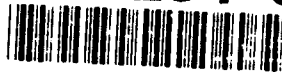


AD-A284 635



NAVAL POSTGRADUATE SCHOOL
Monterey, California



DTIC
ELECTE
SEP 19 1994
S G D

THESIS

**DEBRIEFING UNSUCCESSFUL OFFERORS-
AN UPDATED APPROACH**

by

Curtis H. Nutbrown

June, 1994

Thesis Advisor:

Mark W. Stone

Approved for public release; distribution is unlimited.

DTIC QUALITY INSPECTED S

94-29314



1540

94 2 10 1

REPORT DOCUMENTATION PAGE			Form Approved OMB No. 0704	
Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instruction, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington Headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302, and to the Office of Management and Budget, Paperwork Reduction Project (0704-0188) Washington DC 20503.				
1. AGENCY USE ONLY (Leave blank)	2. REPORT DATE June 1994	3. REPORT TYPE AND DATES COVERED Master's Thesis		
4. TITLE AND SUBTITLE DEBRIEFING UNSUCCESSFUL OFFERORS- AN UPDATED APPROACH		5. FUNDING NUMBERS		
6. AUTHOR(S) Curtis H. Nutbrown				
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) Naval Postgraduate School Monterey CA 93943-5000		8. PERFORMING ORGANIZATION REPORT NUMBER		
9. SPONSORING/MONITORING AGENCY NAME(S) AND ADDRESS(ES)		10. SPONSORING/MONITORING AGENCY REPORT NUMBER		
11. SUPPLEMENTARY NOTES The views expressed in this thesis are those of the author and do not reflect the official policy or position of the Department of Defense or the U.S. Government.				
12a. DISTRIBUTION/AVAILABILITY STATEMENT Approved for public release; distribution is unlimited.		12b. DISTRIBUTION CODE *A		
13. ABSTRACT (maximum 200 words) A common complaint among many contractors working with Army Material Command is that debriefings do not provide enough information to completely satisfy contractors as to why they were not selected for contract award when they are an unsuccessful offeror. This thesis reviews the regulations that cover debriefings, looks at the current debriefing process and recommends ways to improve debriefings within Army Material Command. A survey of contracting officers within Army Material Command and unsuccessful offerors that contract with Army Material Command was done to determine what improvements could be made to the debriefing process. The respondents indicated that many modifications could be done to improve the process. Some of the thesis's recommendations are: debriefings should be offered to all unsuccessful offerors, debriefings should be conducted in a timely manner, there should be no limits placed on who may attend debriefings, and evaluators should participate in debriefings. Additionally, more information should be given out to unsuccessful offerors by covering strengths and weaknesses, covering all evaluated areas, debriefing down to the sub-factor level and releasing the Source Selection Authority decision document.				
14. SUBJECT TERMS Debriefing; Source Selection.			15. NUMBER OF PAGES 160	
			16. PRICE CODE	
17. SECURITY CLASSIFI- CATION OF REPORT Unclassified	18. SECURITY CLASSIFI- CATION OF THIS PAGE Unclassified	19. SECURITY CLASSIFI- CATION OF ABSTRACT Unclassified	20. LIMITATION OF ABSTRACT UL	

NSN 7540-01-280-5500

Standard Form 298 (Rev. 2-89)

Prescribed by ANSI Std. Z39-18

DTIC QUALITY INSPECTED 3

Approved for public release; distribution is unlimited.

**Debriefing Unsuccessful Offerors-
An Updated Approach**

by

**Curtis H. Nutbrown
Captain, United States Army
B.S. United States Military Academy, 1983**

**Submitted in partial fulfillment
of the requirements for the degree of**

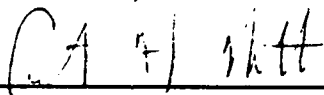
MASTER OF SCIENCE IN MANAGEMENT

from the

NAVAL POSTGRADUATE SCHOOL

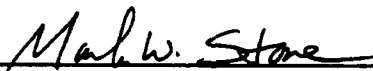
JUNE, 1994

Author:

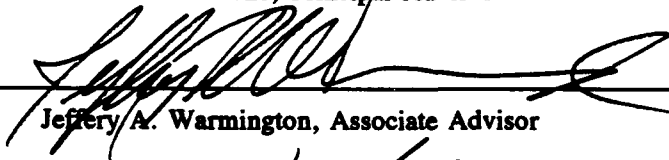


Curtis H. Nutbrown

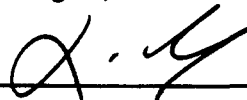
Approved by:



Mark W. Stone, Principal Advisor



Jeffery A. Warmington, Associate Advisor



David R. Whipple, Chairman
Department of Systems Management

ABSTRACT

A common complaint among many contractors working with Army Material Command is that debriefings do not provide enough information to completely satisfy contractors as to why they were not selected for contract award when they are an unsuccessful offeror. This thesis reviews the regulations that cover debriefings, looks at the current debriefing process and recommends ways to improve debriefings within Army Material Command.

A survey of contracting officers within Army Material Command and unsuccessful offerors that contract with Army Material Command was done to determine what improvements could be made to the debriefing process. The respondents indicated that many modifications could be done to improve the process.

Some of the thesis's recommendations are: debriefings should be offered to all unsuccessful offerors, debriefings should be conducted in a timely manner, there should be no limits placed on who may attend debriefings, and evaluators should participate in debriefings. Additionally more information should be given out to unsuccessful offerors by covering strengths and weaknesses, covering all evaluated areas, debriefing down to the sub-factor level and releasing the Source Selection Authority decision document.

Accession For	
NTIS	CRA&I ☒
DTIC	TAB ☐
Unannounced	☐
Justification	
By	
Distribution /	
Availability Codes	
Dist	Avail and / or Special
A-1	

TABLE OF CONTENTS

I.	INTRODUCTION	1
A.	BACKGROUND	1
B.	OBJECTIVES	4
C.	RESEARCH QUESTIONS	5
D.	SCOPE, LIMITATIONS, AND ASSUMPTIONS	5
E.	DEFINITIONS AND ABBREVIATIONS	7
F.	ORGANIZATION OF THE STUDY	8
II.	BACKGROUND	10
A.	GENERAL	10
B.	LAWS AND REGULATIONS ON DEBRIEFING	10
1.	Laws	10
a.	Report of the Commission on Government Procurement	11
b.	H.R. 3161	12
c.	S. 1958	14
d.	Section 800 Panel Report	15
e.	Federal Acquisition Regulation	17
f.	Army FAR Supplement	18
g.	AMC-P 715-3 Vol. 1	20
C.	WHY DEBRIEF UNSUCCESSFUL OFFERORS	21

D.	WHERE DEBRIEFING FITS IN THE SOURCE SELECTION	
	PROCESS	23
E.	ARMY MATERIAL COMMAND	28
	1. Functional Commands	29
	a. ARL.	29
	b. DESCOM.	29
	c. STRICOM.	29
	d. TECOM.	30
	2. Commodity Commands	30
	a. AMCCOM	30
	b. ATCOM	31
	c. CBDCOM	31
	d. CECOM.	32
	e. MICOM.	32
	f. TACOM.	33
F.	CONTRACTING OFFICERS IN THEIR ORGANIZATION . .	33
G.	SUMMARY	34
III.	METHODOLOGY	35
	A. GENERAL	35
	B. LITERATURE SEARCH	36
	C. SURVEY QUESTIONNAIRES	37
	1. General	37
	2. Target Audience	37
	a. Defense Contractor Survey	37
	b. AMC Contracting Officer Survey	39

3. Survey Design	40
D. INTERVIEWS	41
E. SUMMARY	43
IV. DATA PRESENTATION AND ANALYSIS	44
A. GENERAL	44
B. SURVEY QUESTIONNAIRES	44
C. INTERVIEWS	112
1. General	112
2. Interview Results	113
D. SUMMARY	117
1. Debriefings within AMC	117
2. Major Items Identified To Improve Debriefing Process	122
E. SUMMARY	123
V. CONCLUSIONS AND RECOMMENDATIONS	124
A. GENERAL	124
B. CONCLUSIONS	124
C. RECOMMENDATIONS	125
D. ANSWERS TO RESEARCH QUESTIONS	135
E. AREAS FOR FURTHER RESEARCH	138
APPENDIX.....	139
LIST OF REFERENCES	149

INITIAL DISTRIBUTION LIST.	151
------------------------------------	-----

I. INTRODUCTION

A. BACKGROUND

Competition requirements for defense procurement under conditions that do not need a waiver require two or more defense contractors to compete for contract award on a solicitation [4: p.2]. The defense agency selects a winner or winners of the competition and the other contractors are unsuccessful offerors for that particular competition. When price alone is not the only criteria used to determine contract award the unsuccessful offerors may be very interested to understand why they did not win the contract award. By requesting a debriefing from the agency that is responsible for the procurement, unsuccessful offerors can obtain the information they need to determine why they lost the procurement competition. The debriefing is a meeting between representatives of the procuring agency and unsuccessful company where agency representatives will explain to the company why they did not win the contract award.

Unsuccessful offerors do not receive formal debriefings for all defense procurement actions. Rather only one of the two methods for federal procurement warrants a formal debriefing [7: p.15-41]. The two possible methods of procuring goods and services in federal procurement are sealed

bidding and negotiated procurement. The first method, sealed bidding is to be used when (a) there is adequate time, (b) contract award will be made based on price and price related factors, (c) no discussions with offerors are needed, and (d) there is an expectation of receiving bids from more than one offeror [4: p.1]. The second method, competitive negotiation, is to be used if the procurement doesn't meet the criteria of sealed bidding.

The reason for contract award using sealed bidding is easy to determine. The lowest priced bid from the offeror who is both responsible and responsive wins the contract award [9: p.3-23]. Thus, unsuccessful offerors generally know exactly why they didn't win the contract award and it is normally because they didn't have the lowest priced bid.

For competitive negotiations the reason for not winning contract award may not be so easy to determine. With the advent of best value contracting, discovering the reasons for not winning contract award may be further clouded from view. This is because in this type of contracting, contract award is made based on cost plus one or more other factors. Examples of other factors could be technical solution, management experience, past performance, and risk. In addition, the factors are weighted in accordance with their importance to the contract award. Once an evaluation is made and a winner is selected, the unsuccessful offerors are notified that they were not selected for contract award. With a multitude of

selection criteria and different weights used for each criteria, unsuccessful offerors may have little idea why they lost the contract award. It is no longer a case of realizing that his cost was too high. It may be that his technical solution, or management experience or some other factor or combination of factors, when evaluated in accordance with the evaluation criteria, were not as good as the winner's. The unsuccessful offeror can request a debriefing from the agency that is responsible for the procurement to find out what the actual reasons are for him not being selected for contract award.

With the recent cuts in military procurement resulting from the end of the cold war debriefings have increased in importance for defense contractors as they fight for a piece of the remaining procurement pie [12]. By understanding why they lost one award, defense contractors can use the information they obtained from a debriefing to increase their competitive position for the next procurement.

Debriefings also have the potential to help the Department of Defense (DOD). From it's peak in fiscal year (FY) 1985 the defense procurement budget will decrease approximately 65% to a projected \$43.3 billion for FY 1995 [8: p.8]. Budget constraints caused the Army alone to cut 57 procurement programs and scale back on 77 others in FY 1993 [16: p.10]. The dollars left for procurement must be wisely and efficiently spent. Debriefings can be used to increase the

competitiveness of future procurements and thus allow DOD to get more for each procurement dollar.

Debriefing unsuccessful offerors is not something new. Debriefings were mentioned as far back as 1972 in the Report of The Commission on Government Procurement, published in December 1972. Additionally, debriefing unsuccessful offerors was required by the Defense Acquisition Regulation, in force before the advent of the Federal Acquisition Regulation (FAR) in 1984 [6: p.D.15.10-1]. The FAR states that debriefing of unsuccessful offerors that request a debriefing is required when a contract is awarded on the basis of other than price alone [7: p.15-41]. The FAR provides some general guidance for the debriefings. This is as far as federal laws and regulations go in covering the debriefing process. Army regulations add little to what the federal regulations stipulate. Details of who debriefs, when and where the debriefing occurs, and the content of the debriefing are left to a command's standard operating procedures or contracting officers to decide.

B. OBJECTIVES

The objective of this Thesis is to examine the Army Material Command's process of debriefing unsuccessful offerors in contracts awarded on a basis of other than price alone. The research is focused on what the current debriefing process

is, what problems there are with the current process, and what can be done to improve the process.

C. RESEARCH QUESTIONS

The following research questions will be answered by the Thesis.

Primary: What are the key problems and issues associated with the Army Material Command's process of debriefing unsuccessful offerors and what can be done to improve the process?

Subsidiary:

1. What is the current debriefing process used by Army Material Command?

2. What are the problems associated with the Army Material Command's current debriefing process from Army Material Command's perspective?

3. What are the problems associated with Army Material Command's current debriefing process from the unsuccessful offerors perspective?

4. How can the debriefing process be modified to help Army Material Command and the unsuccessful offerors?

D. SCOPE, LIMITATIONS, AND ASSUMPTIONS

1. Scope. This Thesis focuses on the debriefing of unsuccessful offerors in Army Material Command (AMC). It covers all contracts awarded on a basis of other than price

alone. Five of the six major subordinate commodity commands are studied. They include the Armament, Munitions and Chemical Command, the Aviation and Troop Command, the Communications-Electronics Command, the Missile Command, and the Tank-Automotive Command. The Chemical and Biological Defense Command is not looked at as it recently reorganized and just became part of AMC in 1993. Surveys and interviews on the current process and how to improve it are directed to Army Material Command contracting officials and defense contractor contracting representatives who contract with AMC.

2. Limitations. The following limitations exist in the thesis.

a. Legislation on streamlining defense acquisition, which includes a portion on debriefing unsuccessful offerors is currently being discussed in Congress. Uncertainty as to exactly what that legislation will be will exist until it is passed, if it is passed.

b. Not all contracting officers within Army Material Command and defense contractors that work with Army Material Command were contacted. Additionally several were contacted but did not respond to the survey or interview request. Therefore there may be information useful to the thesis that was not collected and thus not available for presentation and analysis.

3. Assumptions. The following assumptions were made in this thesis.

a. The reader of the thesis has a general understanding of Government contract administration.

b. Current regulations concerning debriefing of unsuccessful offerors will remain in effect.

E. DEFINITIONS AND ABBREVIATIONS

1. AMC: Army Material Command. A major command in the Army. AMC is responsible for developing, acquiring and sustaining the material the Army needs to fight its wars. It has many subordinate commands that perform specific missions.

2. AMCCOM: Armament, Munitions and Chemical Command. A major subordinate command of AMC. AMCCOM is responsible for the development, production and fielding of Army artillery, mortars, rifles, rocket launchers, and aircraft and tank armament. It is also responsible for acquiring all Army ammunition.

3. ATCOM: Aviation and Troop Command. A major subordinate command of AMC. ATCOM is responsible for overall acquisition of all Army aviation assets and individual equipment for soldiers, such as clothing, food and facilities.

4. CBDCOM: Chemical and Biological Defense Command. A major subordinate command of AMC. It is responsible for research, development, and production of biological and chemical defense items.

5. CECOM: Communication-Electronics Command. A major subordinate command of AMC. CECOM is responsible for the

overall acquisition of Army communications and electronic equipment.

6. MICOM: Missile Command. A major subordinate command of AMC. MICOM acquires all Army tactical missiles and rockets.

7. MSC: Major subordinate command.

8. SSA: Source Selection Authority.

9. SSAC: Source Selection Advisory Council.

10. SSEB: Source Selection Evaluation Board.

11. TACOM: Tank-Automotive Command. A major subordinate command of AMC. TACOM is responsible for the overall acquisition of Army tanks, automotive ground vehicles, construction equipment and material handling equipment.

F. ORGANIZATION OF THE STUDY

Chapter II (background) discusses the following four major areas. The organization of AMC and its MSCs; where debriefing fits in the acquisition cycle; why debrief unsuccessful offerors and the laws and regulations that pertain to debriefing unsuccessful offerors.

Chapter III (research methodology) describes the rationale behind the surveys and details the interviews.

Chapter IV (data presentation and analysis) presents a summary of the surveys and analysis of the results, and presents and analyzes the data collected from the interviews.

Chapter V (conclusions and recommendations) discusses the conclusions that are made from the data collected and makes

recommendations for improving the current debriefing process. This chapter also provides areas that are recommended for further study.

II. BACKGROUND

A. GENERAL

This chapter will address the areas that the reader must be familiar with in order to understand the specific discussion on debriefing held in the later chapters. It will discuss the laws and regulations that pertain to debriefing, how debriefing fits in the source selection process, and the reasons why debriefings are conducted. This chapter will also provide a description of AMC and show where contracting officers fit in their organization.

B. LAWS AND REGULATIONS ON DEBRIEFING

1. Laws

Title 10 of the United States Code contains the laws which pertain to negotiated procurement for the military. Currently there is no legislation contained in Title 10 that pertains to debriefing of unsuccessful offerors. Title 10 mentions only that unsuccessful offerors be notified promptly once contract award has been made. This was added to Title 10 in 1988. [23: sec.2305] This is not to say that Congress is not interested in debriefing or hasn't discussed it. Rather, the recommendation to pass legislation concerning debriefing has been brought up several times. It is discussed in the Report of the Commission on Federal Procurement, published in

December 1972, surfaced again in 1991 when both houses of Congress proposed legislation that covered debriefing, and appeared again in 1993 as part of the Section 800 Panel Report that went to Congress.

a. Report of the Commission on Government Procurement

The Report of the Commission on Government Procurement was conducted in 1972 by a commission appointed by Congress and the Executive Branch. It consisted of two members each from the Senate, House of Representatives, and Executive Branch, one member from the Comptroller General, and five members from the public sector. It was commissioned in response to a concern over the manner in which the federal procurement process operated and over the deficiencies in the system [18: p.1]. It was a full scale study of the entire federal procurement process and recommended to Congress methods to increase the economy, efficiency, and effectiveness of the procurement process. One of those recommendations was on post-award policy and pertained to debriefing of unsuccessful offerors. The recommendation was that:

When competitive procedures that do not involve formal advertising are utilized, establish that agencies shall upon written request of an unsuccessful proposer, effectively communicate the reasons for selecting a proposal other than his own. [18: p.25]

The report's reasons for the recommendation was that there were no laws requiring communication with unsuccessful offerors to explain why their proposals were not as

advantageous to the Government as the winning offeror's. Letting an unsuccessful offeror know why his proposal was not as strong as the winner's allowed the offeror to improve and be more competitive in the future. Debriefing, the report explained, improves the confidence of offerors as they realize the procurement rules are being followed and applied fairly. Unsuccessful offerors thought they should be given information to understand the value of their proposals [18: p.25]. When not given this information, protests and informal complaints were used to gain access to information as to why their proposal wasn't selected [18: p.25]. Finally, the commission thought that by passing legislation requiring debriefing, the Government would get better proposals and have more credibility with competing contractors. Although the commission made a good case for legislation concerning debriefing of unsuccessful offerors, Congress did not come through with any appropriate legislation.

b. H.R. 3161

In 1991 the House of Representatives proposed a resolution to amend laws pertaining to federal procurement. The resolution, H.R. 3161, included a portion on the debriefing of unsuccessful offerors. The portion of the bill was introduced over concern that insufficient debriefings may actually increase award protests. [10: p.35] Offerors unsure of the fairness of the award decision or those just wanting to

know the reasons why they did not win contract award could use a protest as a tool to find out what an adequate debriefing would have provided. The bill was specific in regard to what should be covered by statute. The proposed amendment contained five sections:

(a) When a contract is awarded on a basis other than price alone, unsuccessful offerors, upon their written request, shall be debriefed and furnished the basis for the selection decision and contract award.

(b) In any procurement for a contract for an amount greater than \$5,000,000, a debriefing under subsection (a) shall provide to the offeror requesting the debriefing, at least the following information if disclosure of such information would not compromise confidential business information of the awardee:

(1) the basic proposed technical solution or configuration of the awardee;

(2) the overall evaluated cost of the awardee and of the debriefed offeror;

(3) the cost or price associated with the major components of the awardee's proposal, including line item pricing if practicable;

(4) the overall ranking of the awardee and the debriefed offeror, and the combined technical and cost scores of the awardee and the debriefed offeror;

(5) the technical point scores of the awardee and the debriefed offeror on the factors and sub-factors identified in the solicitation;

(6) a description of the rationale for the award; and

(7) reasonable responses to questions posed by the debriefed offeror as to whether source selection procedures set forth in the solicitation, the source selection plan, applicable regulations, and other applicable authorities were followed by the Government.

(c) Each solicitation for a contract greater than \$5,000,000 shall notify participating offerors that the categories of information described in subsection (b) may be disclosed by the Government in post-award briefings.

(d) The failure of any agency to provide a debriefing satisfying the requirements of subsection (b) shall be a matter subject to protest to any forum having jurisdiction over protests relating to the procurement, and the protest forum, in its discretion, may order appropriate relief in any such protest.

(e) In any case in which a debriefing is conducted under this section and the procurement subsequently is resumed

as a result of a successful protest against award or other reason, the contracting officer shall provide to each competing contractor all information subject to disclosure under this section that is necessary to ensure equity and fair competition in the resumed procurement." [10: p.15]

This bill proposed not only that debriefings be conducted by federal agencies but provided a detailed framework for what should be included in those debriefings. This framework went far beyond what the current regulations require for debriefings. Debriefings based on this outline would no doubt reduce the lingering questions left in unsuccessful offerors minds as to why they didn't win a contract award. This outline was never put to use however as the bill did not pass into law.

c. S. 1958

The Senate introduced a bill in 1991 that was similar to the House's H.R. 3161. It was S. 1958. The bill had four main goals, one of which was the establishment of a meaningful debriefing for unsuccessful offerors [12: p.3]. The Senate bill added a requirement that H.R. 3161 did not contain. A request for a debriefing covered under the Senate bill must be made within ten days after contract award and the debriefing must take place within ten days of the request [12: p.18]. The Senate cited the need for legislation on debriefings as a result of debriefings being inconsistently given and even when given, many times failing to meet the objective of conducting them [12: p.9]. Additionally, the

Senate conceded that by requiring meaningful debriefings, the number of protests filed as a result of no debriefings or poor debriefings would drop [19: p.10]. Thus, the cost and time lost due to a protest could be avoided by a proper debriefing. Industry officials stated at the Senate hearings that federal agencies were not providing useful information regarding the reasons for award to the winner and non-award to the unsuccessful offerors. They further stated that many times protests were used to obtain the information they could not get at the debriefing [19: p.9]. The Government Accounting Office confirmed all of this [19: p.9]. As was the case with H.R. 3161 though, S. 1958 was not passed and no legislation on debriefing unsuccessful offerors resulted from either bill.

d. Section 800 Panel Report

In the National Defense Authorization Act of FY 1991 Congress directed DOD to establish an advisory panel of Government and industry experts to review all laws affecting DOD procurement. The panel was to submit a report through the Secretary of Defense in January 1993 that made recommendations to streamline defense acquisition. The report submitted to Congress is commonly referred to as the Section 800 Panel Report. One of the recommendations that the panel submitted was an amendment for section 2305(b)(4)(B) of Title 10 of the United States Code requiring regulations that address debriefing unsuccessful offerors [25: p.1-4]. The panel's

recommendation was based on the American Bar Association's 1989 Report on Bid Protests which found that prompt and meaningful debriefings help stem the tide of protests. The Bar Association report contained the results of a survey taken of protestors and their lawyers. The results showed that a number of protests could be avoided if timely and meaningful debriefings were conducted. [25: p.I-232] These debriefings would show that the procurement was done properly and would provide information why the unsuccessful offeror was not selected for contract award.

The Section 800 Panel thought that any statute concerning debriefing unsuccessful offerors should cover general policy objectives while the regulations should cover the details. The panel recommended that the statute require three things of the regulations. First, the regulations should set up criteria for determining when a debriefing is required. The panel recognized that debriefings are not essential for such actions as small purchases, and procurement actions where there are no significant evaluation areas other than cost. Next the panel believed that regulations must be required to ensure that debriefings be held within 15 calendar days after award, whenever possible. The panel believed that the more timely a debrief is held the less likely it was that a protest would be filed. Lastly, the panel believed the regulations must require the debriefing to include the strengths and weaknesses of the unsuccessful offeror's

proposal. By providing strengths and weaknesses the panel thought an unsuccessful offeror would better understand why he was not the winner and would thus be less inclined to file a protest. [25: p.I-69] The outcome of the Section 800 Report and it's recommendations on debriefing are yet to be determined. The report was presented to Congress in October 1993 and is still being discussed.

e. Federal Acquisition Regulation

The Federal Acquisition Regulation (FAR) is a set of regulations that cover the acquisition of all goods and services for all federal agencies. The FAR covers debriefing of unsuccessful offerors in 15.1003 which provides that:

(a) When a contract is awarded on the basis of other than price alone, unsuccessful offerors, upon their written request, shall be debriefed as soon as possible and furnished the basis for the selection decision and contract award.

(b) Debriefing information shall include the Government's evaluation of the significant weak or deficient factors in the proposal; however, point-by-point comparisons with other offerors' proposals shall not be made. Debriefing shall not reveal the relative merits or technical standing of competitors or the evaluation scoring. Moreover, debriefing shall not reveal any information that is not releasable under the Freedom of Information Act; for example-

- (1) Trade secrets;
- (2) Privileged or confidential manufacturing processes and techniques; and
- (3) Commercial and financial information that is privileged or confidential, including cost breakdowns, profit, indirect cost rates, and similar information.

(c) The contracting officer shall include a summary of the debriefing in the contract file. [7: p.15-41]

It is important to note what information the FAR allows the debriefing agency to release. Companies that

request debriefings are generally looking for as much information as possible to explain why their proposals were not selected for contract award. The FAR does allow general comparisons to be made between proposals. However, the debriefing will not cover the relative merits or technical standing of competitors or the evaluation scoring. [7: p.15-41] A definition of relative merits, technical standing and evaluation standing is needed as these terms can be interpreted differently by different people. Dr. David Lamm of the Naval Postgraduate School describes what these three terms mean. Relative merits refer to the approaches taken by an offeror in his attempt to satisfy the evaluation criteria of the RFP. This includes the evaluated quality of those approaches. Technical standing is the ranking of the technical area or areas with respect to other offerors. It could be in the form of scores or numerical ranking. Lastly, evaluation scoring is the numerical score given to each area and total numerical score of all areas. [11] Thus, the FAR emphasizes the discussion be on the debriefed offeror's proposal and discourages any discussion on other competitor's proposals.

f. Army FAR Supplement

The Army FAR Supplement (AFARS) provides additional guidance to AMC for debriefing unsuccessful offerors. It consists of three sections which provide that:

a. The contracting officer will release to unsuccessful offerors the required information as prescribed in FAR 15.1001.

b. When debriefings are requested they shall be in accordance with FAR 15.1003.

(1) Debriefings will be with only one offeror at a time and will not be conducted until after contract award.

(2) The debriefing must be confined to a discussion of the offeror's proposal and its advantages and disadvantages in relation to the requirements of the RFP. Comparisons should not be made relative to the proposal of other offerors.

(3) No information will be disclosed to an offeror as to the weights or ratings assigned.

c. Normally, the debriefings should be conducted by or under the direction of the contracting officer. It should be noted that some contractors may wish to discuss the outcome at higher levels of authority. Although this should not be encouraged, neither should barriers be placed in their way of getting an explanation from responsible officials. [1: p.10-3]

This places further restrictions on the debriefing process. Of particular note is that the AFARS prevents general comparisons with other offerors' proposals even though such comparisons are allowed by the FAR. The AFARS also states that debriefings should be limited to the offeror's proposal. This prevents any discussion of the winning offeror's proposal. However, the agency that wrote this guidance stated that each debriefing should be treated on a case by case basis and that contracting commands have the latitude to deviate from this guidance. The reason this guidance was written was that there had been problems with unsuccessful offerors getting some information on the winner's proposal evaluation and then trying to re-engineer the source selection evaluation process. With the limited information that some unsuccessful offerors received they were sometimes

coming up with the conclusion that they couldn't have lost the procurement competition and then protested the procurement. The unsuccessful offeror will never understand the complete selection process because proprietary business data cannot be released. Therefore he will never have a complete picture of the source selection process. [20] Additionally, the AFARS stipulates that contracting officers debrief one offeror at a time and only after contract award. The AFARS highlights the contracting officer's role as the official interface between his command and the defense contractor and it requires that the debriefing should be conducted or directed by him.

g. AMC-P 715-3 Vol. 1

AMC has it's own publication which discusses source selection and it contains a section on debriefing. AMC-P 715-3, Vol. 1 reiterates the same guidance that the AFARS provides except it adds that:

... normally the Debriefings should be conducted by or under the direction of the [contracting officer], although the manner in which debriefings are to be handled is discretionary with the SSA. [2: p.51]

This reinforces the role the SSA has in the source selection process to include the last communications with the unsuccessful offerors, that of the debriefing. The SSA can influence the debriefing in ways the contracting officer cannot. The SSA can provide resources for the debriefing that may not be available without his help. This is especially

true for SSEB members who can improve the debriefing by participating in it.

C. WHY DEBRIEF UNSUCCESSFUL OFFERORS

There are several reasons why the Army should debrief unsuccessful offerors. The first reason is because it is required. The FAR states that when a contract is awarded on a basis of other than price alone unsuccessful offerors will, upon written request, be debriefed as soon as possible and be provided the basis for the selection decision [7: p.15-41]. The FAR makes no mention of the size or complexity thresholds that need to be met before debriefings will be held. It merely states that if one or more factors, other than price, is used to determine the source selection, then unsuccessful offerors are entitled to a debriefing when they ask for one in writing. Thus, all federal agencies are required to debrief all unsuccessful offerors that request a debriefing in writing.

Another reason to debrief is to help improve the future competitiveness of the unsuccessful offeror. By providing the unsuccessful offerors with the rationale behind why they weren't selected for contract award they will be able to submit better proposals for future contracts [17: p.528]. Commenting on all evaluated areas and identifying strengths and weaknesses of the offeror's proposal will allow him to capitalize on his strong areas and improve on his weaknesses

for future proposals. This should improve his competitiveness for any subsequent solicitations he responds to. Without this explanation the unsuccessful offeror may make false assumptions about what improvements he needs to make and thus may continue to commit the same costly errors on future proposals. Improving his competitive position also helps the buyer as it receives a more competitive proposal in future procurements.

Fairness is another reason why the unsuccessful offeror should be debriefed [3: p.1]. The contractor worked hard on getting his proposal done and spent precious company resources in the process. For large solicitations his best efforts to win the contract award may result in months of work and hundreds of thousands of dollars spent preparing a proposal. The interests of fairness dictate that the contractor get some feedback as to why he wasn't selected for contract award. It is only fair that federal agencies respond to the contractors efforts and spend some time explaining how they evaluated the proposal.

Next, debriefings can show unsuccessful offerors that the source selection decision was rational and conformed to the requirements and evaluation criteria set out in the RFP [17: p.528]. With no feedback the unsuccessful offeror would less likely know for sure if the source selection was based solely on the evaluation criteria in the RFP and if the evaluation board used the criteria in a logical way to

evaluate it's proposal. By providing a debriefing the unsuccessful offeror can see that the evaluation committee did indeed use all the criteria identified in the RFP and evaluated each area in accordance with the standards set forth for each area.

Lastly, by providing a debriefing contracting officials should reduce the possibility of protests being filed which could delay the procurement [3: p.1]. By placing their "cards on the table" unsuccessful offerors can see that the contract agency has nothing to hide and is acting in good faith. Additionally, they could get the information they are looking for to find out why they lost without having to file a protest. Thus, a protest would less likely be filed as a result of providing a debriefing. This is the reason the Section 800 Panel cited as it's basis for requiring debriefings.

D. WHERE DEBRIEFING FITS IN THE SOURCE SELECTION PROCESS

The debriefing process fits in near the end of the source selection process but is not an isolated event. Rather, all steps in the process have some effect on the debriefing of unsuccessful offerors.

The source selection process begins with the development of the source selection plan (SSP), which is normally comprised of two parts dealing with the source selection team membership and the evaluation criteria. The first part covers

the details of the organization, membership and responsibilities of the source selection party. It describes who is on the Source Selection Advisory Council (SSAC) and Source Selection Evaluation Board (SSEB), if it is used. The advisory council's role is to advise the SSA on the source selection process and actual source selection. The SSA is the person who is responsible for the entire source selection process. Two of his important duties are to ensure the source selection plan is properly written and executed and to select the winning proposal based on the information the SSEB and SSAC give him [5: p.10-B-2]. The SSAC may provide the SSA with a comparative analysis of the evaluation results. Care must be taken to select personnel for the advisory council who have the appropriate skills and experience to properly advise the SSA. The SSEB is responsible to evaluate all proposals in accordance with the evaluation criteria set in the SSP and RFP. The SSEB members must have the proper experience and expertise to fully understand the evaluation criteria and make competent evaluations of proposals in accordance with those criteria. Selection of the right people to fill these positions will result in the thorough evaluation of each proposal and the proper results given to the SSA. This in turn will result in the correct proposal receiving contract award and meaningful comments on the strengths and weaknesses

of all other proposals for debriefing of unsuccessful offerors.

The second part of the source selection plan covers the evaluation criteria. The SSA and SSAC are responsible for the development and weighting of the evaluation criteria. The criteria are used by the SSEB to evaluate each proposal. All proposals are evaluated in the same manner to ensure a consistent process. The evaluation criteria must be selected and written to ensure the Government gets the product that best meets the solicitation and statement of work. Establishing a method to evaluate each criteria is extremely important as it serves as the basis for the evaluation and justification of each rating. Evaluation criteria are to be measured quantitatively and qualitatively and must be written as such. There should be a standard against which each criteria can be judged. Additionally, the evaluation criteria must be properly weighted to reflect the relative importance of each criteria as determined by the SSA and SSAC. Incomplete or poorly worded criteria or improperly weighted evaluation criteria can result in an inaccurate assessment of proposals. Problems with source selection and subsequent debriefings would then follow. Narrative comments extracted from the evaluation for use in a debriefing may then be incorrect, misleading or incomplete. This results in a

debriefing that is inaccurate or lacks any specifics. These narrative comments are crucial to a successful debriefing. They provide the concise information unsuccessful offerors need to understand what their strengths and weaknesses were in each area. Establishing comprehensive and accurate standards for evaluation criteria and weighting them properly will prevent any problems evaluating proposals and instead yield correct and meaningful evaluations and comments that can be used to make a correct source selection and improve the debriefing.

Next, a competitive range is determined. This is normally determined by the contracting officer and approved by the SSA. Three areas are looked at when evaluating proposals to determine if they are in the competitive range. First, the proposal must be determined to be responsive. In the terms of negotiated procurement the proposal is considered to be responsive unless the offeror refuses to comply with any of the requirements of the RFP. The other two areas to be looked at are the technical merits and cost of the proposal. Proposals are to be deemed in the competitive range with regard to these two areas as long as there is a possibility that the proposal can win the contract award [2: p.4-9]. When a proposal falls out of the competitive range the offeror is notified. Debriefings resulting from being excluded from the

competitive range may not be as detailed as debriefings given to offerors who make it all the way through to best and final offers (BAFO's). A comprehensive evaluation may not have been needed to determine the proposal was outside the competitive range. Discussions are held with those offerors in the competitive range. Meaningful discussions should have a direct impact on the debriefing of unsuccessful offerors. Meaningful discussions will identify any deficient areas in a proposal and help clarify any questions the evaluation team has with respect to the proposal. This allows the contractor to make modifications to his proposal to increase its competitiveness. Additionally, productive discussions should head off any surprises in the debriefing regarding weak areas in the proposal as these weaknesses would have already been identified and then addressed by the offeror.

BAFO's are received after discussions are concluded. At this time all offerors still in the competitive range may submit final changes to their proposals and make a final offer. A final evaluation is done on all those still in the competition. BAFO's may change the evaluation of those areas amended and thus influence the award and subsequent debriefing comments of those areas.

Next, a source selection decision is made, contract award is completed and unsuccessful offerors are notified.

Information given out during notification includes the number of RFP's sent out and proposals received, the contract price, and, in general terms, the reason why the offeror's proposal was not the winning proposal [7: p.15-41] This concludes the source selection team's interaction with the unsuccessful offeror, unless they take part in the debriefing or a protest is filed.

For solicitations that do not require a formal source selection team the contracting officer plays a bigger role in the process. Evaluation criteria may be written by the contracting officer and a technical and cost analyst. The proposal evaluations may be done solely by the contracting officer or may involve a small team of evaluators, such as a technical evaluator and cost analyst. Even though the process is smaller and less complicated the impact that each part of the source selection process has on debriefing unsuccessful offerors is the same.

E. ARMY MATERIAL COMMAND

AMC is an Army major command headed by a four star general. It's basic mission is to develop, buy and maintain material for the Army [24: p.2]. It is composed of depots, laboratories, arsenals, manufacturing and maintenance facilities, proving grounds, test ranges, and buying offices.

There are currently six commodity commands and four functional commands within AMC. These units are responsible for the research, development, testing, acquisition, and maintenance of the Army's material resources.

1. Functional Commands

The four functional commands include the Army Research Laboratory (ARL), the Depot System Command (DESCOM), the Simulation Training and Instrumentation Command (STRICOM), and the Test and Evaluation Command (TECOM).

a. ARL

The ARL is a command composed of research centers that generate new technologies and advanced concepts for all existing and future Army equipment.

b. DESCOM

DESCOM is responsible for the operation of the Army's depots. The depots receive, store, issue, perform maintenance on and dispose of Army equipment.

c. STRICOM

STRICOM's mission is to manage and direct the Army's simulation, training and test instrumentation needs. In addition it does the same for the new Distributed Interactive Simulation technology that the Army is using.

d. TECOM

TECOM is the command responsible for the planning and test and evaluation of the Army's equipment. This includes managing all testing facilities and equipment.

2. Commodity Commands

The six commodity commands include the Armament, Munitions, and Chemical Command (AMCCOM), the Aviation and Troop Command (ATCOM), the Communications-Electronics Command (CECOM), the Missile Command (MICOM), the Tank-Automotive Command (TACOM), and the Chemical and Biological Defense Command (CBDCOM). Each of these MSC's provide research and development, engineering, procurement, and logistics support to their commodity areas. Additionally they provide matrix support to the Program Executive Officers of their respective commodity areas. These MSC's do almost all of the acquisition actions within AMC. Together they spent over 95 percent of AMC's acquisition dollars in 1993 [15].

a. AMCCOM

AMCCOM is responsible for armament, ammunition and chemical defense equipment. Armament includes towed and self propelled artillery, aircraft and tank armament, mortars, fire control systems, gun-type air defense weapons, and infantry weapons. Ammunition includes all ordnance for weapons systems from small arms infantry weapons to large artillery and tank

rounds. Other items include bombs, rocket and missile warheads, fuzes, mines, grenades, pyrotechnics, smoke, and incendiary devices. The AMCCOM organization includes the Research, Development and Engineering Center, three arsenals, 15 active ammunition plants, and Acquisition Center.

b. ATCOM

ATCOM is responsible for aviation assets and troop support items. Aviation assets include Army aircraft, aircraft engines, spare parts, air traffic control hardware and aviation ground support equipment. Troop support items include all clothing and protective clothing items, footwear, food, food service equipment, water supply equipment, petroleum distribution equipment, all aerial delivery systems such as parachutes and slings, generators, Army watercraft, and rail and bridging equipment. Major activities in ATCOM include three research, development and engineering centers, a weapon system management center, an integrated material management center and an acquisition center.

c. CBDCOM

CBDCOM is responsible for the commodity management of all chemical and biological related items. This includes protective suits, footwear and masks, detecting and monitoring equipment, and decontamination equipment and materials. Major

elements of CBDCOM are a research, development and engineering center and acquisition center.

d. CECOM

CECOM is responsible for all Army communications and electronics equipment. Items include radios and radio related equipment, electronic warfare items, photographic equipment, radars, automated data processing and management information systems items, batteries, ground and airborne surveillance items, night vision equipment, and satellite systems. Major activities of CECOM include the Research, Development and Engineering Center, the Command, Control, Communications, and Intelligence Logistics and Readiness Center and the Acquisition Center.

e. MICOM

MICOM is responsible for all equipment related to rocket and missile systems. This includes all components and subsystems related to air-to-ground missile systems, surface-to-surface missile systems, surface-to-air missile systems, ballistic missiles, and anti-airor missile systems. Major units in MICOM include a research, development and engineering center, an integrated management center and acquisition center.

f. TACOM

TACOM is responsible for commodity management of all combat and tactical vehicles. This includes tanks, all carriers to include those for personnel, cargo, and missile, self propelled artillery vehicles, wheeled vehicles, special purpose equipment, trailers, construction equipment, and materials handling equipment. Major elements of TACOM are the Research, Development and Engineering Center, Integrated Material Management Center, Weapon Systems Management Center, and Acquisition Center.

F. CONTRACTING OFFICERS IN THEIR ORGANIZATION

The AMC MSC's are each composed of several major centers. Centers common to the MSC's include the Research, Development, and Engineering Center, the Integrated Material Management or Logistics Center, and the Acquisition Center. The contracting officers that procure equipment and services are located in the Contract Operations Directorate of the Acquisition Center. The Acquisition Center is composed of several directorates. These are the Contract Operations, Acquisition Policy, Production Management, and Quality Management Directorates. The Contract Operations Directorate is split up into sections by commodity line and contracting officers are assigned to each section.

G. SUMMARY

This chapter identified the laws and regulations that cover debriefing unsuccessful offerors, the reasons to debrief, where debriefing fits in the source selection process, what AMC is, and where contracting officers fit in their organization. An understanding of these topics will allow the reader to better understand how debriefing procedures can be improved.

III. METHODOLOGY

A. GENERAL

The methods used in the Thesis to collect information and data include a literature review, two survey questionnaires, and personal interviews. The literature search was done first to collect written material concerning debriefing unsuccessful offerors. This material and a personal interview with a Principle Assistant Responsible for Contracting (PARC) were used to develop the two survey questionnaires. Next, surveys were sent out to collect data concerning the debriefing process. One survey was developed for defense contractors. The other was written for AMC contracting officers. The two surveys were very similar in nature and were geared to illicit responses to almost identical questions from the two sides participating in a debriefing. Personal interviews were conducted with defense contracting officials to verify the results of the survey and as a follow up to problem areas identified in the surveys that warranted further exploration. Finally, personal interviews were done with AMC contracting officers. These were done to verify survey results and to respond to potential solutions to problem areas that were identified in the preceding stages.

B. LITERATURE SEARCH

Literature research provided a background of information on debriefing. This information was then used as a framework for the rest of the thesis research. It was used to develop the surveys and personal interview questions. Literature research started with a search of the Naval Postgraduate School Library, Stanford Business School Library, the Defense Logistics Information Exchange, and Defense Technical Information Center. No major publications on debriefing were found as a result of this search. Instead, several works had small sections that pertained to debriefing. This provided only a small amount of information concerning debriefing. Next, a search was done on Government publications and Congressional documents. This search resulted in two Government documents that discussed debriefing procedures. These are the Report of the Commission on Government Procurement, and Streamlining Acquisition Laws. Additionally, two Congressional reports were found. They are H.R. 3161, and S. 1958, which both represent Congressional attempts to pass legislation on the debriefing process. Lastly, the FAR and DOD regulations and instructions that pertained to debriefing unsuccessful offerors were collected. This provided the specific information regarding the current debriefing process within AMC.

C. SURVEY QUESTIONNAIRES

1. General

Two survey questionnaires were designed and utilized to gather data on AMC's debriefing procedures. One survey was constructed for defense contractors and the other for AMC contracting officials.

2. Target Audience

a. Defense Contractor Survey

The target audience for the survey for defense contractors was a broad cross-section of defense contractors that contract with AMC. This selection of defense contractors included large companies, small companies, small and disadvantaged companies, service companies, engineering companies, hardware companies, and software companies. Additionally, the selection of companies was done to ensure that all AMC MSC's were represented in the survey target audience.

The companies were selected from a list of defense contractors that appeared in the May/June 1993 edition of National Defense magazine. Several small companies, and small and disadvantaged companies were also selected from the MICOM source solicitation mailing list to ensure an adequate representation of these companies. Initially, a list of companies to send surveys to was being compiled by calling AMC

MSC's and asking for names of companies that were recent unsuccessful offerors. However this method was abandoned because of a concern that the MSC's may have been providing names of "happy" unsuccessful offerors and not giving names of companies that were "unhappy" with the debriefing they received. This method of developing a survey mailing list would most likely have resulted in skewed survey results by understating any problems with the debriefing process. Therefore, the author used the National Defense magazine list of defense contractors, supplemented by the MICOM source solicitation mailing list to get a random list of defense contractors. This would result in more objective survey results.

Surveys were sent to the director of contracts of each company. Instructions on the survey requested that personnel familiar with debriefings from officials within AMC and who received a debriefing from an AMC MSC within the last five years complete the survey. Surveys were sent to 76 companies with a total of 204 surveys being mailed. Each company was sent at least two surveys. Ten companies were contacted by phone before surveys were sent to them to ensure that the surveys would be answered and returned. This was done to ensure a sample of surveys mailed would be returned for analysis. These companies indicated the number of surveys

that they wanted mailed to them. Of the 204 surveys mailed out, 41 were answered and returned, another 15 surveys were returned that were not answered with an explanation that the company either had not had a debriefing from an official within AMC within the last five years or they had not bid on any AMC contracts within the last five years. The goal for the number of completed surveys to be returned was 30. This is the number of samples needed to approximate the mean of the entire survey population according to statistics textbooks [26: p.298]. Even though statistical analysis was not the design of this survey, enough survey results were desired to ensure an approximation of results that the entire population of defense contractors that contract with AMC would have yielded.

b. AMC Contracting Officer Survey

The target audience for the AMC contracting officer survey was contracting officials within the AMC commodity commands that conduct debriefings for unsuccessful offerors. AMC MSC's were contacted and Acquisition Center Chiefs and Directorate Chiefs provided the names of contracting officers within each command that conduct debriefings. A representative sample of contracting officials was provided for each of the five MSC's studied in this thesis. Surveys were sent to the 42 contracting officials who

names were provided by their MSC. Responses were received from 32 officials. The goal was to get 30 responses.

3. Survey Design

The two surveys are almost identical in nature as all but three questions are the same. The surveys were designed to provide data on the respondent's views of the AMC debriefing process. This two survey method is being used to compare answers between the two groups to see where similarities and differences in opinion exist. They were tailored to yield sufficient information on the debriefing process while at the same time being short enough to ensure an adequate number of surveys were completed and returned. A copy of each survey appears in the appendix. The surveys have two major types of questions. The first type consists of multiple choice and specific fill in the blank questions and the second type consists of general open ended questions on the overall debriefing process.

The first type of questions was designed to get responses to specific questions on the debriefing process. The defense contractor survey consists of 22 multiple choice questions and two specific fill in the blank questions. The Survey for AMC officials has 21 multiple choice questions and three specific fill in the blank questions. Possible answers on the multiple choice questions range from two to four with

the exception of one question which had six possible answers. These possible answers were chosen in order to categorize responses to aid in analyzing the survey data. The multiple choice questions each have a blank space for respondents to amplify their answers or make any comments in reference to the questions or their answers. The comments were to be used to aid in analyzing the answers and to see if any comments appeared repeatedly throughout the returned surveys.

The second type of questions consisted of open ended questions. The defense contractor survey had five open ended questions while the AMC survey had four. The objective of using these questions was to illicit responses about the overall debriefing process and allow the respondents to make any comments they want to about the debriefing process in an attempt to get responses not covered in the first type of questions. These questions focus on the strengths and weaknesses of the debriefing process and how the process can be improved. These comments were used in an attempt to capitalize on the strengths of the process and find ways to overcome the weaknesses identified.

D. INTERVIEWS

Interviews were conducted with both defense contractor representatives and AMC contracting officials. The intent of

the interviews was to follow up on recurrent answers or comments from the surveys and to identify other areas of the debriefing process that could be improved. Interviews of defense contractors were conducted within the broad cross-section of companies that contract with AMC. This includes large and small businesses, hardware producers, and a services company. Interviews were conducted first with the defense contractors. This was done so that information on areas that needed improvement and their possible solutions could be collected and then presented to AMC contracting officials. These officials could then comment on the identified areas and feasibility of the possible solutions. Additionally, they could address any areas they wanted to and present possible solutions to any weak areas of the debriefing process. Interviews were conducted with contracting officers from three of the five MSC's that were surveyed.

All interviews are recorded as anonymous entries in the thesis. This was done to ensure more complete and honest comments would be obtained by not identifying the source of the comments. This avoids the concern on the part of interview participants that their comments could be viewed negatively by any others in the AMC procurement system.

E. SUMMARY

This chapter outlined the methods of research used in the thesis. They include a literature search, survey questionnaires, and interviews. It identified the purpose for each method. The target audience and survey design for the survey questionnaires are fully explained. Lastly, details of how the interviews were done was covered. Chapter IV will present and analyze the data obtained from the surveys and interviews.

IV. DATA PRESENTATION AND ANALYSIS

A. GENERAL

This chapter contains the data presentation and analysis. It contains two major sections. The first is data presentation and analysis for the survey questionnaires sent out and the second covers interview comments and analysis of these comments.

B. SURVEY QUESTIONNAIRES

The questions are discussed as they appear on each of the surveys. A discussion of the answers and an analysis of the answers follow. The questions from the two surveys that are similar are presented and analyzed together.

1. **Question 1** The intent of this question is to determine what percent of unsuccessful offerors request a debriefing.

a. Question to unsuccessful offerors

When not awarded a contract I request a debriefing

- a. more than 2/3's of the time
- b. between 1/3 and 2/3's of the time
- c. less than 1/3 of the time

1. Discussion

Forty two (42) contracting officials answered this question. Sixty (60) percent responded that they request a debriefing more than 2/3's of the time, 24% answered that they request a debriefing between 1/3 and 2/3's of the time and 16% reported that they wanted a debriefing less than 1/3 of the time. Many comments were included with the multiple choice answers. Seventeen (17) percent of the respondents reported that they always request a debriefing, 10% commented that the value of the contract influences their decision to request a debriefing. The larger the contract the more apt they are to request a debriefing. Finally 5% of the respondents said that they request a debriefing only when they don't understand why they didn't win the contract award.

b. Question to AMC

How many unsuccessful offerors ask for a debriefing?

- a. less than 1/3
- b. between 1/3 and 2/3's
- c. more than 2/3's

1. Discussion

Thirty two (32) respondents answered this question. Seventy five (75) percent reported that more than 2/3's of unsuccessful offerors ask for a debriefing, 12% commented that between 1/3 and 2/3's of unsuccessful offerors ask for a debriefing and 12% stated that less than 1/3 of

unsuccessful offerors ask for a debriefing. Several comments were added to the answers. Sixteen (16) percent of the AMC officials wrote that usually all unsuccessful offerors ask for a debriefing. Nineteen (19) percent reported that for large solicitations normally all unsuccessful offerors ask for a debriefing.

c. Analysis

The feedback from the two surveys is very similar. Both surveys report that a high percent of unsuccessful offerors request debriefings. Additionally, both surveys have comments that support the fact that as a solicitation increases in value the debriefing for an unsuccessful offeror becomes more important. The results of this question confirm that debriefings are an important source of information for unsuccessful offerors.

2. Question 2

The intent of this question is to determine if AMC officials give debriefings when they are requested.

a. Question to unsuccessful offeror

The Army gives a debriefing every time I request one.

- a. yes
- b. no

1. Discussion

Forty two (42) unsuccessful offerors answered this question. Eighty eight (88) percent reported that they always get a debriefing and 12% answered that they don't always get a debriefing when they request one. Four comments were received. One contractor that answered no stated that it depends on the commodity command and another reported that he received one about 95% of the time he asked for one. Two comments were received from contractors who answered yes. One stated that AMC officials may try to do the debriefing on the telephone and the other said that some debriefings he receives are nearly worthless.

b. Question to AMC

I give a debriefing every time one is requested.

- a. yes
- b. no

1. Discussion

Thirty two (32) answers were received. All 32 AMC contracting officials reported that they always gave a debriefing when one was requested. Three respondents commented that they feel a refusal to give a debriefing may lead to a protest. One official commented that this is required by the FAR. One stated that they know of no reason not to give a debriefing if one is requested, and another said that formal face to face debriefings are rare.

c. Analysis

There is a difference in answers between the two participants here. Twelve (12) percent of the contractors stated that they didn't always receive a debriefing when they requested one and all the AMC contracting officials reported that they always gave a debriefing when one was requested. The true answer is probably somewhere in between. The AMC contracting officers may not want to admit to not giving a debriefing or may have misunderstood a request for one as something else. It is also possible that some requests never get to the contracting officer and the contractor didn't follow up on the request to ensure the contracting officer was aware that a debriefing was requested. Additionally, there may be some mistake on the contractors part as to when a debriefing is authorized and they may request debriefings when one is not allowed. They would then not get one but think they were entitled to one.

3. Question 3

The intent of this question is to determine who attends debriefings.

a. Question to unsuccessful offeror

The following personnel (by job title) from my company attend the debriefing _____.

1. Discussion

Many answers were given for this question. All answers included more than one person. The most frequently named people were the director of contracting, the business development/program manager and the director of engineering. Results of this question are shown in Table 1.

TABLE 1: DEFENSE CONTRACTOR PERSONNEL THAT ATTEND DEBRIEFINGS

Job Title	Times Mentioned
Director of Contracting	28
Business Dev/Program Manager	27
Director of Engineering	15
Proposal Manager	13
Marketing Manager	12
Vice President	10
President	4
Vice President- Engineering	3
Pricing Manager	3
Director of Operations	2
Department Manager	2
Contract Administrator	2
Legal Counsel	2
Director of Technology	1

SOURCE: DEVELOPED BY RESEARCHER

b. Question to AMC

The following personnel (by job title) from my organization attend the debriefing _____.

1. Discussion

Many people were mentioned in the answers received for this question. The most common responses were the contracting officer, listed by all respondents, the contract specialist, and SSEB chairman and factor chairs. Four of the responses listed the contracting officer as the sole person who attends from their organization. Results of this question are annotated in Table 2.

TABLE 2: AMC PERSONNEL THAT ATTEND DEBRIEFINGS

Job Title	Times Mentioned
Contracting Officer	32
Contract Specialist	19
Legal Council	16
Factor Chairs	14
Technical Specialist	11
SSEB Chairman	9
Project Officer	6
Price Analyst	5
Price Analyst	5
SSEB Deputy	4
PRAG Chairman	1

SOURCE: DEVELOPED BY RESEARCHER

c. Analysis

The results of this question show that the debriefing is not a one man show for either side. Rather many people attend debriefings and in many cases the debriefing is

seen as important enough that SSEB chairman and vice presidents of companies attend. The job titles of employees that attend for unsuccessful offerors indicates that the firms view the debriefing as an integral part of their effort to understand why they lost the contract award and identify what steps they can take to be more competitive in future solicitations.

4. Question 4

This question was designed to determine if AMC limits the number of people who may attend debriefings.

a. Question to unsuccessful offeror

The Army limits the number of employees that may attend the debriefing from my company.

- a. always
- b. sometimes
- c. never

1. Discussion

Forty one (41) offerors answered this question. Ten (10) percent responded that the Army always limits the number of employees, 59% replied that they sometimes limit the number, and 30% stated that the Army never limits the number of employees that can attend debriefings. Three comments were received on this question. Two stated that employee numbers were only limited if the conference room wasn't big enough to handle more people. One contractor stated that this was infrequently a problem.

b. Question to AMC

I limit the number of employees that unsuccessful offerors may send to a debriefing.

- a. always
- b. sometimes
- c. never

1. Discussion

Thirty one (31) AMC respondents answered this question. Three (3) percent stated that they always limit the number of employees, 39% said they sometimes limit the number, and 58% stated that they never limit the number of employees that may attend a debriefing. There were several comments made to this question. Three Contracting officials wrote that sometimes the conference room isn't large enough, especially on large procurements where many participants from both sides attend. Six people stated that the number of employees the contractor sends has never been a problem. One stated that the available space in the conference room dictates the number that may attend. One respondent wrote that limiting spaces insures that only those people necessary to understand why their company lost the contract award attend the debriefing. Two comments referred to lawyers attending. One person stated that he didn't limit the number of people attending but requested a list of people by job title who would attend the debriefing. This is done to determine if a lawyer is going to attend the debriefing, which would indicate a hostile

contractor. Another person said that limiting the number of people attending depends on if you know whether or not the debriefing will be hostile as you don't want to brief lawyers who are looking for free discovery.

c. Analysis

Both the unsuccessful offerors and AMC officials report that there are times when the number of employees from the unsuccessful firm that may attend a debriefing are limited. The unsuccessful offerors state that it happens at a much higher rate than AMC officials claim it happens. Only 30% of the contractors said they were never limited to the number of employees that could attend a debriefing while 58% of the AMC officials stated they never limit the number of employees. The true answer is probably somewhere in between. The discrepancy between these percentages may be partially explained by a misunderstanding on the part of contractor personnel of who limits the number of people attending. In some cases it may be their own company limiting the numbers in an attempt to keep travel costs down. Additionally, some AMC officials may not have provided an accurate answer in an attempt to downplay any effect from limiting the number of employees that may attend a debriefing.

5. Question 5 The intent of this question is to determine if AMC officials are limiting, by job title, the employees that may attend debriefings from unsuccessful firms.

a. Question to unsuccessful offerors

The Army limits the number of employees, by job position that may attend the debriefing from my company.

- a. always
- b. sometimes
- c. never

1. Discussion

Thirty nine (39) answers were received for this question. Three (3) percent responded that AMC always limits the number, by job position, 16% stated that they are sometimes limited, and 82% said that they are never limited by job position. Two comments were included with the answers. One stated that they were sometimes limited to sending the senior staff, and the other said that they were not limited but AMC wants a list beforehand of who they are going to send.

b. Question to AMC

I limit employees, by job title, that unsuccessful offerors may send to a debriefing.

- a. always
- b. sometimes
- c. never

1. Discussion

Thirty (30) responses were received for this question. Seven (7) percent stated that they sometimes limit

employees, by job position, from attending a debriefing and 93% said that they never limit the employees, by job title. Three respondents commented that the unsuccessful offeror may send any employees they want to. One stated that he never limits the employees, by job position, but does ask for a list of who will attend ahead of time. Another commented that he gets a list ahead of time and uses it as a going in position in order to prepare and organize a positive and professional debriefing.

c. Analysis

There is a disparity between the percentage of responses for the two sides that report a limit, by job position, of who may attend a debriefing from the unsuccessful firm. Only 7% of AMC personnel report ever limiting employees by job position while 18% of unsuccessful firms report that this has happened. Possible reasons for this difference could be a misunderstanding on the contractor's part of who places this limit. In some cases it may be the company and not AMC. Additionally if this ever happened it would be the contractor who recalled it happening first and it may be of minor significance to AMC personnel and thus forgotten.

6. Question 6 This question was designed to determine how long after a request debriefings are held.

a. Question to unsuccessful offerors

Debriefings are normally held within _____ calendar days of my request.

- a. 0-10
- b. 11-20
- c. more than 20

1. Discussion

Answers were received from 42 contractors. 21% responded that debriefings were held within 10 days. Forty eight (48) percent said between 11-20 days and the remaining 31% stated more than 20 days. Only one comment was reported. The contractor wrote that the time varied but was usually close to or in excess of 30 days.

b. Question to AMC

Debriefings are held within _____ calendar days of request.

- a. 0-10
- b. 11-20
- c. more than 20

1. Discussion

Thirty one (31) AMC officials responded to this question. Eighty four (84) percent stated that debriefings were done within 10 days of request. The other 16% said it was done between 11-20 days. Many comments were written in response to this question. One respondent wrote that it is best to schedule debriefings as soon as possible so that SSEB members are available to assist. One said that he

is always prepared to debrief the day after notification of unsuccessful offerors. A delay gives the appearance that you had to stop and document why the offeror lost. Another respondent said that you should allow sufficient time to prepare adequately and still have the decision process fresh in mind. One contracting officer wrote that his debriefs are normally built into the acquisition cycle schedule and pre-scheduled for the first 3 days after contract award. Another AMC official said that he did it within 10 days of request, as early debriefings help offset possible protests. Three respondents stated that the time depends on the number of offerors and when both parties can get together.

c. Analysis

There is a significant difference of opinion between the two parties as to how long after the request the debriefings are held. Eighty four (84) percent of AMC personnel said debriefings were held within 10 days of request while only 21% of the unsuccessful offerors reported that they were done within this same time frame. One reason for this difference could result from the requirement for the debriefing request to be written. If these written requests are mailed contractors may consider the clock to start on their request when they drop their request in the mail. AMC officials would most likely start the clock when they receive

the request. This reason alone would not solve the vast difference in opinion between the two parties on this issue. When a debriefing is done can have an effect on if a protest is filed or not. This in turn can have an effect on any subsequent debriefing given. Contractors have 10 days after contract award is announced to file a protest which will stop work on the contract. The survey shows if a debriefing is not given within these 10 days a contractor may file a protest because he may suspect some type of impropriety in the source selection decision process. A debriefing done within the 10 day window may show the contractor there was no impropriety in the decision process and no protest is necessary. Additionally, any debriefings given to unsuccessful offerors that have already protested the contract award may not be very informative because the contracting officer is on the defensive and is not looking to give the unsuccessful offeror information that could be used in the protest.

7. **Question 7** The intent of this question is to determine when the unsuccessful offerors and AMC officials think the debriefing should be done.

a. Question to Unsuccessful offeror

Debriefings should be conducted within _____ calendar days after contract award.

1. Discussion

Thirty eight (38) contractors answered this question. Answers received ranged from 5 to 30 days. Fifty (50) percent of those that responded said that the debriefing should be done within 10 days. The average answer to this question is 14.4 days. Three different comments were included with the answers. Five contractors responded that the debriefing must be done within the limits of the time to protest. Two people stated that the sooner the better and that sooner may help head off unnecessary protests. Lastly, one official stated that he recognized the difficulty of getting all the AMC people together but earlier feedback is better.

b. Question to AMC

Debriefings should be conducted within _____ calendar days after contract award.

1. Discussion

Twenty eight (28) AMC officials answered this question. The answers ranged from 4 to 30 days with the average being 14.5 days. Fifty three (53) percent said that debriefings should be done within 10 calendar days after contract award. Several respondents provided comments with their answer. Two stated that the FAR says to conduct the debriefings as soon as possible. One stated that the SSEB goes to the four winds after award so it is best to do it as

soon as possible. One official commented that the 10 day protest cut off is a factor, however SSEB support is the final determining factor. Another comment was that many protests are filed after a debriefing so the debriefing should be done quickly. Two officials said to let the offeror decide when the debriefing should be done and honor their request.

c. Analysis

The responses from both the contractors and AMC officials indicate that debriefings should be done in a timely manner. The average response for both groups show that debriefings should be done within 14 days of contract award.

8. Question 8 The intent of this question is to determine who normally conducts the debriefing.

a. Question to unsuccessful offeror

_____ normally debriefs me.

- a. the contracting officer
- b. the source selection evaluation board chairman
- c. a combination of both a & b
- d. other _____

1. Discussion

Forty two (42) defense contractors answered this question. Twenty one (21) percent responded that the contracting officer debriefs them, 74% said that a combination of the contracting officer and SSEB chairman debrief them and 5% stated that someone else debriefs them. This other person was the program manager. Several comments were received that

added names of others who participate. Lawyers were mentioned 3 times, technical evaluators were listed on 4 surveys, cost analysts were mentioned 2 times and a contract specialist was listed once. One additional comment was that when the contract officer is the only person to debrief the debriefing tends to be dry and not very informative.

b. Question to AMC

Debriefings are conducted by (give job title)

_____.

1. Discussion

Five different answers were received for this question. Thirty eight (38) percent of the respondents indicated that the contracting officer conducts the debriefing. Nineteen (19) percent said the contracting officer and the contract specialist conduct the debriefings, and 19% stated the contracting officer and technical experts do it. Twenty five (25) percent of the people said the contracting officer and the SSEB conduct debriefings.

c. Analysis

Both the contractors and AMC officials answers to this question reveal that a contracting officer participates in almost all debriefings. They are generally joined by such personnel as the SSEB chairman, SSEB members, technical representatives, and contract specialist. It is clear though

that the contracting officer is the key player for AMC in the debriefing process. This coincides with what the AFARS recommends.

9. **Question 9** This question was designed to determine where debriefings are held.

a. Question to unsuccessful offerors

Debriefings are normally held at _____.

- a. at my location
- b. at the Army's location
- c. other location
- d. by telephone

1. Discussion

Forty two (42) contractors answered this question with 2 contractors giving 2 answers. Eighty six (86) percent of the responses indicated that the debriefings are held at the Army's location. Fourteen (14) percent of the answers reported that they are done by telephone. Two contractors listed both of these answers. Two different comments accompanied these answers. Three contractors who answered that debriefings are normally held at the Army's location stated that sometimes telephone debriefings are done. One of these officials stated this is usually a conference call. Another of these officials said that the telephone debriefings are frequently done when the AMC command is out of town.

b. Question to AMC

Debriefings are normally held ____.

- a. at my location
- b. at the unsuccessful offeror's location
- c. other location
- d. by telephone

1. Discussion

Thirty four (34) answers received. Eighty eight (88) percent of the answers indicated that debriefings are normally held at the AMC location while 12% reported they are done by telephone. Two contracting officers stated both of these answers. Eight AMC personnel commented that debriefings are sometimes done by phone. Four of these people added that this was especially so for small procurements. Two officials stated that debriefings should never be done at the unsuccessful offeror's location.

c. Analysis

The answers to this question are almost identical for each survey. The results indicate that most debriefings are done in person at the AMC location. A small percent of the debriefings are done by phone, especially when the procurement is small or when the AMC location is out of town. Not one respondent reported that any debriefing was ever done at the offeror's location. All of this indicates that there is an unwritten practice to not conduct debriefings at the offeror's location. If the offeror wants the service in

person he must travel to get it. The reason contractors will request debriefings by phone for smaller procurements is that they are not willing to pay for travel costs. The costs would outweigh the benefits in these cases. Instead they will get as much information as they can by telephone.

10. Question 10

The intent of this question is to determine if questions are allowed and answered in debriefings.

a. Question to unsuccessful offeror

The Army _____.

- a. doesn't allow questions
- b. allows and answers all questions
- c. allows and answers some questions

1. Discussion

Forty two (42) answers were received for this question. Seven (7) percent of the respondents said that the Army doesn't allow questions. Two (2) percent stated that questions are allowed and they are all answered. Ninety one (91) percent indicated that the Army allows and answers some questions. Four comments reported that the answers were not detailed enough. Two contractors commented that they were limited to asking questions about their proposal only. One offeror stated that allowing and answering questions really depends on who the contracting officer is.

b. Question to AMC

I _____.

- a. don't allow questions
- b. allow and answer all questions
- c. allow and answer some questions

1. Discussion

All 32 contracting officers answered this question. Thirty eight (38) percent stated that they allow and answer all questions and 62% said that they allow and answer some questions. Several comments were received. Eight respondents said that they don't allow questions about another offeror's proposal. Three stated that they answer questions to the extent the regulations allow. Two officials said that they may answer some questions in writing after the debriefing. One contracting officer stated that he can't answer some questions and some aren't appropriate. Another said that all questions and answers must be in writing and that the openness of the debrief depends on the likelihood of a protest. Lastly, one official wrote that he uses a caucus between questions and answers.

c. Analysis

There is a large difference between the two surveys with the answer that the Army allows and answers all questions. Thirty eight (38) percent of AMC personnel gave this answer versus only 2% of the contractors. Some

interpretations of the possible survey answers may have been done to cause this. It doesn't seem likely that AMC officials would answer all questions asked by contractors, especially in the contractor's quest to get information on the winner's proposal. Consequently a more accurate answer for AMC is probably much lower. Several contractors reported that they are not allowed to ask questions during a debrief. This doesn't allow the contractor to get the information he needs to understand the evaluation of his proposal.

11. Question 11

This question was designed to determine why some questions asked by unsuccessful offerors are not answered.

a. Question to unsuccessful offeror

If the Army doesn't answer some of my questions it is because

- a. they can't answer them due to regulations or confidential/proprietary business information
- b. they won't answer them due to their concern for a protest
- c. other _____
- d. not applicable, they answer all my questions

1. Discussion

A total of 56 answers were recorded for this question. Although the question was designed to get only one answer from each respondent, 15 of the 41 officials who answered this question gave two responses. These 15 answered that the Army doesn't answer some questions due to both

regulations and confidential/proprietary business information, and their concern for a protest. Fifty nine (59) percent of the answers indicated that regulations or confidential/proprietary business information is the reason the Army doesn't answer all questions. Thirty six (36) percent of the answers pointed to a concern for protests as the reason. Five (5) percent of the respondents listed other reasons which were that the question is not relevant or is source selection sensitive or classified, they don't know the answer to the questions they don't answer, and a hidden agenda prevents them from answering some questions. One comment was recorded. It stated that AMC personnel tend to error on the conservative side when determining when to answer a question.

b. Question to AMC

If I don't answer some of the unsuccessful offerors questions it is because

- a. I can't answer them due to regulations or confidential/proprietary business information
- b. I won't answer them due to a possible protest
- c. other _____
- d. not applicable, I answer all questions

1. Discussion

Thirty five answers were received for this question. Three AMC officials gave two answers. Eighty three (83) percent of the answers indicated that when questions aren't answered it is due to regulations, or confidential/proprietary business information. Nine (9)

percent of the answers stated some questions aren't answered for other reasons. These reasons are when the offeror is seeking opinion and not facts, and if information is not available and then an attempt will be made to provide it later. Two surveys gave this latter reason as their answer. Contracting officers submitted several comments to this question. Two stated that they don't worry about protests and answer as many questions as possible. One of these continued that the Freedom of Information Act allows most information to be disclosed so you might as well give it to them up front. The other added that the Government Accounting Office will let a protestor see everything during discovery so he doesn't hide anything. Another official stated that when there is the potential for a protest it makes his answers rather anemic. One official stated that he doesn't answer questions that compare proposals, disclose relative rankings or discuss weights.

c. Analysis

Both sides agree that many questions are not answered due to regulations or confidential/proprietary business information. However a higher percentage of contracting officers than unsuccessful offerors stated this as the reason some questions aren't answered. This is most likely a result of how the FAR and AFARS are interpreted. It

is the contracting officer's responsibility to operate within the regulations, so they are much more likely to take a more conservative view of what these regulations mean. The two survey groups disagree on the issue of not answering questions due to a fear of being protested. Not one contracting officer answered that fear of a protest prevents them from answering a question while 46% of the contractors stated that this is the reason some questions aren't answered. This leads to the conclusion that contracting officers feel they are answering all they can legally answer while many contractors believe questions that could be answered are not being answered.

12. Question 12 This question was designed to determine if contracting officers pass along all the information that unsuccessful offerors are entitled to according to the regulations.

a. Question to unsuccessful offerors

Debriefings normally consist of

- a. limited information, because_____
- b. as much information as the Army can give in accordance with the regulations and confidential/proprietary business information

1. Discussion

All 42 respondents answered this question. 48% stated that the debriefings consisted of limited information. Fifty five (55) percent of these people said the reason was due to the fear of a protest. Two said it was due

to proprietary data rights and three others said it was due to restrictive regulations. Three contractors stated that it was because of an attempt to cover up improper procurement practices. The last reason given was that the contracting officers don't want to compare the offeror with the winner. The other 52% of the respondents answered that the Army gives out as much information as it can under the current regulations and confidential/proprietary business information stipulations. Two comments to the question were given. One was that certain contracting officers give very detailed debriefings while others give generic debriefings. The other stated that it depends on what MSC you're dealing with as some provide more information than others.

b. Question to AMC

Debriefings normally consist of

- a. limited information, because _____
- b. as much information as I can give in accordance with the regulations and confidential/proprietary business information

1. Discussion

Thirty one contracting officers answered this question and all stated that they give out as much information as they can in accordance with the regulations and confidential/proprietary business data. Many comments were provided with the answers. Five people stated that providing all the information you can helps prevent protests and other

problems such as congressional inquiries. One contracting officer stated that he only gives out the minimum information necessary. Another said that he gives only a summary debriefing and provides additional information if asked. One person stated that he thinks AMC is extremely conservative in what information it gives out. One comment indicated that contractors want information that compares their proposal to the winner's. Lastly, one official said his command now gives out the same information to the unsuccessful offeror on his proposal that is given to the SSA.

c. Analysis

There is a large difference between what the AMC officials and the unsuccessful offerors believe as to the extent of the information given out in debriefings. All the contracting officers said that they give out what they can, (although some of their comments refute this) while almost one half of the contractors said that the debriefings consist of only limited information. While contracting officers apparently feel that they give out all the information they can there is some evidence that certain commands and contracting officers are willing to provide more information to unsuccessful offerors than others. Factors such as fear of protests, conservative interpretations of the regulations, time constraints, and heavy work loads probably prevent some

commands and contracting officers from providing all the data they could provide under optimum conditions.

13. **Question 13** The intent of this question is to determine if the threat of a protest has any effect on the amount of information given out in a debriefing.

a. Question to unsuccessful offerors

The Army would provide more information if the possible threat of a protest did not exist.

- a. always
- b. sometimes
- c. never
- d. don't know

1. Discussion

Forty two (42) answers were received for this question. Twelve (12) percent of the offerors believe that the threat of a protest always effects how much information is given out in a debriefing. Thirty eight (38) percent believe it sometimes has an effect and 2% believe it never has an effect. Forty three (43) percent don't know if the Army would provide more information if the threat of a protest didn't exist. Two respondents commented that if this wasn't the case then the debriefings would be more comprehensive.

b. Question to AMC

I would provide more information if the possible threat of a protest did not exist.

- a. always
- b. sometimes
- c. never

1. Discussion

Twenty nine (29) contracting officers responded to this question. Seven (7) percent said that the threat of a protest always influenced how much information they provide in a debriefing. Twenty eight (28) percent stated that a protest sometimes influences them and 65% said that it never influences the amount of information they provide.

c. Analysis

Both contracting officers and unsuccessful offerors say that the threat of a protest influences the amount of information that is given out in a debriefing. Fully one third of the contracting officers say that it effects them at least sometimes. Therefore a conclusion can be made that the threat of a protest influences the quality of many debriefings. Contractors that are hostile or threaten a protest before the debriefing is conducted are thus less likely to get the same amount of information they would get if the contracting officer felt confident no protest would be filed.

14. Question 14 This question was designed to determine if debriefings are conducted in accordance with the major elements of the RFP.

a. Question to unsuccessful offerors

The Army debriefs in accordance with the major elements of the RFP.

- a. always
- b. sometimes
- c. never

1. Discussion

All 42 contractors answered this question. Fifty (50) percent stated that the Army always debriefs in accordance with the RFP. Forty four (44) percent said that they sometimes do and 7% indicated that the Army never debriefs in accordance with the RFP. Two comments were submitted with the answers. One contractor commented that whether or not the debriefing is done in accordance with the major elements of the RFP depends on the command. Another stated that only summary data is provided for the major elements.

b. Question to AMC

I debrief in accordance with the major elements of the RFP.

- a. always
- b. sometimes
- c. never

1. Discussion

Thirty (30) AMC officials answered this question. Ninety three (93) percent stated that they always debrief in accordance with the RFP. Seven (7) percent said

that they sometimes do. One official commented that he usually limits the debriefing to only the weak or deficient factors in the proposal. Another stated that he gives narrative remarks for all factors and sub-factors.

c. Analysis

There is a large difference between the answers given by the unsuccessful offerors and the AMC contracting officers. Only 50% of the unsuccessful offerors believe that contracting officers always debrief in accordance with the RFP whereas 93% of the contracting officers believe they do. This difference could be accounted for by the amount of information given out for each major element. If only a small amount of information is given out unsuccessful offerors may have interpreted this as not having been debriefed in accordance with the major elements while contracting officers may have considered this being debriefed in accordance with the major elements.

15. Question 15 This question was designed to determine if debriefings clearly point out weaknesses in the unsuccessful offeror's proposal.

a. Question to unsuccessful offerors

Debriefings clearly identify weaknesses in my proposal.

- a. always
- b. sometimes
- c. never

1. Discussion

Forty two (42) responses were given for this question. Twenty four (24) percent reported that the debriefings always clearly identify weaknesses in the offeror's proposal. Sixty seven (67) percent said that they sometimes did and 9% indicated that they never clearly identified weaknesses in their proposal. Two comments were provided. They all indicated that improvements need to be made here. Seven unsuccessful offerors stated that there was not enough information given out to determine exactly what the weaknesses were in the proposal. One respondent commented that it seems like just enough trivial weaknesses are identified to justify a low cost award.

b. Question to AMC

Debriefings clearly identify weaknesses in the unsuccessful offeror's proposal.

- a. always
- b. sometimes
- c. never

1. Discussion

Thirty two (32) contracting officers answered this question. Eighty one (81) percent stated that they always clearly identify weaknesses in unsuccessful offeror's proposals. Nineteen (19) percent responded that they sometimes clearly identify weaknesses. Several comments were added to the answers. Two contracting officers commented that

weaknesses or deficiencies not discussed prior to the debriefing should not be addressed during the debriefing. Another stated the same thing, but he added that he had an experience with a protest to GAO where GAO determined that any weaknesses that negatively affect the offeror's proposal must be discussed during negotiations or GAO may determine meaningful discussions were not held. Another official commented that weaknesses are not always available on each element due to a lack of clear documentation in the technical evaluations. Two contracting officers commented that major deficiencies are always addressed but weaknesses are only addressed if asked or they had a significant impact on the source selection. The last comment was that weaknesses will be covered if they exist but it is extremely difficult to debrief a good proposal with no technical weaknesses.

c. Analysis

Several unsuccessful offerors and contracting officers stated that debriefings clearly identify weaknesses in many cases but not all cases. This means that not all the information that could be given to an unsuccessful offeror is always being given. Providing the offeror with his weaknesses allows the contractor to see how his proposal stood up to the evaluation criteria and more specifically where his proposal did not measure up to the standards expected of it in

accordance with the evaluation criteria. Clearly identifying the offeror's weaknesses in the debriefing benefits the contractor but it is not being done in all debriefings.

16. **Question 16.** The intent of this question is to determine if debriefings cover the three major elements of most proposals.

a. Question to unsuccessful offerors

The Army debriefs me on the _____ merits of my proposal (circle all that apply).

- a. technical
- b. management
- c. cost

1. Discussion

This question allowed the respondents to circle all answers that apply to debriefings they have attended. A total of 113 answers were received with all 42 offerors selecting at least two answers. Ninety five (95) percent of the offerors reported that the Army debriefs them on the technical merits of their proposal. Eighty six (86) percent stated that they are debriefed on the management merits and 79% said they are debriefed on the cost merits of their proposal.

b. Question to AMC

I debrief unsuccessful offerors on the _____ merits of their proposal (circle all that apply).

- a. technical
- b. management

c. cost

1. Discussion

The question was set up to allow the contracting officers to circle all answers that apply to debriefings they give. All 32 contracting officers answered the question and a total of 80 answers were recorded. Eighty seven (87) percent replied that they debrief the technical merits of a proposal. Eighty four (84) percent stated that they debrief the management merits and 78% said that they debrief the cost merits of a proposal. Several comments were included with the answers. Three people wrote that they cover all criteria advertised in the RFP. One official said that he also debriefs logistics, production, and integrated support. Another contracting officer stated that he covers whatever issues the unsuccessful offeror wants to discuss. Finally, one respondent stated that he doesn't debrief cost as the unsuccessful offeror knows his price and the winner's price.

c. Analysis

The large majority of both the unsuccessful offerors and contracting officers responded that debriefings cover the technical, management and cost merits of the proposal. It would seem though that these answers should be approaching 100% as almost all procurements that warrant a debriefing contain something in these categories to evaluate.

This is certainly true of price as it is a required consideration in all procurements. The procurement command should do some type of cost realism evaluation on each proposal submitted. To not debrief price indicates that the contracting officer is not passing along to the offeror the evaluation of the price portion of the proposal. By not debriefing all three of these areas contracting officers may leave out information that could be valuable to the unsuccessful offeror.

17. **Question 17** This question was designed to determine if the unsuccessful offerors are satisfied with the debriefing on the technical, management, and cost portions of their proposal.

a. Question to unsuccessful offerors

I am satisfied with the debriefing on the technical, management, and cost elements of my proposal.

- a. always
- b. sometimes
- c. never

1. Discussion

Forty one (41) unsuccessful offerors answered this question. Five (5) percent said that they are always satisfied with the debriefing on the technical, management, and cost elements of their proposal. Eighty (80) percent stated that they are sometimes satisfied and 15% responded that they are never satisfied with the debriefing on these

elements. Three offerors commented that debriefings are generic in nature and not enough detail is given.

b. Question to AMC

Unsuccessful offerors are satisfied with the debriefing on the technical, management, and cost elements of their proposal.

- a. always
- b. sometimes
- c. never
- d. don't know

1. Discussion

Twenty nine (29) contracting officers answered this question. Twenty four (24) percent stated that unsuccessful offerors are always satisfied with the debriefing on the technical, management, and cost elements of their proposal. Sixty six (66) percent said that offerors are sometimes satisfied. Three (3) percent said they are never satisfied and 7% stated that they didn't know. Several comments were received. Three contracting officers stated that the unsuccessful offerors usually feel the debriefing is not forthcoming in this regard because the offerors want to know more about how they compared with the winner's proposal. One contracting officer said that often times offeror's engineers take the debrief on the technical aspects of the proposal as a personal attack and this makes it extremely difficult to debrief that portion.

c. Analysis

A small percentage of both groups surveyed stated that unsuccessful offerors are always satisfied with the discussion on the technical, management, and cost portions of the debriefing. A large portion of each said offerors are sometimes satisfied. This is most likely due to two reasons. First, the offerors are looking for all the information they can get concerning the evaluation of these areas of their proposal and other proposals, especially the winners. The FAR and AFARS specifically deny access to some of the information that the contractors would like to see. Second, the debriefing may not contain all the information that the source selection committee has on the proposal. This could be due to poor documentation, a briefing from a second hand source who is not as knowledgeable as the evaluator, or a fear of debriefing something that was discovered and not addressed with the offeror during discussions.

18. **Question 18** The intent of this question is to determine if unsuccessful offerors get information which they can use in drafting proposals for future procurements.

a. Question to unsuccessful offerors

Debriefings give me information that leads to more competitive proposals in future Government competition.

- a. always
- b. sometimes
- c. never

1. Discussion

Forty one (41) offerors answered this question. Seven (7) percent stated that debriefings always give them information which leads to more competitive proposals in future procurements. Seventy one (71) percent reported that they sometimes get information to aid future proposals and 22% said they never get information which improves the competitiveness of future proposals. Two comments were submitted for this question. One contractor wrote that he rarely gets this information from the debriefing but through "contacts" in the community. The other comment was from an offeror who said that the only useful information he has gotten from the debriefings is that the low cost proposal always seems to win. As a result he is turning his best value proposals into low cost proposals.

b. Question to AMC

Debriefings give unsuccessful offerors information that leads to more competitive proposals for future Government competition.

- a. always
- b. sometimes
- c. never
- d. don't know

1. Discussion

Thirty (30) contracting officers answered this question. Twenty three (23) percent stated they believe debriefings always give information to unsuccessful offerors

that aid them in preparing more competitive proposals in future procurements. Fifty seven (57) percent said debriefings sometimes give this information. Three (3) percent think debriefings never give offerors information that is useful for future procurements, and 17% don't know. Three different comments were submitted. Six contracting officers stated that their intent is to give out information that will be useful for future competition. One official wrote that the offerors learn how AMC utilizes and evaluates best value procurement. If they don't learn anything else they learn this. The last person to comment said that some contractors accept the critique and criticism of their proposal and learn from the debrief and some argue each point made and thus are too busy arguing and defending their position to learn anything.

c. Analysis

The majority of those surveyed on both sides indicated that debriefings sometimes provide information that leads to more competitive proposals in the future. The goal would be to increase the information that allows unsuccessful offerors to prepare more competitive proposals in the future. There are some road blocks that must be removed to improve this. Unsuccessful offerors must not allow their emotions or pride to interfere with assimilating the information given out

in the debriefing. Arguing each point brought up by the contracting officer detracts from good listening and may put the contracting officer on the defensive and cause him to refrain from passing along all the data he has. Conversely contracting officers must make every effort to get as much information to the contractor as they can.

19. Question 19 This question was designed to determine if after a debriefing unsuccessful offerors fully understand why they do not have the most advantageous proposal.

a. Question to unsuccessful offerors

Upon conclusion of a debrief, I completely understood why my company did not win the contract award.

- a. always
- b. sometimes
- c. never, why not _____

1. Discussion

All 42 offerors answered this question. Two (2) percent of the contractors reported that they always completely understood why they didn't win the contract award. Seventy six (76) percent stated that they sometimes completely understood and 22% said that they never completely understood why they didn't win the contract award. Several comments were received for this question. Five offerors commented that there is not enough information given out to completely understand why they didn't win the contract award. Three contractors stated that they often feel that the real reasons

why they didn't win the contract award are not given. Another offeror said that the Army doesn't compare proposals so you don't know if you lost on technical merit or a subjective best buy.

b. Question to AMC

Upon conclusion of a debrief the unsuccessful offeror completely understands why he didn't win the contract award

- a. always
- b. sometimes
- c. never
- d. don't know

1. Discussion

Thirty one (31) contracting officers answered this question. Twenty six (26) percent said they believe that after a debriefing contractors completely understand why they didn't win the contract award. Forty two (42) percent stated they believe contractors sometimes completely understand. Three (3) percent responded that contractors never understand and 29% said that they don't know if a contractor completely understands why he didn't win the contract award. Several comments were submitted. Two officials responded that a lack of details of the winner's proposal or any comparative rankings make it almost impossible for the offerors to completely understand why they lost. Three people wrote that some offerors can't or refuse to recognize that someone else's proposal could be better and thus can't understand how they

lost. One contracting officer commented that the regulatory restrictions on what can be discussed sometimes prevents the offeror from getting enough information to completely understand why they lost. Finally another contracting officer replied that when the offeror's proposal is very good and has no real weaknesses but the winning proposal is just a little better it may be very difficult for the offeror to understand why they didn't win.

c. Analysis

Contracting officers believe the unsuccessful offerors understand why they lost the contract award at a higher rate than the unsuccessful offerors actually understand. This leads to the conclusion that contracting officers think the debriefings are more effective than they actually are. Two key problems are identified here. First, unsuccessful offerors state that not enough information is given out to understand why they didn't win the contract award. Second, contracting officers commented that since comparisons between proposals can't be made it makes it difficult for contractors to get enough information to completely understand why they lost. The Army AFARS thus has a negative impact on the quantity of information the unsuccessful offeror can get.

20. **Question 20.** The intent of this question is to determine if debriefings are of value to the unsuccessful offerors.

a. Question to unsuccessful offerors

The debriefings are _____ to my company.

- a. valuable
- b. somewhat valuable
- c. not at all valuable

1. Discussion

Forty two (42) unsuccessful offerors answered this question. Thirty eight (38) percent stated that the debriefings are valuable, 50% said they are somewhat valuable and 12% reported that debriefings are not at all valuable. Contractors submitted four comments to this question. One contractor wrote that although debriefings are only somewhat valuable he never passes up an opportunity to meet with his customer. He continued that team building and getting to know the key players are too important to not attend a debriefing. Another offeror stated that the real details on the evaluation of his proposal are dug out over time from the command, thus making the debriefing not as valuable as it could be. Another comment was that there is nothing given to help with future proposals. Finally one unsuccessful offeror responded that the debriefings are cordial but not meaningful in terms of useful information given out.

b. Question to AMC

The debriefings I give are _____ to unsuccessful offerors.

- a. valuable
- b. somewhat valuable
- c. not at all valuable

1. Discussion

Twenty nine (29) contracting officers answered this question. Sixty six (66) percent believe debriefings are valuable to unsuccessful offerors. Thirty four (34) percent believe debriefings are somewhat valuable to them and 3% believe debriefings are not at all valuable to unsuccessful offerors. Four comments were received with the answers. One contracting officer stated that since he can't compare scores and assessments his debriefings are not as useful to unsuccessful offerors as the offerors think they could be. Another contracting officer said that he is convinced debriefings are worthless because they don't tell the unsuccessful offerors what they really want to know- how they stood compared to the winner. The next comment was that the regulation and legal constraints sanitize the debriefing so much that very little of any value is left in the debriefing. Finally, one official responded that all the unsuccessful offerors want to talk about is the winner's proposal and he doesn't provide much information on it.

c. Analysis

Contracting officers believe debriefings are valuable to unsuccessful offerors at a much higher percentage than unsuccessful offerors say they are. Thus debriefings are not as valuable as contracting officers think they are. Consequently many contracting officers may not be making any attempts to improve the debriefing process as they believe the system is satisfying the needs of the unsuccessful offerors. On the other hand the contractors need to understand that some information that they would like to get debriefed on such as details of the winner's proposal is not releasable under the current regulations.

21. Question 21 This question was designed to determine if AMC offers to give debriefings to unsuccessful offerors that don't request a debriefing on their own.

a. Question to unsuccessful offerors

The Army offers to debrief me even when I don't ask for a debriefing.

- a. always
- b. sometimes
- c. never

1. Discussion

Forty two (42) unsuccessful offerors answered this question. Twelve (12) percent stated that the Army offered to debrief them even when they didn't ask for a debriefing. Thirty eight (38) percent said that the Army

sometimes asked them, and 50% responded that the Army never asked them. One contractor commented that the notification he receives that he is an unsuccessful offeror typically offers the opportunity for a debriefing.

b. Question to AMC

My organization offers to debrief all unsuccessful offerors, even those that don't request a debriefing.

- a. always
- b. sometimes
- c. never

1. Discussion

Thirty one (31) contracting officers answered this question. Fifty two (52) percent responded that they always offer to debrief all unsuccessful offerors. Thirteen (13) percent stated that they sometimes offer to debrief those offerors who don't ask for a debriefing and 35% answered they never offer to debrief offerors that don't ask for a debriefing. Several comments were given for this question. Six contracting officers stated that they never offer a debriefing but only honor requests. One official commented that at the major system level debriefings are normally pre-scheduled for all offerors. Another contracting officer commented he offers the debrief in the RFP but otherwise it is not mentioned. Finally, one official responded that he offers a debriefing in the letter notifying the contractor that he didn't win the contract award.

c. Analysis

The answers between the two groups surveyed vary. The percentage of contracting officers who say they offer debriefings to all unsuccessful offerors, even those that don't ask for one, is higher than the percentage of unsuccessful offerors who say the same thing. The key here is that offering debriefings to all unsuccessful offerors is not happening. The regulations do not require AMC to offer debriefings to anyone. It only states that debriefings will be given to those unsuccessful offerors that ask for one in writing. However, if debriefings are not offered there may be offerors who do not know they exist or that they can get one for the particular procurement they submitted a proposal for.

22. **Question 22** This question was designed around the specific language of H.R. 3161. The intent was to determine which points of the resolution unsuccessful offerors and contracting officers like and to determine how open each of the two groups are to liberalizing what can be discussed at debriefings. Both surveys asked for the respondents to circle all answers they agreed with.

a. Question to unsuccessful offerors

Debriefings should address (circle all that apply) _____, as long as confidential business information is not disclosed.

a. the basic proposed technical solution of the awardee

- b. the overall evaluated cost of the awardee and debriefed offeror
- c. cost or price associated with the major components of the awardee's proposal
- d. overall ranking and total evaluation scores of the awardee and debriefed offeror
- e. technical point scores of the awardee and debriefed offeror
- f. none of the above
- g. other_____

1. Discussion

The unsuccessful offerors showed overwhelming support for answers a through e. They felt that all the changes proposed by H.R. 3161 were good ideas. Eighty three (83) percent of the offerors stated that debriefings should address the basic proposed technical solution of the awardee. Seventy nine (79) percent of the officials said debriefings should cover the overall evaluated cost of the awardee and debriefed offeror. Seventy six (76) percent of the contractors responded that the cost or price associated with the major components of the awardee's proposal should be addressed in debriefings. Ninety (90) percent of the unsuccessful offerors stated that the overall ranking and total evaluation scores of the awardee and debriefed offeror should be covered. Eighty six (86) percent of the contractors said debriefings should contain the technical point scores of the awardee and debriefed offeror. Two (2) percent of the offerors stated that debriefings should contain none of the above. Several comments were submitted with these answers.

Three unsuccessful offerors stated that as much information as can be disclosed without violating proprietary rights should be given out. Another contractor responded that a narrative evaluation of the debriefed offeror's proposal should be given in addition to the other answers. One offeror said that the basic rationale for selection of the winning proposal should be given. Lastly, one contractor stated that more comparative information should be given out.

b. Question to AMC

Debriefings should address (circle all that apply)____, as long as confidential business information is not disclosed.

- a. the basic proposed technical solution of the awardee
- b. the overall evaluated cost of the awardee and debriefed offeror
- c. cost or price associated with the major components of the awardee's proposal
- d. overall ranking and total evaluation scores of the awardee and debriefed offeror
- e. technical point scores of the awardee and debriefed offeror
- f. none of the above
- g. other_____

1. Discussion

Contracting officers didn't show much support for including the information in these answers in debriefings. Thirteen (13) percent of the contracting officers stated that debriefings should address the basic proposed technical solution of the awardee. Forty one (41) percent of the officials said the overall evaluated cost of the awardee and

debriefed offeror should be included. The cost or price associated with the major components of the awardee's proposal should be covered by the debriefing according to 6% of the contracting officers. Twenty two (22) percent of these officials said that the overall ranking and total evaluation scores of the awardee and debriefed offeror should be covered in debriefings. Technical point scores of the awardee and debriefed offeror should be covered in debriefings according to 3% of the contracting officers surveyed. Twenty eight (28) percent of the contracting officers responded that none of the above should be covered. Sixteen (16) percent of the contracting officers stated that debriefings should contain other items. All but one of these other answers stated in general terms that only the offeror's proposal should be covered and that weak and deficient areas should be addressed. In other words these officials restated what the FAR requires. The other item listed was that the basis for why the award was given to the winner should be discussed. Two different comments were included with the answers. Two contracting officers said that information regarding the winner's proposal should be given only in general terms. Another contracting officer stated that he generally gives factor ratings and evaluated cost for the winning proposal and factor, sub-factor ratings and evaluated cost for the offeror's proposal.

c. Analysis

The unsuccessful offerors showed strong support for debriefings to include all the items that H.R. 3161 proposed. Contracting officers, on the other hand, were much more conservative and only one of the proposed items received higher than a 22% support of the contracting officers. This item was revealing the overall evaluated cost for the offeror's and winner's proposals. Almost one third of the contracting officers stated that none of the answers should be addressed in debriefings. The answers given to this question show that unsuccessful offerors would like debriefings to include more specific information. Additionally this question shows the conservative nature of contracting officers with regard to debriefing. Contracting officers didn't show strong support for any of these proposed additions to what should be covered in debriefings.

23. Question 23 The intent of this question is to determine if when a debriefing is conducted has any impact on if an unsuccessful offeror will protest the contract award.

a. Question to unsuccessful offerors

The sooner I'm debriefed the less likely I am to protest.

- a. always
- b. sometimes
- c. never

1. Discussion

Forty one (41) unsuccessful offerors answered this question. Twelve (12) percent answered it is always true that the sooner they are debriefed the less likely they are to protest. Fifty one (51) percent stated that sometimes the sooner they are debriefed the less likely they are to protest. Fifteen (15) percent of the offerors stated that this is never the case. Twenty two (22) percent didn't answer one of the possible answers but commented the question was not applicable to them. This may mean they never protest or that the timeliness of a debriefing doesn't impact on their decision to protest. One offeror commented that the quality of the debriefing and not the time when it is given is the determining factor if a protest will be filed. Three offerors stated they never protest.

b. Question to AMC

The sooner a debriefing is conducted, the more likely it is to prevent a protest.

- a. always
- b. sometimes
- c. never

1. Discussion

Twenty eight (28) contracting officers answered this question. Thirty two (32) percent stated that the sooner a debriefing is conducted the more likely it is to prevent a protest. Fifty seven (57) percent said that this is

sometimes the case and 10% responded that this is never the case. Several comments were submitted with the answers. Four contracting officers commented that they don't think when a debriefing is done influences if an unsuccessful offeror will protest. Another contracting officer stated that the unsuccessful offeror only has 10 days to file a protest to stop the procurement action.

c. Analysis

Many unsuccessful offerors and contracting officers say that the sooner a debriefing is conducted the less likely the unsuccessful offeror is to protest. This should certainly be true for debriefings that are done within the window authorized for the unsuccessful offeror to submit a protest. A competent debriefing conducted within this window that shows the source selection process was proper and fair should yield few if any protests. A debrief conducted after the 10 day protest window may initiate a protest because the offeror may have questions concerning the fairness of the source selection process but doesn't have the information that the debriefing would provide that shows the selection process was proper.

24. **Question 24** The intent of this question is to determine what the strengths of the Army debriefing process are. This question is valuable because the set up and content

of a debriefing are very dependent on which command the debriefing is done in and which contracting officer conducts the debriefing. Debriefings in each command can be improved by incorporating the strengths from the other commands.

a. Question to unsuccessful offerors

List 3 strengths of the Army debriefing process.

1. Discussion

Twenty six (26) of the 42 unsuccessful offerors who returned surveys answered this question. Many strengths of the debriefing process were identified. The major themes from these strengths are listed below. The number of unsuccessful offerors that identified each area as a strength are annotated in parenthesis.

- Contracting officers offer to debrief unsuccessful offerors (2).
- There are no restrictions on who may attend (2).
- The debriefings are done in a timely manner (8).
- The evaluators are normally at the debriefing and they debrief their part or are available to answer questions (4).
- Debriefings are well organized and generally follow the RFP outline (2).
- Debriefings allow for interaction between the two parties and both sides get to know each other (2).
- Personnel who debrief are always prepared, many times with a script (2).

- Debriefings isolate major shortcomings and weaknesses in each area evaluated (4).
- Strengths of our proposal are identified along with our weaknesses (2).
- If the debriefing is conducted properly it will help improve the competitiveness of future proposals (1).
- Debriefings are thorough (2).

b. Question to AMC

List 3 strengths of the Army debriefing process.

1. Discussion

Twenty one (21) contracting officers answered this question. Many strengths of the debriefing process were identified by the contracting officers. The major themes from these strengths follow:

- Debriefings provide an opportunity for contracting officers to give information to unsuccessful offerors that will strengthen their future proposals (8).
- Debriefings are given in a timely manner (4).
- Debriefings show the fairness and integrity of the source selection process (6).
- Debriefings add accountability to the evaluation process (1).
- Debriefings answer all questions relative to the offeror's proposal (1).
- Debriefings reveal the strengths and weaknesses of the offeror's proposal (5).
- Debriefings give a lot of details to the unsuccessful offeror regarding the evaluation of his proposal (4).

- Contracting officers are willing to discuss all issues pertinent to the evaluation of the proposal (1).
- Debriefings explain the basis for the award (1).

c. Analysis

The survey results show that unsuccessful offerors and contracting officers believe there are many strengths to the debriefing process. All the items given as strengths should benefit the debriefing process. The majority of the strengths listed were mentioned by four or fewer survey participants. This could indicate that debriefings are conducted somewhat differently by different commands and contracting officers and that the parties involved in the debriefing process have differences of opinion concerning what is important to the debriefing process.

25. Question 25 This question was designed to identify the weaknesses of the debriefing process. Once these weaknesses are identified steps can be taken to correct these problems. This will improve the debriefing process.

a. Question to unsuccessful offerors

List 3 weaknesses of the Army debriefing process

1. Discussion

Thirty (30) unsuccessful offerors answered this question. Many weaknesses were listed. The major themes of the weaknesses follow:

- Debriefings are not done in a timely manner (5).
- Debriefings do not provide enough details (9).
- Personnel who debrief are very cautious in what they say (4).
- Limited information is given out due to the restrictions imposed by the regulations (6).
- Debriefings offer very little information useful for future proposals (3).
- No information is given on the awardee's proposal (3).
- The main players in the source selection are sometimes not in attendance (2).

b. Question to AMC

List 3 weaknesses of the Army debriefing process.

1. Discussion

Seventeen (17) contracting officers answered this question. They stated there were many weaknesses in the debriefing process. The major weaknesses they indicated follow:

- Comparisons of proposals must be done to make the debriefing meaningful (3).
- There are limits on the release of information due to the regulations (2).
- Debriefing can't cover any aspects of the winner's proposal except his total price (2).
- Fear of protests causes contracting officers to control what is said in the debrief. Sometimes the debrief is even scripted (3).

- Key players in the source selection process are sometimes not available for the debriefing (1).
- Often more is revealed in a debriefing than is required (1).

c. Analysis

The research shows there are several weaknesses to the debriefing process. Every one of the items identified as a weakness should have an adverse impact on the debriefing process. All but two of the weaknesses given involved the lack of information given out in debriefings. This indicates that a major deficiency with the debriefing process is the lack of information released to unsuccessful offerors.

26. Question 26

a. Question to unsuccessful offerors The intent of this question is to determine if unsuccessful offerors ask a core set of similar questions at debriefings. If they do, contracting officers can prepare for these questions and unsuccessful offerors may then get better answers to these common questions.

The 3 most common questions I ask during a debriefing are _____.

1. Discussion

Thirty three (33) unsuccessful offerors answered this question. A total of 74 questions were given. Many respondents listed only one or two questions for their

answer. Questions that were listed at least three times are considered common questions. The following nine questions appeared at least three times.

- What was the evaluation of our technical approach (12)?
- What are the weaknesses in our proposal (8)?
- What was the evaluation of our cost (8)?
- What was the winner's proposal and evaluation of that proposal (6)?
- How did we compare with the awardee (5)?
- What are the strengths of our proposal (4)?
- How did the evaluators judge our risk (3)?
- What was our overall ranking (3)?
- What should have I done to have won this competition (3)?

2. Analysis

There are many similar questions that are asked by unsuccessful offerors during debriefings. One of these questions cannot be answered according to the guidance in the AFARS and another question can only be answered in a very general nature in accordance with the FAR. The AFARS states that comparisons will not be made between proposals [1: p.10-3]. Therefore unsuccessful offerors will not get an answer to their question of how did they compare to the winner unless the contracting officer deviates from the AFARS guidance. The FAR states that debriefings will not reveal the

relative merits or information covered by the Freedom of Information Act on competitors proposals [7: p.15-41]. This will severely limit what can be discussed in response to the question what was the winner's proposal and evaluation of that proposal. The other questions can be thoroughly answered by debriefing personnel. Contracting officers that are prepared to answer these questions will give better answers to these questions than those who are not ready to answer them.

c. **Question to AMC** This question was designed to determine if AMC MSC's have internal instructions that give guidance to contracting officers on debriefing unsuccessful offerors.

My organization has internal instructions covering debriefing procedures.

- a. yes
- b. no

1. Discussion

Thirty one (31) contracting officers answered this question. Forty five (45) percent stated that their organization has internal instructions covering debriefing procedures. Fifty five (55) percent of the contracting officers responded their command doesn't have internal instructions on debriefing procedures.

2. Analysis

Results of this question show that not all commands have guidance for debriefing unsuccessful offerors. Lack of any clear guidance as to what may be covered in a debriefing and what may not can cause contracting officers to take a very conservative view of the general guidance in the FAR and AFARS. Follow up telephone calls to the five MSC's surveyed revealed that three MSC's have written guidance concerning debriefings. Only one of these has any specific guidelines. This MSC's internal instructions has several recommendations for what should be covered in a debriefing. It states that the contractor officer should consider the following items in the debriefing: a general explanation of the source selection organization, the basis for the award, the ratings the offeror's proposal received on all the factors and sub-factors, an explanation of why each rating was given, the advantages and disadvantages of the proposal, and a brief explanation of why the successful offeror won. The explanation of why the winner won could include showing the winner's ratings for each factor and sub-factor without any detailed explanation of each rating. This guidance adds some structure to the debriefing process. It also provides some framework for what can be discussed about the winner's proposal evaluation. This can add valuable information to the

debriefing, as the unsuccessful offeror can see where his proposal stood in relation to the winner's in terms of the overall rating for each area. The guidance this MSC's internal instructions provide allow contracting officers who have interpreted the FAR and AFARS conservatively to give information that they may not have given absent this guidance.

27. Question 27 The intent of this question was to have both the unsuccessful offerors and contracting officers offer their ideas on things the Army could do to improve the debriefing process.

a. Question to unsuccessful offerors

The Army could improve the debriefing process by_____.

1. Discussion

Twenty eight (28) unsuccessful offerors answered this question. Many proposals were provided to improve the debriefing process. The major themes of these proposals follow:

- Allow some comparisons with the winning proposal (7).
- Improve evaluation process so that the people debriefing can give an honest and detailed debriefing (5).
- Be more specific when discussing deficiencies (4).
- Provide more information on winning proposal (4).
- Approach process in a more positive way (3).
- Provide read ahead packets (2).

- Debriefings should be done in a more timely manner (2).
- Discuss strengths as well as weaknesses (2).
- Allow contractors to submit questions before debriefing so answers can be better researched (1).
- Reveal how unsuccessful offeror ranked in all areas (1).
- Provide rating and risk assessment for each evaluated area for both the unsuccessful offeror's and winner's proposal (1).
- Release SSA decision document (1).

b. Question to AMC

I/The Army could improve the debriefing process by

1. Discussion

Twenty two (22) contracting officers answered the question. Many answers were given. The major themes for improving the debriefing process follow:

- Issue some direction other than what is in the FAR (4).
- Write solicitations and evaluation criteria as precise as possible to make evaluations and subsequent debriefings easier (2).
- Ask for questions in advance (1).
- Give unsuccessful offerors their evaluation ratings (1).
- Establish guidelines for consistency of releasable information (1).
- Allow comparisons between unsuccessful offeror's proposal and winning proposal (2).

- Give unsuccessful offerors debriefing charts in advance of the debriefing (1).
- Provide maximum information allowed (3).
- Contracting officers should be more open and honest (1).
- Give unsuccessful offerors source selection decision memorandum (1).
- Hold debriefings later than they are now held (2).

c. Analysis

The results of the research show there are many ways that contracting officers and AMC could improve the debriefing process. Several of the recommended ways to improve debriefings were mentioned by both unsuccessful offerors and AMC officials. These areas were allowing some comparisons with the winning proposal, give out debriefing packets and do so before the debriefing, provide offerors with their ratings for the evaluated areas, provide as much information as possible, and releasing the source selection decision document. One recommendation that the two survey groups disagreed on was when to conduct debriefings. Contractors stated that the debriefing process could be improved by holding debriefings in a more timely manner while AMC officials said to improve the debriefings they should be held later than they are now held.

28. **Question 28.** This question was designed to get recommendations from unsuccessful offerors and contracting officers of how unsuccessful offerors could improve the debriefing process.

a. Question to unsuccessful offerors

I/unsuccessful offerors could improve the debriefing process by _____.

1. Discussion

Twenty four (24) unsuccessful offerors answered this question. The major themes of their proposals follow:

- Submit questions before the debriefing (7).
- Have the right personnel there (3).
- Approach the debriefing with a positive attitude (5).
- Limit protests to procurements that show a clear impropriety or prejudice (2).
- Ask as many questions as needed but ensure they are relevant and appropriate (6).

b. Question to AMC

Unsuccessful offerors could improve the debriefing process by _____.

1. Discussion

Twenty one (21) contracting officers answered the question. Several themes were given as possible ways to improve the system:

- Accept source selection and don't protest unless impartiality is displayed (3).
- Be receptive rather than defensive (2).
- Don't challenge the source selection decision (3).
- Personnel in attendance should have a good understanding of evaluation factors and proposal (2).
- Unsuccessful offerors should ask questions in advance (2).
- Unsuccessful offerors should ensure their decision makers for technical and cost areas are in attendance (3).
- Unsuccessful offerors should be familiar with regulatory restrictions concerning debriefings (1).
- Unsuccessful offerors should not be so emotional (2).

c. Analysis

The results of the survey indicate there are several ways that unsuccessful offerors could improve the debriefing process. Four of these recommendations were made by both groups of respondents. They are: submit questions before the debriefing, have the right personnel attend the debriefing, approach the debriefing with the right frame of mind, and limit protests to procurements that show a clear impropriety or unfairness in the source selection process. Two of these recommendations could be difficult for all contractors to execute. Approaching a debriefing with the right frame of mind by being receptive rather than defensive and accepting, not challenging the source selection can be

hard to do. It is natural for a contractor to be defensive when his proposal was not selected as the winning proposal and then attend a debriefing where someone tells him all the things that were wrong with the proposal. It is also natural for contractors to think they submitted the best proposal and the only way they could have lost was if the source selection team somehow made a mistake.

C. INTERVIEWS

1. General

Interviews were done with defense contractors and contracting officers as a follow up to the surveys. The interviews were done with three defense contractors to get their opinions on how the debriefing process could be improved. These interview participants included a large hardware company, a large services company and a small hardware company. The intent of the interviews was to have a discussion and ask questions to illicit responses on how to improve the debriefing process that may have been missed by the survey participants. Contracting officers from three MSC's within AMC were then interviewed to get their opinions on the feasibility of implementing the major suggested changes to the debriefing process.

2. Interview Results

The three defense contractors suggested a total of 19 changes to the current debriefing process that they felt would improve debriefings. All but four of these changes were identified by the survey participants. The contracting officers that were interviewed believe 14 of these recommendations could be implemented.

Recommendations which were identified in both the surveys and interviews that would improve the debriefing process are:

- Debriefings should be done in a timely manner.
- AMC MSC's should not place any limits on the employees that may attend the debriefing from the unsuccessful offerors.
- Contracting officers should debrief in an outline similar to the RFP.
- Contracting officers should give unsuccessful offerors a debriefing packet and do so before the debrief if possible.
- Unsuccessful offerors should submit questions in advance of the debriefing.
- SSEB members and any other evaluators should be in attendance at the debriefing to participate in the debrief and answer questions.
- Debriefings should cover both the strengths and weaknesses of the offeror's proposal.
- Debriefings should cover the ratings of the evaluated areas for both the offeror's and winner's proposals.

- Narrative comments should cover all evaluated areas and be specific.
- General details of the winner's proposal evaluation should be discussed.
- Some comparisons between unsuccessful offeror's and winner's proposals should be revealed.
- Contracting officers should discuss the basis for the award decision.
- Some of the restrictions that the regulations stipulate concerning what shouldn't be revealed in debriefings should be lifted.
- Specific guidance on what should and shouldn't be covered in debriefings should be developed.
- The SSA decision document should be released to unsuccessful offerors.

Contracting officers believe that several of these recommendations are not feasible. They believe that handouts should be given out to the unsuccessful offerors. This will allow the offerors to listen more closely to the debrief rather than trying to write down what they hear and see. However it would be difficult to give these handouts to the unsuccessful offerors before the debriefing if the debriefings are conducted soon after the contract award. Some time is needed to prepare handouts for all the unsuccessful offerors and there would not be enough time to prepare all these handouts far enough in advance to send them to the offerors [22].

Next, contracting officers believe that ratings for the winner's proposal should not be given out in the debriefing [21]. They feel that discussing the winner's ratings would provide too much information on the winner's proposal.

Providing the general details of the winner's proposal evaluation to the unsuccessful offeror's is inappropriate according to contracting officers [22]. Some details on the winner's cost or price can be released but this is the only information that should be released. Contracting officers further stated that if unsuccessful offeror's want any additional information on the winner's proposal they should request it under the Freedom of Information Act [21].

Finally, contracting officers interviewed believe that specific guidance on what should and shouldn't be covered in debriefings should not be developed. They feel they have the latitude to work within the spirit of the regulations to tailor debriefings as needed depending on the situation [21].

The remaining four recommendations were identified in the interviews only. The first of these recommendations is that debriefings should be offered to all unsuccessful offerors [14]. Offering a debriefing shows courtesy to the unsuccessful offeror. The contractor spent precious resources on the proposal and offering to debrief him shows the

contracting command appreciates the offeror's attempt to do business with the command. Additionally the offer to debrief all offerors shows the contractors that the contracting officer has nothing to hide and that the source selection was done properly. Finally, offering a debriefing to all unsuccessful offerors will ensure that those contractors who are unaware that they are entitled to a debriefing know they can receive one. There is nothing that prevents contracting officers from offering to debrief all unsuccessful offerors and some contracting officers already do this [21].

Debriefing all evaluated areas would also improve the debriefing process [13]. A debriefing that covers all evaluated areas allows the unsuccessful offeror to understand where his proposal stood in relation to all evaluation criteria. This type of debriefing would be superior to one where the offeror was only debriefed in certain areas that he was particularly weak in, as covering all areas would provide a broader base of information about the entire proposal.

Another defense contractor stated that not only should each evaluated area in the debrief be discussed but the sub-factors in each area should be briefed [13]. Debriefings that address each sub-factor area should be much more informative than debriefings that address only evaluation factors or general areas. Offerors would get an understanding of how

their proposal stood up to the evaluation criteria on a much more specific basis.

Revealing the rankings for each evaluated area for both the unsuccessful offeror's and winner's proposals would also improve the debriefing process [14]. This would allow contractors to see where they stood in relation to the other offerors and the winner. This information cannot be released for technical areas, however, according to the FAR [7: p.15-41]. Additionally giving out this information for other areas could be considered making point by point comparisons, which the AFARS prohibits. Revealing the rankings for the unsuccessful offeror's and winner's evaluated areas would be inappropriate according to contracting officers. Contracting officers stated this would be providing point by point comparisons which is prohibited by the AFARS [22].

D. SUMMARY

1. Debriefings within AMC

The results of the survey provide an overview of what a debriefing is like within AMC. However, as the survey results show no two debriefings are exactly the same. There are too many variables that can be changed to effect the debriefing process. These variables include things such as who the contracting officer is, the size and type of

procurement, the number and complexity of evaluation criteria used, the detail of the evaluation, the experience of the personnel involved, and the concerns and questions of the unsuccessful offerors. This section summarizes the answers to the survey which show what a generic debriefing of an unsuccessful offeror is within AMC. It will discuss when and where done, who attends, and what is discussed. Because no two debriefings are the same, debriefings within AMC may vary somewhat from the following baseline description.

Debriefings must be conducted for those unsuccessful offerors that request a debriefing in writing. This is in accordance with the FAR. The number of unsuccessful offerors that request a debriefing is generally quite high. More than two thirds request a debriefing with this number being even higher for major acquisitions or best value type procurements. In addition, many contracting officers offer to debrief the unsuccessful offerors even if the offeror does not ask for a debriefing. This is not required by any regulation but is done out of courtesy for the unsuccessful offerors. Many contractors will accept this offer of a debrief. This increases the percentage of contractors being debriefed to a number higher than those that would have been debriefed from a contractor initiated request.

Two regulations provide guidance on when debriefings will be conducted. The FAR states that offerors will be debriefed as soon as possible after their request. AMC P 715-3 Vol. 1 states that debriefings will be held after contract award [2: p.51]. Contracting officers hold debriefings as soon as possible after their request. Contracting officers report this is usually within ten days of the request. Unsuccessful offerors dispute this and report that as the majority say debriefings are held between 11 and 20 days of request.

There is no written guidance on where debriefings are to be held. However, most debriefings are in person and it is standard practice that debriefings are held at the contracting officer's command. If the contractor wants to attend a debriefing it is incumbent on him to travel to the contracting officer's location. Sometimes a telephone debriefing may be conducted but this is done only at the unsuccessful offeror's direction. Debriefing by phone is normally done when the contract is small or the debriefing is easily understandable by phone. In these cases it is not cost effective for a contractor to pay travel costs to attend an in person debriefing.

The number of people who attend the debriefing is dependent on the size and complexity of the procurement. For

large or complex procurements representatives of AMC may include the source selection evaluation board chairman, the factor chairmen, the contracting officer, contracting specialist, and a legal representative. Any other special support personnel are added as needed. Representatives from the unsuccessful firm that may attend a debriefing for large or complex procurements may include the vice president, program manager, proposal manager, and contracts manager. For smaller or less complex procurements there would generally be fewer personnel from each side participating. This could go all the way done to a one on one situation where the contracting officer debriefs a contracting official from the unsuccessful firm.

The debriefing may be conducted by the contracting official alone or he may be joined by other personnel, especially for large procurements. For these large procurement debriefings the contracting officer is responsible for the set up and organization of the debriefing. He or the source selection evaluation board chairman is usually the official that conducts the introduction and general portions of the debriefing. The source selection evaluation board factor chairmen or representatives will conduct a debrief on their portion of the source selection and answer any related questions.

The information that is given out in the debriefing is the most important aspect of the debriefing. Obtaining this information is, of course, why the unsuccessful offerors ask for the debriefing. They generally look for as much information as they can get to understand why they didn't win the contract award. Most AMC officials say they debrief in accordance with the RFP, although the high percentage that say they do is disputed by the unsuccessful offerors. The debriefing will address the technical, management and cost merits of the proposal and in most cases identify weaknesses in the offeror's proposal. Debriefing officials may sometimes discuss the winner's proposal, but only in very general terms. Details of the winning proposal are not disclosed nor are comparisons made between the offeror's proposal and other offerors' proposals, to include the winner's proposal. In addition, proprietary business data from other offerors is never discussed.

The unsuccessful offeror is permitted to ask questions at the debriefing. Questions pertaining to the offeror's proposal are answered, although detailed or difficult questions may result in an answer being provided sometime after the conclusion of the debriefing. Questions pertaining to another offeror's proposal are normally not answered. They may be answered if they are of only a very general nature,

result in no point by point comparisons and don't involve proprietary business information.

2. Major Items Identified To Improve Debriefing Process

The research shows there are many areas of the debriefing process that can be improved. Many areas for improvement have been mentioned several times by the respondents throughout the research effort. These areas are summarized here.

- Debriefings should be conducted in a timely manner.
- No limits should be placed on who the unsuccessful offerors send to debriefings.
- Contracting officers should debrief in an outline similar to the RFP.
- Debriefing packets should be provided to unsuccessful offerors and the packets should be given to them before the debriefing if possible.
- Unsuccessful offerors should submit questions before the debriefing is conducted.
- SSEB members and other evaluators should be available to participate in the debriefing.
- The strengths as well as the weaknesses of the offeror's proposal should be covered in debriefings.
- The ratings of the offeror's and winner's proposal evaluations should be disclosed.
- Narrative comments should be specific and be given for all evaluated areas.
- General comments on the winner's proposal evaluation should be discussed.

- Some comparisons should be made between the winner's and unsuccessful offeror's proposals.
- The basis for the award decision should be revealed.
- Some regulatory restrictions should be lifted.
- Specific guidance should be developed which covers what should and shouldn't be discussed in debriefings.
- Contracting officers should release the source selection decision document to unsuccessful offerors.
- Contracting officers should offer to debrief all unsuccessful offerors.
- Contracting officers should debrief all evaluated areas.
- Debriefings should be done down to the sub-factor level.
- Contracting officers should discuss the evaluation rankings for the unsuccessful offeror and winner.

E. SUMMARY

This chapter presented and analyzed the data obtained from the surveys and interviews conducted. The research showed there is no standard debriefing process but debriefings are dependent on several factors. The research also showed that there are many ways the debriefing process can be improved. Chapter V will present conclusions, make recommendations to improve the debriefing process, answer the research questions and make recommendations for further research.

V. CONCLUSIONS AND RECOMMENDATIONS

A. GENERAL

There are several conclusions that can be made on the current debriefing process based on the discussion and analysis of the research done. Many recommendations can be made to improve the current debriefing process. This chapter will address the conclusions and recommendations on the debriefing process, answer the research questions and point out areas for further research.

B. CONCLUSIONS

There are three conclusions that can be made based on the research done.

1. Debriefings are not standard

The survey data shows that debriefings within AMC, although somewhat similar, are not standard. Rather debriefings are directly influenced by a variety of factors. The main factors include the command and contracting officer conducting the debriefing, and the size and type of procurement.

2. Current debriefing process is working

The current debriefing process is working. The research shows that respondents get some value out of conducting and attending debriefings. However, the respondents feel that the current debriefing process is not working as well as it could and improvements could be made to the debriefing process.

3. Improvements can be made to the current process

The research shows that there are many changes that can be made to the current debriefing process that can improve debriefings. Changes can be made by both unsuccessful offerors and contracting officers to improve the process. These changes can be made to the set up and format of the debriefings and also the debriefing content.

C. RECOMMENDATIONS

There are 13 recommendations that can be made based on the research done.

1. Offer debriefings to all unsuccessful offerors

Contracting officers should offer debriefings to all unsuccessful offerors. At the point in the procurement process where the debriefing takes place the contracting officer is providing a service to the unsuccessful offerors. To provide this service to the maximum number of contractors

it would be best to offer debriefings to all unsuccessful offerors. The regulations do not require AMC to offer debriefings to anyone. They only state that debriefings must be given to those offerors that request a debriefing in writing. However offering debriefings to all unsuccessful offerors will ensure that contractors unaware of their chance to be debriefed or contractors who are unsure if they can get a debriefing in certain procurements, know they may be debriefed. Additionally, offering to debrief unsuccessful offerors shows courtesy for the efforts of all contractors attempting to win the contract award. Offering debriefings also shows that the contracting command has nothing to hide and that the source selection was done rationally and in accordance with the RFP.

2. Debriefings should be timely

Debriefings should be done in a timely manner. The results of the research show that 50% of all respondents believe debriefings should be done within 10 days after contract award. Therefore a timely debriefing can be considered one that is done within 10 days after contract award. Timely debriefings offer several benefits. First there is a better chance that SSEB members and other evaluators who can enhance the quality of the debriefing will be able to participate in the debriefing. The longer the time

period between the contract award and the debriefing the more likely it is that these personnel will have gone on to other business and thus not be available for the debriefing. Additionally, contractor personnel can get on with other business quicker when the debriefing is done in a timely manner. Debriefings that are done quickly can also boost the confidence that unsuccessful offerors have in the source selection process. By providing timely debriefings AMC officials show that they are organized, professional, and can debrief from the source selection evaluation documentation without needing extra time to prepare additional data to justify the contract award or proposal evaluation. Conducting debriefings as soon as possible and possibly even pre-scheduling them indicates that AMC officials believe debriefings are an important part of the source selection process and not just a necessary evil. Timely debriefings may also reduce the number of protests that are filed. A competent debriefing done within the 10 day protest window after contract award should show the contractor that his proposal received a fair evaluation and that the source selection decision was proper. A debriefing that is not done until after this window closes may prompt a protest before the protest window closes if the contractor has any doubts about the fairness of the selection decision. A source selection

that is protested is harder to debrief and provides less information than one that is not protested as the personnel doing the debriefing would be much more conservative with regard to what information they release.

3. Place no limits on who may attend debriefings

Contracting commands should not place any limits on who the unsuccessful offerors may send to debriefings. The unsuccessful offeror is in the best position to determine who he needs to send to the debriefing to get the information he desires. Placing limits on the number of personnel or type of employees he may send can have an adverse impact on what the contractor extracts from the debriefing. Placing limits on who can attend can also invite unwarranted conclusions from the unsuccessful offeror. He may feel that the contracting command is trying to hide something by limiting who may attend or he may feel that he would have gotten more from the debriefing if he could have sent all the personnel he wanted to send. AMC officials need to keep the debriefing process as credible as possible and allowing contractors to send who they want to send to the debriefing helps in this regard. Thus, AMC personnel should fight to overcome any obstacles that may place limitations on who unsuccessful offerors may send to debriefings.

4. Give contractors debriefing packets

Contracting officers should give unsuccessful offerors debriefing packets and provide them before the debriefing if possible. Debriefing packets would improve the debriefing in several ways. First, contractors could shift their attention from the distracting task of copying charts and slides and taking notes to listening to the content of the debriefing and taking a few notes. Additionally, the unsuccessful offeror's contracting officials will have an official record of the debriefing from which they can, in turn, debrief their superiors. They can also use it to refer to later if questions arise concerning the debriefing. Next, if the debriefing packet is given to the contractor before the debriefing it would allow the contractor to prepare for the debriefing. They could study the advance material and tailor their interest and questions to areas they don't understand or agree with. Contractors could also tailor who they send to the debriefing based on the advance material they get.

5. Evaluators should participate in debriefings

The SSEB members and any other evaluators should participate in the debriefings. They have the expertise and intimate knowledge of the proposal evaluation to best debrief or answer questions in their respective evaluation areas. Debriefings can be much more informative when evaluators are

available to participate in the debriefing. Since contracting officers do not have the same level of expertise or knowledge about the proposal evaluation, debriefings done solely by the contracting officer tend to be dry and uninformative and in many cases scripted. Additionally, the contracting officer would be hard pressed to give any data other than what is in the script as he would not have the capability to provide any more information. Therefore in an attempt to give as much information as possible to the unsuccessful offeror it is best to have the evaluation team available to participate in the debriefing.

6. Submit questions before debriefings

Unsuccessful offerors should submit questions before the debriefings are conducted. This will allow contracting officers to properly research these questions, prepare satisfactory answers and present these answers in the debriefing. This will reduce the problem of asking a question during the debriefing and not getting an adequate answer because there was not enough time to gather the necessary information and prepare the answer.

7. Brief in an outline similar to RFP

The debriefing should be done in an outline similar to the RFP. Interview results show that a debriefing done in an outline similar to the RFP is easier to follow. The

contractor can go right down the RFP and his proposal as it is debriefed and follow the debriefing rather than flipping pages trying to stay with a debriefing that skips around. Additionally, according to one contracting officer, using an outline similar to the RFP makes it easier for the contracting officer to put together and format the debriefing while ensuring all relevant areas are covered.

8. Cover strengths and weaknesses

Debriefings should cover the strengths as well as the weaknesses of the offeror's proposal. Not only is it important to discuss where the unsuccessful offeror's weaknesses are in their proposal but it is also important to discuss their strengths. Revealing the offeror's strengths will let the contractor know where the contracting command believes the offeror is particularly strong. This will allow the contractor to not waste resources by making unnecessary modifications to his strengths and to capitalize on these strengths in future proposals.

9. Give the offeror his ratings

Contracting officers should give the unsuccessful offerors their ratings for each of the evaluated areas. The ratings, combined with good narrative comments, will give offerors a better understanding of how their proposal stood up to the evaluation compared to a debriefing where just comments

are given out. As an example an evaluated area that has three positive comments and one negative comment with a rating of outstanding would indicate that the offeror was strong in that area. The same comments with no rating would leave the offeror with a question of how strong his proposal was in that area.

10. Debriefing should cover all evaluated areas

The debriefing should cover all evaluated areas. Unsuccessful offerors should receive a better briefing if all evaluated areas are covered in the debriefing. The contracting officer and others who debrief are familiar with all evaluated areas and have the evaluation comments at their disposal. They should pass on their evaluation remarks for all areas. Telling an unsuccessful offeror that he was satisfactory in an area and then following up with any comments noted from the evaluation is more informative than bypassing satisfactory areas and leaving it up to the contractor to guess how he did in the bypassed areas.

11. Debrief down to sub-factor level

Not only should personnel conducting the debriefing brief each evaluated area but they should brief down to the sub-factor level. In order to be specific enough for the remarks to be helpful and informative the debriefing should go to this level. A common complaint from the unsuccessful

offerors is that debriefings are too generic in nature. Briefing down to the sub-factor level with good narrative comments will help alleviate this problem.

12. Use the latitude authorized to deviate from AFARS when in best interests of parties involved

Contracting officers should use the latitude they have to deviate from the strict guidance of the AFARS when it is in the best interests of AMC to do so. A conservative interpretation of the AFARS is that no information should be given out on any competitor's proposal or evaluation of their proposals and that no comparisons will be made between proposals. The research has shown that the authors of the AFARS intended to allow contracting commands to deviate from the guidance of the AFARS when it made sense to do so. Additionally, several commands routinely deviate from this guidance to get as much information to the unsuccessful offerors as they can. This includes giving out general details of the winner's proposal and the evaluation done on it and making some general comparisons between the winner's and unsuccessful offeror's proposals. This additional information will help the unsuccessful offerors understand how their proposal stood up in a general nature to the winner's proposal.

13. Release the SSA decision document

Contracting officers should release the SSA decision document to unsuccessful offerors during the debriefing. Research has shown that releasing this document to unsuccessful offerors provides contractors with information they clearly want and is useful to them. It has also shown to add credibility to the source selection process in the eyes of the contractors. The document must be scrubbed to ensure any confidential business data is deleted and that any items expressly prohibited by the FAR are not included in the document that is released. This document should show the basis for the award decision. Items that could be released in this document include the ratings for each area for the winner's and offeror's proposals, some general comparisons and why the decision was made. Comments such as the following would be useful: Company A's proposal was good but not as advantageous to the Army as company B's proposal. Company B was slightly better than company A in the technical area. Company A was better in the area of past performance. Company B was slightly better in the management area than company A. Company B's advantages in the technical area and management more than offset company A's advantage in past performance therefore company B was chosen for the contract award.

D. ANSWERS TO RESEARCH QUESTIONS

1. Primary. What are the key problems and issues associated with AMC's process of debriefing unsuccessful offerors and what can be done to improve the process?

Key problems with the debriefing process include debriefings not being done in a timely manner, key personnel from AMC not attending the debriefing, limits being placed on who may attend debriefings from unsuccessful firms, and limited information being given out in the debriefings.

The process can be improved by offering debriefings to all unsuccessful offerors, conducting debriefings in a timely manner, not limiting who may attend debriefings, providing unsuccessful offerors with debriefing packets, and providing more information to the unsuccessful offerors.

2. Subsidiary.

a) What is the current debriefing process used by AMC?

There is no standard debriefing process used by AMC. Rather AMC MSC's and contracting officers tailor debriefings based on the guidance in the FAR, AFARS, internal operating instructions and situation.

There are some generic procedures for AMC debriefings however. Debriefings must be conducted for all unsuccessful offerors that ask for a debriefing in writing.

The debriefings are held at the contracting command and several people representing the contractor and contracting command normally attend the debriefing. The contracting command will provide the unsuccessful offeror with information that will help the offeror determine how their proposal stood up to the evaluation criteria and why they did not win the contract award.

b) What are the problems associated with AMC's current debriefing process from AMC's perspective?

Several problems were identified with the debriefing process according to AMC contracting officers. First, sometimes the key players in the source selection process are not available to participate in the debriefing. Next, limited information is put out in the debriefing. Many debriefings do not cover all evaluated areas, give narrative comments for all areas, reveal ratings for the offeror's evaluated areas, make any comments about the winner's proposal, and make any comparisons between the winner's and offeror's proposals. Additionally debriefings are, at times, not timely.

c) What are the problems associated with AMC's current debriefing process from the unsuccessful offeror's perspective?

There are many problems with the debriefing process according to unsuccessful offerors. Debriefings are not done in a timely manner and do not provide enough details. Information is limited due to restrictions imposed by the regulations. Little or no information is given out on the winner's proposal. Sometimes the main players in the source selection process are not in attendance at the debriefings.

d) How can the debriefing process be modified to help AMC and the unsuccessful offerors?

There are several ways to modify the debriefing process to help the parties involved. Debriefings should be offered to all unsuccessful offerors. Debriefings should be done in a timely manner and there should be no limits placed on who may attend the debriefings. Contracting commands should give unsuccessful offerors debriefing packets and evaluators should participate in the debriefings. Unsuccessful offerors should submit questions before the debriefing. The debriefing should be conducted in an outline similar to the RFP. More information should be given out in the debriefings. This includes debriefing the offeror's strengths and weaknesses, giving the offeror his ratings, covering all evaluated areas and debriefing down to the sub-factor level and releasing the SSA decision document. Contracting officers should also use the latitude they have to

deviate from the strict guidance of the AFARS when it is in the best interests of the parties involved.

E. AREAS FOR FURTHER RESEARCH

An area for further research can be to look at the debriefing process by contractor commodity type, ie. hardware, software, services, and compare these commodity types to see if the contractors in each type face the same problems with debriefings or if debriefings in different commodities have different limitations. Another approach to take with further research could be to research debriefings by large and small businesses to see if the two groups face the same or different problems with debriefings.

APPENDIX

SURVEY FOR UNSUCCESSFUL OFFERORS CONCERNING ARMY DEBRIEFING

1. When not awarded a contract I request a debriefing
- a. more than 2/3's of the time.
 - b. between 1/3 and 2/3's of the time.
 - c. less than 1/3 of the time.

Comments: _____

2. The Army gives a debrief every time I request one.
- a. yes
 - b. no

Comments: _____

3. The following personnel (by job title) from my company attend the debriefing. _____

Comments: _____

4. The Army limits the number of employees that may attend the debriefing from my company.
- a. always
 - b. sometimes
 - c. never

Comments: _____

5. The Army limits the employees, by job position, that may attend the debriefing from my company.
- a. always
 - b. sometimes
 - c. never

Comments: _____

6. Debriefings are normally held within ____ calendar days of my request.

- a. 0-10
- b. 11-20
- c. more than 20

Comments: _____

7. Debriefings should be conducted within _____ calendar days after contract award.

Comments: _____

8. _____ normally debriefs me.

- a. the contracting officer
- b. source selection evaluation board chairman
- c. a combination of both
- d. other _____

Comments: _____

9. Debriefings are normally held _____

- a. at my location.
- b. at the Army's location.
- c. other location.
- d. by telephone

Comments: _____

10. The Army _____

- a. doesn't allow questions.
- b. allows and answers all questions.
- c. allows and answers some questions.

Comments: _____

11. If the Army doesn't answer some of my questions it is because

- a. they can't answer them due to regulations or confidential/proprietary business information.
- b. they won't answer them due to their concern for a protest.
- c. other _____
- d. not applicable, they answer all my questions.

Comments: _____

12. Debriefings normally consist of

a. limited information, because _____

b. as much information as the Army can give in accordance with the regulations and confidential/proprietary business information

Comments: _____

13. The Army would provide more information if the possible threat of a protest did not exist.

a. always

b. sometimes

c. never

d. don't know

Comments: _____

14. The Army debriefs in accordance with the major elements of the RFP.

a. always

b. sometimes

c. never

Comments: _____

15. Debriefings clearly identify weaknesses in my proposal.

a. always

b. sometimes

c. never

Comments: _____

16. The Army debriefs me on the _____ merits of my proposal (circle all that apply).

a. technical

b. management

c. cost

Comments: _____

17. I am satisfied with the debriefing on the technical, management, and cost elements of my proposal.

a. always

b. sometimes

c. never

Comments: _____

18. Debriefings give me information that leads to more competitive proposals in future Government competition.

- a. always
- b. sometimes
- c. never

Comments: _____

19. Upon conclusion of a debrief, I completely understood why my company did not win the contract award.

- a. always
- b. sometimes
- c. never, why not _____

Comments: _____

20. The debriefings are _____ to my company.

- a. valuable
- b. somewhat valuable
- c. not at all valuable

Comments: _____

21. The Army offers to debrief me even when I don't ask for a debriefing.

- a. always
- b. sometimes
- c. never

Comments: _____

22. Debriefings should address (circle all that apply) _____, as long as confidential business information is not disclosed.

- a. the basic proposed technical solution of the awardee
- b. the overall evaluated cost of the awardee and debriefed offeror
- c. cost or price associated with the major components of the awardee's proposal
- d. overall ranking and total evaluation scores of the awardee and debriefed offeror
- e. technical point scores of the awardee and debriefed offeror
- f. none of the above
- g. other _____

Comments: _____

23. The sooner I'm debriefed the less likely I am to protest.
a. always
b. sometimes
c. never

Comments: _____

24. List 3 strengths of the Army debriefing process.

25. List 3 weaknesses of the Army debriefing process.

26. The 3 most common questions I ask during a debriefing.

27. The Army could improve the debriefing process by _____

28. I/unsuccessful offerors could improve the debriefing process by _____

SURVEY FOR AMC CONTRACTING OFFICERS CONCERNING DEBRIEFINGS

1. How many unsuccessful offerors ask for a debriefing?
- a. less than 1/3
 - b. between 1/3 and 2/3
 - c. more than 2/3

Comments: _____

2. I give a debriefing every time one is requested.
- a. yes
 - b. no

Comments: _____

3. The following personnel (by job title) from my organization attend the debriefing _____

Comments: _____

4. I limit the number of employees that unsuccessful offerors may send to a debriefing.

- a. always
- b. sometimes
- c. never

Comments: _____

5. I limit employees, by job title, that unsuccessful offerors may send to a debriefing.

- a. always
- b. sometimes
- c. never

Comments: _____

6. Debriefings are held within _____ days of debriefing request.

- a. 0-10
- b. 11-20
- c. more than 20

Comments: _____

7. Debriefings should be conducted within _____ calendar days after contract award.

Comments: _____

8. Debriefings are conducted by (Give job title) _____

Comments: _____

9. Debriefings are normally held _____

- a. at my location
- b. at the unsuccessful offeror's location
- c. other location
- d. by telephone

Comments: _____

10. I _____

- a. don't allow questions
- b. allow and answer all questions
- c. allow and answer some questions

Comments: _____

11. If I don't answer some of the unsuccessful offerors questions it is because

- a. I can't answer them due to regulations or confidential/proprietary business information
- b. I won't answer them due to a possible protest
- c. other _____
- d. n/a, I answer all questions

Comments: _____

12. Debriefings normally consist of

- a. limited information, because _____

b. as much information as I can give in accordance with the regulations and confidential/proprietary business information

Comments: _____

13. I would provide more information if the possible threat of a protest did not exist.

- a. always
- b. sometimes
- c. never

Comments: _____

14. I debrief in accordance with the major elements of the RFP.

- a. always
- b. sometimes
- c. never

Comments: _____

15. Debriefings clearly identify weaknesses in the unsuccessful offeror's proposal.

- a. always
- b. sometimes
- c. never

Comments: _____

16. I debrief unsuccessful offerors on the _____ merits of their proposal (circle all that apply).

- a. technical
- b. management
- c. cost

Comments: _____

17. Unsuccessful offerors are satisfied with the debriefing on the technical, management, and cost elements of their proposal.

- a. always
- b. sometimes
- c. never
- d. don't know

Comments: _____

18. Debriefings give unsuccessful offerors information that leads to more competitive proposals for future Government competition.

- a. always
- b. sometimes
- c. never
- d. don't know

Comments: _____

19. Upon conclusion of a debrief the unsuccessful offeror completely understands why he didn't win the contract award.

- a. always
- b. sometimes
- c. never
- d. don't know

Comments: _____

20. The debriefings I give are _____ to unsuccessful offerors.

- a. valuable
- b. somewhat valuable
- c. not at all valuable

Comments: _____

21. My organization offers to debrief all unsuccessful offerors, even those that don't request a debriefing.

- a. always
- b. sometimes
- c. never

Comments: _____

22. Debriefings should address (circle all that apply) _____ information is not disclosed.

- a. the basic proposed technical solution of the awardee
- b. the overall evaluated cost of the awardee and debriefed offeror
- c. cost or price associated with the major components of the awardee's proposal
- d. overall ranking and total evaluation scores of the awardee and debriefed offeror
- e. technical point scores of the awardee and debriefed offeror
- f. none of the above
- g. other _____

Comments: _____

23. The sooner a debriefing is conducted, the more likely it is to prevent a protest.

- a. always
- b. sometimes
- c. never

Comments: _____

24. My organization has internal instructions covering debriefing procedures

a. yes

b. no

Comments: _____

25. List 3 strengths of the Army debriefing process

26. List 3 weaknesses of the Army debriefing process

27. I/The Army could improve the debriefing process by _____

28. Unsuccessful offerors could improve the debriefing by _____

LIST OF REFERENCES

1. Army Federal Acquisition Regulation Supplement.
2. Army Material Command Publication 715-3 Vol. 1, January 8, 1987.
3. CECOM Standard Operating Procedures.
4. Competition in Contracting Act of 1984.
5. Department of Defense Instruction 5000.2, February 23, 1991.
6. Digest of the Federal Acquisition Regulation for the Department of Defense, 1983.
7. Federal Acquisition Regulation.
8. Finnegan, Philip., "'95 Budget Nears End of Procurement Cuts", Defense News, February 14-20, 1994, p 8.
9. Arnavas, Donald P., and Ruberry, William J., Government Contract Guidebook, Washington, D.C.: Federal Publications Inc., 1987.
10. House of Representatives Report 102-364, 102d Congress, 2d Session, Federal Property Administrative Services Act of 1991, November 23, 1991.
11. Interview between David V. Lamm, Naval Postgraduate School, and the author, 14 March, 1994.
12. Interview between a defense contractor contracting official and the author, 1 March, 1994.
13. Interview between a defense contractor contracting official and the author, 8 March, 1994.
14. Interview between a defense contractor contracting official and the author, 10 March, 1994.
15. Interview between a Principle Assistant Responsible for Contracting and the author, 13 January, 1994.
16. Munro, Neil., "U.S. Army Stresses Training, Readiness", Defense News, February 14-20, 1994, p 10.

17. Nash, Ralph C. Jr., and Cibinic, John, Jr., Competitive Negotiation: The Source Selection Process, Washington, D.C.: The George Washington University, 1993.
18. Report of the Commission on Government Procurement, Vol. 1, Washington, D.C.: U.S. Government Printing Office, 1972.
19. Senate Report 102-348, 102d Congress, 2d Session, The Federal Property and Administration Authorization Act of 1992, July 29, 1992.
20. Telephone conversation between a representative of the U.S. Army Contracting Support Agency, and the author, 29 April, 1994.
21. Telephone conversation between an AMC contracting officer and the author, 2 May, 1994.
22. Telephone conversation between an AMC contracting officer and the author, 2 May, 1994.
23. 10 United States Code.
24. U.S. Army Material Command Pamphlet.
25. U.S. Department of Defense, Streamlining Defense Acquisition Laws, January 1993.
26. Watson, Collin J., and others, Statistics For Management And Economics, Needham Heights, Massachusetts: Allyn and Bacon, 1993.

INITIAL DISTRIBUTION LIST

	No. Copies
1. Defense Technical Information Center Cameron Station Alexandria, VA 2304-6145	2
2. Dudley Knox Library, Code 52 Naval Postgraduate School Monterey, CA 93943-5000	2
3. Defense Logistics Studies Information Exchange U.S. Army Logistics Management Center Fort Lee, VA 23801	1
4. Professor David V. Lamm, Code SM/LT Department of Systems Management Naval Postgraduate School Monterey, CA 93943-5000	2
5. Professor Mark W. Stone, Code SM/ST Department of Systems Management Naval Postgraduate School Monterey, CA 93943-5000	1
6. Professor Jeffery A. Warmington, Code SM/WR Department of Systems Management Naval Postgraduate School Monterey, CA 93943-5000	1
7. Curtis H. Nutbrown West Lake Rd Westfield, NY 14787	3