

AIR FORCE MATERIEL COMMAND (AFMC)



GUIDE FOR THE USE OF

ORAL PRESENTATIONS IN CONTRACTING BY NEGOTIATION

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I. Introduction

a. This document integrates ideas and lessons learned from a cross-section of the contracting community to provide practical guidance for using oral presentations when contracting by negotiation. Oral presentations of proposals can be a useful tool in achieving a more timely and cost-effective source selection. In a SAF/AQ memorandum dated 23 Jun 97, Open Communications with Industry, oral presentation use was identified as a potential process improvement (http://www.safaq.hq.af.mil/acq_ref/afae). Actual experience indicates oral presentations are not appropriate for every contracting situation. However, in many situations the use of oral presentations presents a clear advantage over traditional-written proposal submissions.

b. Definition. For the purposes of this guide, an oral presentation is a real-time audio and visual presentation of proposal information in response to a solicitation. The regulatory guidance covering the use of oral presentations can be found at FAR 15.102 “Oral Presentations.”

II. Considerations in Using Oral Presentations

a. Advantages. Oral presentations can potentially reduce the time and costs associated with the source selection process. For example, certain types of written proposal information, particularly in the technical and management areas, are costly to prepare and time-consuming to evaluate. It is often easier to communicate and explain these capabilities either orally or visually instead of in writing. The use of oral presentations also allows for greater face-to-face interaction between the Government and offerors not only during initial proposal evaluation but throughout the selection process, including in discussions and the submission of proposal revisions. This is especially important in those acquisitions where the offeror’s key personnel are critical to the success of an acquisition. Oral presentations may also provide a more level-playing field for offerors with the expertise to satisfy the Government’s requirement but little experience in preparing Government proposals. Other advantages of using oral presentations include:

(1) Enabling offerors to explain their proposal in simple terms or plain English. On the other hand, in the case of scientific or technical proposal information, subject matter expert evaluators may be able to gain better understanding of the proposed concepts through oral presentations by their peers.

(2) Allowing offerors to present the entire Mission Capability factor on smaller or less complex acquisitions.

(3) Permitting the offeror to more effectively address certain subfactors/elements under Mission Capability that may be easier to present orally, e.g., proposal risk/risk mitigation plans on larger or more complex acquisitions.

(4) Presenting the entire technical proposal when using the Low-Price Technically Acceptable (LPTA) technique or the technical proposal and/or past performance information when using the Performance Price Trade-Off (PPT) technique.

(5) Allowing the offeror to address adverse past performance information.

(6) Making users/customers feel more involved in the contract selection and award process.

(7) Providing a follow-up question-and-answer session which: (a) Allows evaluators face-to-face observation and interaction with key project members, (b) Improves depth of understanding behind the written proposal or presentation charts, (c) Permits better understanding of the overall approach to meeting the requirement.

b. Disadvantages. Using oral presentations may have some potential disadvantages. In some instances, the offeror's proposal costs may actually increase. For example, the offeror may decide to spend money to train perfectly competent engineers to be more effective public speakers or presenters. While this may be good for the employees' personal development, it may unnecessarily increase overall proposal costs. Potential disadvantages to consider are:

(1) The freedom of dialogue during follow-up question-and-answer periods may be stifled by evaluators' fears of inadvertently conducting discussions.

(2) Industry may be unwilling to participate. Small and small and disadvantaged businesses may believe the cost of oral presentations is prohibitive or that they are at a disadvantage when competing against large businesses.

(3) The quality of the presentation may unduly influence the evaluation.

(4) It may be logistically difficult to conduct oral presentations if a large number of proposals are received.

(5) It may be more time-consuming if used in conjunction with written proposals.

III. When are Oral Presentations Best Suited for the Contracting Situation?

a. Consider using oral presentations early in the acquisition planning process. Discuss use of the oral presentations with industry early in the acquisition process, preferably in conjunction with market research. Industry feedback may be obtained through forums such as industry conferences, one-on-one meetings, postings on business opportunities web sites and Commerce Business Daily notices. Industry comments on draft request for proposal oral presentation instructions may result in a better understanding of the Government's intentions and help avoid some of the potential disadvantages discussed in Section II.

b. The following considerations are provided to help decide whether oral presentations will be beneficial for a particular contracting situation:

(1) Generally, oral presentations are best suited for acquisitions for services, task-order contracts, and some basic and applied research and development efforts. Offeror qualifications and experience are normally more important on these types of acquisitions, and oral presentations lend themselves well to delivering this kind of information about the offeror. On more complex acquisitions, oral presentations have been successfully used to gain information regarding team and management processes, corporate commitment, understanding of requirements, and subcontractor relationships. Acquisitions for noncomplex items also lend themselves to oral presentations, since the offerors can more easily state how they will fulfill the requirement. Additionally, past performance is often a good candidate for oral presentation.

(2) Requirements should be well defined. If the offeror is required to provide oral technical proposal information or answer a technical example task, enough information should be given in the RFP to define the requirement. Performance and/or functional specifications (as opposed to detailed or design specifications) are desirable when using oral presentations, since this gives the offeror flexibility in the approach used to fulfill the requirement. If any technical information disclosed during oral presentations is essential to contract performance but is not in the written technical proposal, that information is to be put in writing and incorporated into the resultant contract.

(3) Oral presentations seem to work well when the technical and/or management information requested is neither voluminous nor highly complex.

(4) Make sure the Government has the ability to adequately evaluate the presentation. The oral presentation format should be understandable.

(5) With respect to evaluation factors/subfactors/elements, the oral presentation format is best applied to evaluations of management capability, corporate strengths and capabilities, personnel qualifications, adequacy of facilities and/or processes.

IV. Process

a. Evaluation Factors. Evaluation factors most commonly addressed via oral presentations are Mission Capability and Past Performance. For Mission Capability, the relevant subfactors (or if applicable, elements) must be selected with great care. The subfactors/elements should help the source selection team determine how well qualified the offeror is to perform all aspects of the work, how well the offeror understands the requirements, and precisely how the offeror will approach the accomplishment of the required tasks.

b. Proposal Preparation Instructions. The instructions on how oral presentations will be used to evaluate and select the contractor should be addressed in Section L, “Instructions, Conditions and Notices to Offerors or Quoters” of the solicitation. In developing Section L, the following should be considered:

(1) Specify what proposal information is to be submitted in writing. Describe the topics that the offeror must address orally and the factors/subfactors/elements that must be presented.

(2) State the total amount of time available to make the presentation and the qualifications of personnel who must make it. Include any limits on the number of offeror representatives that may attend. The offeror's project manager and key personnel who will be responsible for contract performance should present the briefing (not marketing staff or professional proposal writers/presenters).

(3) State whether oral presentation material must be submitted along with the written proposal. This may be advisable since practice has shown that providing advance copies of presentation slides is helpful to evaluators. To preclude any question about what will be considered in the Government’s evaluation of the oral presentation, specify that only the presentation itself will be considered.

(4) Describe the limitations on Government-offeror interaction during and after the presentation. State whether there will be a question-and-answer session following the offeror’s presentation.

(5) State whether the Government intends to allow discussions or whether the oral presentation will be considered to constitute discussions as defined in FAR 15.306.

(6) State whether the offeror will be required to solve a sample task(s).

(7) State whether models or samples will be permitted.

(8) State whether the presentation will encompass price or cost and fee (keep in mind that the cost/fee or price offer must be in writing). Price or cost information should normally be limited to testing the offeror’s understanding and ability (such as how it developed the cost estimate or why it selected one technique over another.

(9) Clearly identify where the presentations will be held or whether teleconferences or video teleconferences will be used.

(10) Describe the characteristics and arrangement of the presentation site. Describe the types of equipment available and what equipment, if any, should be provided by the offeror. Make the facility available, if possible, for inspection by offerors prior to the presentation date.

(11) State the rules governing the use of presentation media.

(12) Describe the format and content of presentation documentation and their delivery. To minimize preparation costs and preclude elaborate multimedia presentations, some contracting activities specify that briefing slides should be in black and white, using certain font type and size.

(13) State whether the presentation will be audio and/or videotaped. Generally, the Government will record the presentation for the official contract file and provide a copy to the offeror. Protect all notes or other documentation and audio or videotapes in accordance with FAR 3.104-5. If support contractors are used for recording the presentation, ensure offerors are advised.

(14) State how the Government will determine the order of presentations, e.g., lottery, alphabetically. When oral presentations are part of the initial proposal, presentations should be scheduled to closely follow the proposal submission.

c. Planning and Preparing for the Presentations. Planning and preparing for the presentations include setting up a location, securing commitments of evaluators, deciding how to record the presentations, and providing copies of the presentation to evaluators in advance. There are several things to consider, and the list below is provided to help plan for the day(s) of the presentations:

(1) Schedule presentations promptly after receipt of proposals, determine the sequence of the presentations, and inform the offerors.

(2) Schedule all evaluators to attend each presentation. In the rare instance an evaluator cannot attend, video tape the presentation

(3) Ensure microphones are adjusted for adequate volume. Use cordless microphones if available.

(4) Encourage the source selection authority to attend.

(5) If using videotape recording, consider using an audiovisual specialist and be sure the camera can view the podium and screen at the same time.

(6) Allow adequate evaluation/Government caucus time between presentations.

d. Conducting the Presentations. Prior to the presentation, the contracting officer should review the ground rules, agenda, and time restrictions of the presentation session with the offeror. The contracting officer should also remind the Government participants of their responsibilities during and after the presentation. Remind them that an oral presentation is source selection sensitive, and they may not discuss, except among themselves, anything that occurred or was said at a presentation. Additional matters for discussion include any restrictions on Government-offeror exchanges, information disclosure rules, documentation requirements, and housekeeping items.

e. Exchanges During the Oral Presentation.

(1) Surveys indicate both parties believe meaningful dialogue during, or subsequent to, the oral presentation is of significant value. However, one of the more problematic areas of the oral presentation approach when used in place of a written proposal is the nature and extent of exchanges between the offeror and the Government evaluation team. This is largely due to the strict rules established in regulation regarding exchanges with offerors after proposal receipt.

(2) The FAR (see FAR 15.306) prescribes strict controls over when and what types of exchanges can occur with an offeror regarding its proposal. When an award is planned without discussions, oral presentations become problematic because of the fear of inadvertently going beyond "clarifications" in an effort to understand the proposal. When exchanges go beyond clarifications, the Government loses its ability to award without discussions. If "communications" are pursued leading to a competitive range determination, then there are fewer restrictions on exchanges. Some solicitations contain instructions and restrictions concerning exchanges during the oral presentation. These instructions can be tailored to fit the Government plan to award without discussion or to permit discussions. The example disclaimer below may be used for solicitations where the Government plans to award without discussions:

"Clarification of Oral Presentation Points. After completion of the oral presentation, the Government may request clarification of any points addressed which are unclear. Any such interchange between the offeror and the Government will be for clarification only and will not constitute discussions within the meaning of FAR 15.306(a). The time required for clarifications will not be counted against the offeror's time limit."

f. Evaluating the Presentations. There is no policy regarding the most appropriate time to evaluate presentations. Some agencies perform their evaluation immediately upon conclusion of each presentation while others conduct their evaluations after all of the presentations have been made. When using the latter approach, the evaluators should caucus following each presentation to exchange reactions, summarize potential strengths and weaknesses, proposal inadequacies and weaknesses, and verify perceptions and understandings.

V. Conclusion. Oral presentations have the potential to reduce proposal preparation cost, reduce Government evaluation time, and facilitate a better understanding of an offeror's proposal and their ability to perform the contract. Experience indicates the proper use of oral presentations can make the source selection process more effective; however, you must use judgement to determine whether oral presentations are right for your acquisition.

References with Information on Using Oral Presentations

- Defense Acquisition Deskbook - search using the phrase “oral presentations”
(<http://www.deskbook.osd.mil/>)
- Army Material Command Guideline for Oral Presentations
(http://www.army-acquisitions.net/amcweb/fr_ssl.htm)
- Department of Energy Guidelines for Oral Presentations
(<http://www.pr.doe.gov/oral.html>)