

# **MEETING WITH INDUSTRY REPRESENTATIVES**

*What ITA Program Managers need to know before meeting with industry representatives*

**ITA** Program Managers are encouraged to talk with representatives of both large and small businesses, so that ITA procurements reflect an understanding of the commercial marketplace. This exchange of information, however, must take place within a framework that treats all vendors (and potential vendors) fairly and impartially. Your Contracting Officer is your best resource in preparing you for a vendor meeting; always inform your CO before meeting with a vendor. The following guidelines will help program managers and other staff develop a framework and set of sound business practices when meeting with vendors.

**THE RULE: After a procurement has begun, no exchange with industry and potential vendors shall occur without the permission of the Contracting Officer.** A procurement begins at the point when the agency needs are established and the description of the requirements to satisfy agency need is developed. In meetings with vendors or industry representatives, do not disclose “procurement sensitive” or “source selection sensitive” information; do not disclose the proposal evaluation process or the specifics of an on-going procurement; and do not discuss litigation or pending litigation. *No information shall be released after a procurement has begun, except by the Contracting Officer.*

**1** Avoid unauthorized commitments (i.e., an agreement that is not binding because the government representative making the agreement lacks the proper authority). In the case of contracts, only a Contracting Officer can commit the government. **Good Practice:** End each vendor meeting with the statement: “Nothing discussed in this meeting authorizes you to work, start work, or bill for work. Any understanding on your part to the contrary is a mistake.”

**2** Treat all vendors and potential vendors fairly and impartially.

**3** Conduct business with integrity, fairness, and openness. Not only must the acquisition process have integrity, but the actions of each ITA employee must reflect integrity, fairness, and openness. Avoid even the appearance of a conflict of interest.

**4** Understand your ethics responsibilities. Consult your legal advisors for guidance on ethics questions and procurement integrity. You should also keep your Contracting Officer informed of questions on ethical conduct or procurement integrity.

**5** Before accepting a meeting, notify your Contracting Officer. Your Contracting Officer may provide you information about the vendor, their current contracts, or if they are active in proposing to a specific procurement. After a procurement has begun, no exchange with industry shall occur without the permission of the Contracting Officer.

**6** Control the meeting and its agenda. Always have a meeting agenda. Before the meeting, identify specific information you want the vendor to address. You may limit the number of attendees and specify the mix of the vendor's business development and technical staff to attend.

**7** Emphasize the primary purpose of the meeting is for ITA to learn about the industry and marketplace. Ask questions and get an understanding of the advantages and issues associated with a particular approach or business practice. Ask the vendor clarifying questions, but avoid expressing opinions or preferences. The meeting should not be the basis for further action, and should not unintentionally solicit a proposal.

**8** Always provide the same information to all vendors. Provide a standard information package to all vendors that provides up-to-date and accurate information about the mission and requirements. **Good Practice:** Provide vendors with information that could properly be published on the ITA public website. You should not provide *other-than-public information* without prior written approval of your Contracting Officer and attorney.

**9** Ensure Impartiality. Do not give preferential treatment to any private party (e.g., do not give VIP visitor treatment to vendors, such as government vehicle rides from the airport, all-day escorts, or officially hosted free dining). Avoid private discussions about the vendor's business and its relationship with ITA.

**10** Document the results of the meeting. Documenting the results and findings of the meeting is a critical part of your market research effort. Be sure to record the date, place, and meeting participants, including their company affiliation, telephone numbers, and email addresses. Mark this document “Confidential Business Information,” and limit its distribution to the meeting attendees if it contains proprietary data.

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