***Regulations cited in the solicitation***
- Place of performance
- Period of performance (service), delivery schedule (supplies) or completion date (construction)?

## Did you consider?

- Teaming with others.
- Key experience or skills required of Contractor personnel
- Listing past performance of individuals, as well as the firm
- Personal vs non-personal services
- All service contracts (includes AE) require the use of a QASP in accordance with FAR 46.103(a) to measure performance.



# HOW CONTRACTORS' OFFERS ARE EVALUATED

## 3. Evaluation of IFBs

1. Evaluate for responsiveness (did you bid on everything?)
2. Evaluate for uneven pricing, errors, including realism.
3. Evaluate responsibility – check CPARS rating, FAPIIS, may order Duns and Bradstreet report.
4. Evaluate subcontracting plan (if unrestricted).
5. Evaluate bonds.

- Common mistakes:

- Submitting an incomplete or late submission – bid not considered
- Not fully understanding the solicitation and governing regulations
- Unrealistic pricing
- Errors in submission

## 3. Evaluation of RFPs

1. Evaluating Technical, Past Performance, Small Business Participation and Price.
2. Check responsibility.
3. Rate non-priced factors:
  - LPTA – Acceptable or Unacceptable
  - Trade-off: Outstanding, Good, Acceptable, Marginal & Unsatisfactory

- Common mistakes:

- Everything under IFB mistakes **AND**
- Failure to address evaluation factors
- Not providing specificity or focus
- Not understanding trade-off considerations, e.g., what factors are most important

# UNDERSTANDING THE FEDERAL CONTRACTING PROCESS

## 4. Award:

- **RFQ** – Generally, to the responsible vendor with a quote that is technically acceptable with the lowest price, but in emergencies, may be best interests of the Government, such as speed of delivery, quantity available from one supplier, etc.
- **IFB** – to the responsible bidder who submitted the lowest-priced, responsive bid.
- **RFP** – Either LPTA or Trade-off
  - LPTA – to the responsible offeror with the lowest priced, technically acceptable proposal.
  - Trade-off - to the responsible offeror with a proposal that provides the best value to the Government. May or may not be the lowest price.

# UNDERSTANDING THE FEDERAL CONTRACTING PROCESS

## •5. Administration

- Awards over \$250K generally have a Contracting Officer's Representative (COR) appointed. Under \$250K, a COR or a Point of Contact will be provided.
- The COR is your government contact regarding questions, coordinating performance, as well as the person responsible for rating your performance.
- ***The COR may not change the terms or conditions of the contract***, but may direct you to contact the contracting officer (KO/PCO or ACO) or contact the KO directly on your behalf.
- A contract may be modified only by a contracting officer. The Government may issue modifications unilaterally, typically for change orders, to exercise options, make minor administrative changes or to terminate a contract. All other are bi-lateral, requiring your consent and signature.

# UPDATING YOUR BANKING INFORMATION

- To further mitigate any fraud attempts, the Finance Center now requires all Contractors maintain an active Sam.gov registration in order to update banking information. The UFC Form 23 will no longer be accepted for Contractor banking information updates.

Per FAR 52.232-33 (b) “The Government shall make payment to the Contractor using the EFT information contained in the System for Award Management (SAM). In the event that the EFT information changes, the Contractor shall be responsible for providing the updated information to SAM”.

- **As CEFMS II does not interface with Sam.gov yet, Contractors should notify either their USACE Division/District POC (who should then notify the UFC) or the [cefc-fc-eft@usace.army.mil](mailto:cefc-fc-eft@usace.army.mil) <<mailto:cefc-fc-eft@usace.army.mil>> mailbox when banking information has been updated in Sam.gov.**

- There will be no exceptions to this requirement.



**Questions**