

## Negotiation & Award In a Nutshell

- ◆ Negotiations are conducted with each offeror in the competitive range.
- ◆ Each offeror is given the opportunity to revise or clarify its proposal.
- ◆ The contracting officer closes negotiations.
- ◆ An internal legal review may be conducted.
- ◆ The contracting officer awards the contract representing the best value to the Government.
- ◆ Debriefings are held upon request in an effort to minimize potential protests.
- ◆ The contract is now ready to move on to the administration phase of the acquisition process.

# Understanding FEDERAL ACQUISITIONS

## Negotiation & Award

Every action in the earlier stages of the acquisition process share one underlying goal – to **award** a contract representing the best value to the Government with other factors considered, such as price.  
During this **discussion/negotiation/award** stage, this goal becomes clear.



### Who We Are

The Acquisition Services Directorate (AQD), a Federal shared-service provider within the U.S. Department of the Interior's National Business Center (NBC), offers acquisition support to all Federal agencies. We help managers in both civilian and military organizations fulfill their missions by crafting appropriate procurement solutions.

As an ISO 9001 certified Federal entity, we use proven business practices while delivering cost-effective contracts. Our Contracting Officers will handle the complete acquisition lifecycle, utilizing innovative technology and value-added benefits.

### How We Can Help You

We will handle your acquisitions from project inception through closeout; serving you efficiently, quickly and professionally.

We monitor contracts to ensure compliance with Federal regulations and agency-specific rules.

Contact us today and we'll partner with you to fulfill your acquisition needs.

### Where We Are

On the web at [www.aqd.nbc.gov](http://www.aqd.nbc.gov); via email to [acquisition@aqd.nbc.gov](mailto:acquisition@aqd.nbc.gov); or by phone at 703.964.8800.





## Negotiation & Award

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The purpose in **negotiations** of every contracting officer (CO) is to get a “good deal” within the boundaries of the applicable laws and regulations. The contracting officer must also see to it that all parties arrive at a common understanding of the requirements document and at a fair and reasonable price and all contract terms. Once proposal submissions are evaluated – by the contracting officer and/or the source selection committee – and an offeror is deemed the strongest, the contracting officer signs the contract, which becomes the **award**.

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## Negotiation Process

Often the contracting officer will conduct a pre-negotiation meeting to discuss **negotiation** goals, strategy and develop a unified negotiating position. This helps arrive at specific questions to ask offerors and be able to outline a workable alternate plan if needed.

**Negotiations** are conducted separately with each offeror in the competitive range. The contracting officer points out to each offeror any deficiencies or ambiguities as well as the strengths and weaknesses of their submission. Each offeror is then given the opportunity to support, correct, clarify or revise its proposal.

## Final Proposal Revisions

By calling for **final proposal revisions**, the contracting officer closes negotiations. This allows offerors to submit their final proposal revisions if they choose to. Sufficient time must be allowed between the call for final proposal revisions and the cut-off date for the offerors. Once the final proposal revisions are in, evaluations are conducted to determine if the revisions changed the merits of the proposals.

## Legal Review

**Legal reviews** are conducted according to procedures that are set by the Office of the Solicitor (SOL) in accordance with U.S. Department of the Interior (DOI) policy, DIAPR 2001-3. SOL reviews solicitations, contract awards, and certain other documents to ensure legal sufficiency.

## Contract Award

After the contracting officer has determined that the bid is advantageous to the Government (considering the pre-defined evaluation factors) and is responsive to the solicitation requirements, the award is made. The Federal Acquisition Regulation (FAR) stipulates that by signing the contract, the contracting officer has determined that the contractor is responsible and is eligible for **award**.

## Protests

Interested parties may submit a written objection to the Government regarding a solicitation, cancellation of a solicitation, an award or proposed award, or a termination of an award. This written objection is referred to as a **protest**. According to the Federal Acquisition Regulation (FAR), the definition of an interested party is an actual or prospective offeror whose direct economic interest would be affected by the award or failure to award a contract. The contracting officer encourages parties to seek resolution within the agency prior to filing a **protest**.



## Debriefings

In an effort to reduce the number of protests, unsuccessful offerors are encouraged to request a **debriefing** on why they were not awarded the contract. The request must be submitted in writing to the contracting officer within three days of receipt of the notice of the contract award. This information is very helpful to the offerors since it lets them learn the weaknesses or deficiencies of their proposal along with a summary of the rationale for the contract award.