

## **CONTRACTOR BRIEFINGS**

What are LOGCOM Employees' obligations when a contractor wants to brief on their capabilities?

LOGCOM policy statement, LPS 16-14, Contractor Capabilities Briefing, provides guidance on how to process a request. Key parts are as follows:

1. All contractor requests to meet leadership, management, or staff shall be sent to the LOGCOM Small Business Program office.
2. The LOGCOM Small Business Program office will send the contractor a form to complete and sign.
3. On receipt of the completed and signed form, the LOGCOM Small Business Program office, Contracts department, and Office of General Counsel (OGC) shall review and coordinate, with OGC rendering advice.

Ethical parameters that must be met by both parties on a contractor capabilities visit are:

- LOGCOM cannot **endorse** the vendor or their products or services
- LOGCOM cannot **promise** to advocate for, support or otherwise endorse these visitors or their products or services
- LOGCOM cannot **specifically** advocate for, support or otherwise endorse these visitors or their products or services
- LOGCOM may not discuss non-public information including FOUO or classified information as well as any information that has not been finalized. LOGCOM may discuss anticipated future needs of the Commands in general, but must provide the same information to competitors when requested. Failure to provide competitors the same information that was provided to a Contractor conducting a capabilities brief, may give rise to a claim of competitive disadvantage which can delay the award of the contract or require the contact to be restarted from the very beginning.

If the vendor wishes to discuss what it can do for the Commands in the future if awarded a contract, the Command should also meet with all similar non-federal entities (i.e. those wanting to demonstrate or discuss their capabilities in this area) to avoid favoring one over another. This is the contractor's opportunity to "Show and Tell" about its company and their products and services. LOGCOM should be in a receive mode (i.e. listening).

Bottom-line: By adhering to LOGCOM policy statement, LPS 16-14, the end state will be that LOGCOM will be able to gain an appreciation of the contractor's capability, while providing the contractor with our general mission of logistic support to the warfighter, and ensuring that LOGCOM complies with mandatory federal acquisition laws and regulations.

4. Always remember to CYA (call your attorney) with any questions. Contact the LOGCOM Office of Counsel at 229-639-5449 (Albany), 760-577-6791 (Barstow), 904-696-5033 (BIC) or the OSJA at 229-639-5212.