



# DEPARTMENT OF AGRICULTURE VENDOR COMMUNICATION PLAN

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# Department of Agriculture Vendor Communication Plan

## Introduction

The US Department of Agriculture (USDA) recognizes the value of communicating with potential vendors early and often during the acquisition process. Also, the Federal Acquisition Regulation (FAR) encourages exchanges between the Government and interested parties, from the earliest identification of a requirement through receipt of proposals which should be conducted in a fair and transparent manner. Applicable FAR references include:

- **FAR 1.102-2(c)(2):** This section encourages communication with vendors as part of the government's commitment to creating a more efficient and effective acquisition system. It emphasizes the importance of understanding the needs and capabilities of prospective vendors.
- **FAR 7.102:** Emphasizes the importance of early and effective communication with vendors during the acquisition planning phase. It requires agencies to perform acquisition planning and conduct market research to promote full and open competition and to ensure that the government meets its needs in the most effective, economical, and timely manner.
- **FAR 10.001:** Requires agencies to conduct market research appropriate to the circumstances before developing new requirements, soliciting offers, or awarding acquisitions. This process involves communicating with vendors to gather information about the market, products, services, and capabilities available.
- **FAR 13.1:** Emphasizes promoting competition by communicating to obtain quotations or offers from a variety of sources. It also discusses publicizing proposed acquisitions to ensure a wide range of vendors are aware of, and can respond to, government needs.
- **FAR 14.203:** This section requires that Invitations for Bid be sent to all prospective bidders to promote competition.
- **FAR 15.201:** This section specifically addresses "Exchanges with Industry Before Receipt of Proposals." It encourages early exchanges of information among all interested parties, from the earliest identification of a requirement through receipt of proposals. Techniques for early exchanges include vendor conferences, public hearings, market research, one-on-one meetings with potential offerors, and pre-solicitation notices.
- **FAR 16.505(b)(1)(ii):** This part pertains to the ordering process under indefinite-delivery acquisitions and encourages communication with vendors to promote a fair opportunity for all prospective vendors.
- **FAR 19.202-1(e)(1):** Encourages communication with small businesses to ensure they understand how to do business with the government and are aware of potential acquisition opportunities.
- **FAR 36.102:** This section highlights the importance of communication between the government and vendors for construction and architect-engineer contracts to ensure mutual understanding of project requirements and industry capabilities.
- **FAR 42.302(a):** Outlines responsibilities for contract administration, including maintaining communication with vendors to monitor and ensure compliance with contract terms and conditions.

By encouraging communication with vendors, these parts of the FAR aim to improve the quality of acquisition outcomes, foster innovation, enhance competition, and ensure that the government acquires goods and services that best meet its needs. Ultimately, USDA understands that true vendor communication and outreach leads to identification of more qualified sources and solutions, resulting in greater value to the agency and the taxpayer.

The USDA Vendor Communication Plan has been updated to reflect the most current strategies for USDA engagement with vendors. This includes the Office of Management and Budget, Office of Federal Procurement Policy memo, entitled “Myth Busting #4 – [Strengthening Engagement with Industry Partners through Innovative Business Practices](#)”, dated April 30, 2019. The purpose of OMB’s memo is to improve awareness of vendor engagement strategies within the acquisition sector to create a more responsive buying process, modernize the acquisition culture, and deliver greater value to the taxpayer.

This plan identifies how the USDA has and will continue to reduce unnecessary barriers to vendor engagement, publicize communication opportunities with vendors, and prioritize engagement opportunities for high impact acquisitions. Opportunities also include engaging with vendors including small businesses and businesses that haven’t previously worked with USDA. USDA is committed to the principles of openness, fairness, and transparency in the acquisition process while protecting non-public information. This plan is intended to enhance vendor communication and engagement, increase the level of involvement of small businesses and businesses new to government, and promote efficient and effective operations while reinforcing public trust. We are pleased to share this Vendor Communication Plan with stakeholders from both inside and outside of USDA.

## 1. Statement of Agency Commitment

USDA’s vision is to provide an equitable and climate-smart food and agriculture economy that protects and improves the health, nutrition, and quality of life of all Americans; yields healthy land, forests, and clean water; helps rural America thrive; and feeds the world.

Enhanced communications between Government and vendors are vital to define and convey requirements clearly and realistically within the market environment, appropriately assess and assign risk, and set respective cost, schedule, and performance expectations to ensure effective contract management.

The FAR authorizes a broad range of options for vendor communication throughout the acquisition process. Awareness of these options is all too often limited to a relatively small cadre of staff within acquisition offices. USDA is committed to actions that engage the broader acquisition community, comprised of program managers and executives in addition to the acquisition staff, to increase awareness of available avenues to best engage vendors. This increased awareness will enable the USDA acquisition community and vendors to optimize interactions, making the best use of available time and resources.

Effective communication and collaboration with vendors is a key component to USDA’s success. USDA is committed to these actions:

- Communicate early, frequently, and constructively with vendors in the conduct of fair and open business opportunities;
- Include small businesses and subgroups of small businesses in communications with vendors;
- Include vendors that USDA has not worked with in the past; and
- Protect non-public information including vendors' confidential information and USDA's source selection information.

**a. Innovative Technology Solutions**

In addition, USDA encourages using innovative technological solutions to effectively tap the understanding of vendors during pre-solicitation phases, such as market research. USDA's Acquisition Workforce can access new and emerging innovative techniques at [Procurement Innovation Effort \(PIE\) \(sharepoint.com\)](https://sharepoint.com).

Additional Federal Guidance regarding leveraging the most effective and efficient technologies includes:

- Effective opportunity searches at SAM.gov
- Training for Federal staff- the Virtual Procurement Innovation Lab (PIL) Boot Camp features a class in the FAI/DAU [CSOD](#) System. Once you are logged into CSOD click on '*Learning*', then '*Learning Search*', then type in '*FCL-A-9053*' to register.

**b. Promoting Competition**

USDA is also committed to prioritizing engagement opportunities for high-risk, complex programs or those that fail to attract new vendors during competition. The Secretary of Agriculture is focused on promoting competition in general, limiting single source opportunities, and increasing market research to bring the most valued solutions for the USDA mission. USDA has Competition Advocates who serve to support the duties listed in the Federal Acquisition Regulation [Subpart 6.5](#), which includes promoting and challenging barriers to full and open competition. USDA's Competition Advocates may be contacted via the Mission Area Senior Contracting Officials listed at <https://www.usda.gov/da/ocp/mascolist>.

**c. Annual Mission Area Review:**

The USDA has implemented an annual Mission Area review that serves as an update from each Mission Area Senior Contracting Official (MASCO) to the Senior Procurement Executive (SPE). This review highlights the status of major programs, IT acquisition, innovation, industry partnerships, etc.

**d. USDA Vendor Communication Plan Page**

USDA's commitment to these goals and this plan will improve the quality, timeliness, and cost savings of products and services acquired to fulfill the agency's mission. This Plan will continue to be updated as needed and we encourage agency staff, vendors, and other stakeholders to visit the Office of Contracting and Procurement Policies & Regulations website, <https://www.usda.gov/da/ocp/ppd/policies-regulations>. Additionally, USDA has a [Contracting With USDA](#) page that provides helpful information to assist interested vendors.

## 2. Senior Agency Officials Responsible for Promoting Vendor Engagement

The Department of Agriculture Chief Acquisition Officer (CAO) has the overall responsibility of promoting USDA's vendor engagement activities. In addition, the SPE, Head of the Contracting Activity (HCA), MASCOs, the Office of Small and Disadvantaged Business Utilization (OSDBU), and Competition Advocates each have a responsibility for ensuring the Vendor Communication Plan is effectively executed. Each Department of Agriculture contracting activity oversees management of vendor communication with input and assistance from their Small Business Specialists and Competition Advocates.

Other stakeholders with roles and responsibilities for carrying out the plan include program offices, Contracting Officer's Representatives (CORs), Contracting Officers (COs), Contract Specialists, and other agency officials.

## 3. Agency Innovation in Action

### **Acquisition Innovation Advocate and Industry Liaison**

Acquisition Innovation Advocate - In March 2016, OMB requested that agencies appoint Acquisition Innovation Advocates (AIAs) and set up Acquisition Innovation Labs (AILs) to help agencies achieve better results for each taxpayer dollar through better and smarter execution of emerging and well-established acquisition practices. AIA's make up the AIA Council which consists of advocates from each agency subject to the CFO Act of 1990, as well as an advocate from the Small Agency Council. The council is tasked with meeting regularly to broaden awareness and foster cross-agency collaboration and innovation. AIAs provide their workforce with a clear pathway to test and document new acquisition practices and facilitate fresh perspectives on existing practices. USDA's AIA is Hilary Erickson who can be contacted at [hilary.erickson@usda.gov](mailto:hilary.erickson@usda.gov).

Industry Liaison – To keep up with the rapidly accelerating pace of technological change, a number of agencies have sought better ways to communicate with vendors so they can better understand the commercial marketplace, attract new vendors, and encourage current partners to use new processes and develop, test, and offer more modern solutions. Despite this progress, the pace of adoption has been limited relative to the total volume of activity that potentially could benefit from these efforts; only a fraction of our transactions is using these new ways of doing business. For this reason, the Office of Federal Procurement Policy (OFPP) has asked Agencies to publicly designate an Industry Liaison (IL) to serve as a conduit among acquisition stakeholders and promote strong agency vendor communication practices. USDA's IL can be contacted at [Procurement.Policy@usda.gov](mailto:Procurement.Policy@usda.gov).

## 4. Streamlining Acquisitions through Procurement Innovation

Streamlining acquisitions allows vendors easier access to requirements, can reduce bid and proposal costs, and can result in a reduction in acquisition lead time. USDA officially launched their Procurement Innovation Effort in January 2020 focusing on educating acquisition professionals on flexibilities available in the FAR as well as streamlining procurement activities to reach the right sets of competitive vendors. Examples of streamlining acquisitions include the following:

**Purchase Cards** - Government purchase cards are used for low-dollar value transactions, allowing agencies to buy goods and services quickly without the need for a formal acquisition process. This method is particularly effective for micro-purchases (typically under \$10,000).

**Blanket Purchase Agreements (BPAs)** - BPAs establish pre-negotiated agreements with vendors for recurring needs. They streamline the ordering process by allowing agencies to place orders against the agreement without having to negotiate terms and conditions each time.

**Indefinite Delivery/Indefinite Quantity (IDIQ) Contracts** - IDIQ contracts allow agencies to place orders for supplies and services as needed over a specified period. This eliminates the need for multiple solicitations and awards, speeding up the acquisition process.

**Government-Wide Acquisition Contracts (GWACs)** - GWACs are multi-agency contracts for IT solutions. They offer pre-competed contracts that agencies can use to acquire technology solutions quickly, bypassing lengthy acquisition processes.

**Use of Oral Solicitations** - In urgent situations, agencies can use oral solicitations instead of written ones, significantly reducing the time required to gather quotes and make awards.

The Procurement Innovation Effort intends to collect feedback from both Government and vendors after awards that were based on innovative and/or streamlined techniques to provide a basis for lessons learned and best practices.

## 5. Efforts to Reduce Barriers and Promote Engagement

USDA will engage in the following activities, as appropriate, to reduce barriers and promote vendor engagement:

### a. Transparency

Transparency in USDA's acquisition process serves to inform our vendor partners, including those who have yet to engage in USDA business, about current and emerging needs.

Information is publicly available on the following sites:

- Information regarding USDA acquisitions are published through at [USA Spending.gov](https://www.usaspending.gov).
- Acquisition opportunities and requests for information related to acquisition requirements are posted on the interactive [SAM.gov](https://sam.gov) page.
- USDA publishes an annual forecast of planned acquisitions on its [Forecast of Business Opportunities](#) webpage.
- Information on how to do business with USDA is published on the [Business Opportunities](#) page and at [Contracting with USDA](#).
- Vendor capability portal

The Department will post and regularly update vendor engagement events at [Upcoming Events | USDA](#). Posted events will include small business connection events, paths to prosperity, etc.

**b. Publicize Vendor Communication**

- Widely distribute the Vendor Communication Plan along with the Office of Management and Budget (OMB) Myth-Busting memorandums (links below) to all stakeholders both within USDA and to those seeking to do business with USDA.
  - [Myth-Busting #4 \(whitehouse.gov\)](#)
  - [“Myth-busting 3” Further Improving Industry Communication with Effective Debriefings \(whitehouse.gov\)](#)
  - [“Myth-Busting 2”: Addressing Misconceptions and Further Improving Communication During the Acquisition Process \(whitehouse.gov\)](#)
  - [MEMORANDUM FOR CHIEF ACQUISITION OFFICERS \(whitehouse.gov\)](#)
- Incorporate the Vendor Communication Plan in the acquisition workforce on-boarding and acquisition training.
- Post the Plan on Agency and Office websites.
- Promote the Vendor Communication Plan at vendor outreach sessions.
- Require contracting officers to address vendor communications in acquisition plans.
- Post draft statements of work on Contract Opportunities (sam.gov)/e-buy for vendors to comment.
- Promote the use of vendor communication to conduct market research, including draft solicitations.
- Make use of oral presentations when applicable.
- Publicize vendor engagement events at [Upcoming Events | USDA](#).
- Promote and conduct small business outreach meetings.
- Ensure that the vendor community is given adequate time to provide comments on draft solicitation documents, submit questions, and receive responses to help prepare and submit proposals.
- Plan for pre-proposal conferences and site visits where appropriate for complex/significant acquisitions.

**c. Protection of Non-Public Information**

USDA is committed to protect non-public information, including vendor’s confidential information and the Agency’s source selection information. Two statutory principles limit Government communications with vendors in the acquisition cycle: preventing unfair competitive advantage through selective release of source selection information and preventing competitive harm to a vendor through release of its proprietary information. USDA takes these obligations seriously and will use all available means to protect non-public information from unauthorized disclosure.

**d. Small and Emerging Business Outreach**

Small businesses drive innovation throughout the economy. USDA recognizes this and has implemented an aggressive small business outreach program to bring new and emerging businesses to the table with USDA. USDA’s OSDBU sponsors a series of Small Business Vendor community outreach sessions throughout the year. The purpose of these sessions is to provide the small business community the opportunity to meet with Specialists from OSDBU and USDA acquisition offices to discuss their capabilities and learn of potential acquisition opportunities.



Agency Specialists, in coordination with OSDBU Specialists, are responsible for carrying out the small business program in their respective agencies. The vendor outreach schedule is located on the [Small Business Connections Event | USDA](#) webpage. The [OSDBU webpage](#) also provides information on doing business with USDA, forecast of business opportunities, three different types of outreach events, a subcontracting directory, and a directory of [Small Business Specialists](#). There is also a list of OSDBU contacts located at [OSDBU Staff Contact List \(usda.gov\)](#).

**e. Category Management**

Category Management is an integral part of an agency's overall acquisition planning lifecycle and USDA recognizes the opportunity for leveraging available data to help remove barriers to competition, specifically surrounding other than full and open competition. USDA is using Category Management data to not only review buying patterns, but to collect like requirements and survey the vendor marketplace to identify better overall solutions for USDA. Part of the data analysis includes looking at actions conducted with limited or no competition and validating mission requirements to promote competition.

**f. Stakeholders Engagement**

USDA regularly consults and engages with a wide range of diverse stakeholders, including Congress; USDA's customers; State, local, and Tribal governments producers, cooperators, landowners, policy experts, universities and trade schools, infrastructure sectors, lenders, foundations, technical assistance providers, environmental and social advocates, industry partners, and consumer groups regarding our programs' effectiveness. USDA's Mission Areas and Agencies conduct a variety of stakeholder engagement activities, including posting Requests for Information on the Federal Register and holding listening sessions with different Departmental partners. USDA also supports the Acquisition 360 initiative to obtain stakeholder feedback as described in the Federal Acquisition Regulation 1.102-3. These activities have been used to inform and validate USDA's strategic goals, objectives, and performance measures.

## 6. Partnering with Industry for Requirement Development and Pre-Solicitation Activities

USDA procurement guidance has specific parameters for when formal acquisition plans are required which are referenced in part 407 of the [USDA Contracting Desk Book](#). Although formal acquisition plans are not required for all acquisitions, USDA is focusing on earlier engagement with vendors. Earlier and more frequent engagement with vendors on overly restrictive requirements and better acquisition methods creates better mission outcomes. Talking to vendors aids in reducing assumptions and uncertainty while allowing Government acquisition staff to gather information on vendor solutions. This gives the Government access to more common commercial solutions which can increase competition overall.

## 7. Publication of Engagement Events

USDA will post and regularly update vendor engagement events at [Upcoming Events | USDA](#) Government- wide point of entry contract opportunities located on and other Government contract platforms. Posted events will include vendor industry days, small business outreach sessions, pre-solicitation conferences, solicitation question and answer sessions, etc.



## 8. Roles and Responsibilities

- a. **Chief Acquisition Officer** - Role assigned to the Assistant Secretary to the Secretary of Agriculture responsible for all departmental administrative activities including acquisition. Responsible for overseeing vendor engagement.
- b. **Senior Procurement Executive** - Senior agency official responsible for promoting vendor engagement, accountable for overall efforts to improve engagement with businesses, and increasing awareness of the need to communicate with vendors.
- c. **Head of the Contracting Activity (HCA)** - The HCA is responsible for overseeing and managing the agency's acquisition activities and ensuring that related processes align with federal regulations and agency policies. This includes overseeing effective vendor engagement to ensure the agency procures high-quality goods and services efficiently and in a manner that supports USDA's mission and objectives.
- d. **Mission Area Senior Contracting Officials (MASCO)** - Senior agency officials responsible for promoting vendor engagement in the acquisition activities, accountable for promoting vendor engagement and adherence to this plan within their respective activities.
- e. **Contract and Investment Review Boards** - Consider the engagement strategy early in the review process. If the engagement strategy is inappropriate for the acquisition, the action should not be approved until an acceptable vendor engagement strategy is submitted.
- f. **Contracting Officer (CO)**
  - i. For each appropriate acquisition, establish the timing, frequency, and degree of vendor engagement necessary to appropriately develop requirements, acquisition strategy, and performance metrics.
  - ii. Recommend appropriate means of communication (i.e., one-on-one meetings, vendor days, draft solicitations, teleconferences, or a combination of these methods).
    - a. Consider methods that would generate new vendors to the market to increase competition.
    - b. Work with the OSDBU and Small Business Specialists to identify the best ways to reach out to small businesses.
    - c. Use the Small Business Central Event Listing on [sam.gov/](https://sam.gov/).
  - iii. Collaborate with the OSDBU (as appropriate), Program/Project Manager (PM) and Contracting Officer's Representative (COR) to determine who will conduct vendor engagement efforts and how these sessions will be conducted.
    - a. Encourage the PM and COR to communicate appropriately for pre-solicitation efforts.
    - b. Be the focal point for vendor communication after the solicitation is issued.
  - iv. Be as knowledgeable as possible about the content of the procurement forecast.

**g. Program/Project Officer and Contracting Officer's Representative (COR)**

- i. Submit planned procurements to the USDA Procurement Forecast as early as possible, and up to three years before the need date, to provide vendors with advance notice of USDA requirements. Be as knowledgeable as possible about the content of the procurement forecast.
- ii. As soon as a need is identified, inform the CO about the level of vendor engagement needed to help the PM and others conduct effective market research.
- iii. If market research does not identify sufficient competition, work with Contract Specialist and/or Small Business Specialist to identify strategies to increase engagement.
- iv. Assess the need for introducing new entrants to the market and recommend to the CO ways to do this.
- v. Discuss vendor engagement meetings with the CO prior to the meetings - the CO is not required to attend but should be aware of all communications.

**h. OSDBU and Small Business Specialists**

- i. Promote overall efforts to improve engagement with small businesses and increase Department-wide awareness of the need to communicate with vendors.
- ii. Coordinate vendor engagement activities with program and acquisition teams<sup>1</sup>.
- iii. Coordinate and collaborate with interagency colleagues and the vendor community regarding vendor engagement activities with the OSDBU and acquisition teams.
- iv. Serve as the Department's primary contact for engaging prospective small businesses.
- v. Collaborate with the CO and the contract specialist to ensure a clear understanding by the acquisition team of the contents and importance of USDA's procurement forecast.
- vi. Publicize outreach and training opportunities using a variety of vehicles including the [Upcoming Events | USDA](#) page.
- vii. Lead the effort to assess the need for introducing new vendors to the market and recommend to the CO ways to do this.
- viii. Lead the effort to conduct market research to identify small businesses capable of meeting USDA's needs.

**i. Small Business Specialists (in the contracting activities)**

- i. Assist acquisition teams in developing and executing vendor engagement strategies.
- ii. Coordinate vendor engagement activities with acquisition teams.
- iii. Assess the need for introducing new vendors to the market and recommend to the CO ways to do this.

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<sup>1</sup> FAR 1.102(c) states: "The Acquisition Team consists of all participants in Government acquisition including not only representatives of the technical, supply, and procurement communities but also the customers they serve, and the contractors who provide the products and services." For the purposes of this chapter, the team consists of the CO, CS, PM, COR, OSDBU, Small Business Specialist, Small Business Liaison, and others in Section V. A-J as appropriate.

- iv. Conduct market research to identify small businesses capable of meeting the Department's needs. Assist the CO and PM to encourage setting aside acquisitions for small businesses.

**j. Agency and Contracting Activity Competition Advocate**

- i. Promote the acquisition of commercial products and commercial services; full and open competition; challenge requirements that are not stated in terms of functions to be performed, performance required or essential physical characteristics; and challenge barriers to the acquisition of commercial items and full and open competition such as unnecessarily restrictive statements of work, unnecessarily detailed specifications, and unnecessarily burdensome contract clauses.
- ii. Promote competition - Encourage industry outreach for sole source procurements.

## 9. Training and Awareness Efforts for USDA Employees

**Defense Acquisition University Courses:**

- ACQ 315: Understanding Industry
- CLM 005: Industry Proposals and Communication

**Federal Training Courses:**

- FCL-A-0021 (CL): To Bid or Not to Bid: Industry Perspective
- FCL-A-0027 (CL): Can We Talk: Industry Day Conferences
- [FAI Vendor Related Courses](#)

**USDA Courses:**

- Procurement Forecast Training ([presentation only](#)) ([recording and presentation](#))

## 10. Links to Existing Policies

- Federal Acquisition Regulation - <https://www.acquisition.gov/far/>
- Agriculture Acquisition Regulations - <https://www.usda.gov/da/ocp/ppd/policies-regulations>
- USDA Procurement – Policy and Regulations - <https://www.usda.gov/da/ocp/ppd/policies-regulations>
- USDA Contracting Deskbook - [Policies & Regulations | USDA](#)
- Procurement Integrity Act (41 U.S.C. § 423) - Government officials may not disclose proprietary or source selection information. (FAR 3.104) [3.104 Procurement integrity. | Acquisition.GOV](#)
- Freedom of Information Act (5 U.S.C. § 552) - <https://www.justice.gov/oip/freedom-information-act-5-usc-552>
- Conflict of Interest Prohibition (18 U.S.C. § 208) - Government officials may not participate in a matter that presents an actual or apparent conflict of interest <https://www.law.cornell.edu/uscode/text/18/208>
- Competition in Contracting Act (CICA) (10 U.S.C. § 2304) - Government officials may not give unauthorized preferential treatment to one firm but must treat all firms equally. <https://www.law.cornell.edu/uscode/text/10/2304>

- Trade Secrets Act (18 U.S.C. § 1905) - Government officials may not disclose trade secrets or other proprietary information without permission of the owner of the information. Government officials must protect procurement-sensitive information and information that would not otherwise be lawfully disclosed to the public under the Freedom of Information Act. <https://www.law.cornell.edu/uscode/text/18/1905>
- Federal Advisory Committee Act (5 U.S.C. Appendix 2, § 5) - Government officials must comply with the Federal Advisory Committee Act when seeking advice or recommendations from a group that includes non-Government employees to ensure that the Government is not inappropriately influenced by a special interest. <https://www.law.cornell.edu/uscode/text/5a/compiledact-92-463/section-5>

USDA has established a repository for Mission Areas to post and share best practices and lessons learned, available at [USDA Acquisition Workforce - Shared With Us \(sharepoint.com\)](https://sharepoint.com). This site is only accessible by USDA employees.