



Interaction with the EDGE® Innovation Network

A Guide to How the EDGE Complies with the Federal Acquisition Regulation (FAR) and Federal Acquisition Policies

Sometimes U.S. government employees hesitate to interact with the EDGE® due to their interpretation of agency regulations or out of concern of a possible bid protest.

The following recommendations will help you better understand how the policies and approaches used by the EDGE Innovation Network comply with the Federal Acquisition Regulation (FAR) and federal acquisition policies.

1. Read [“Myth-Busting: Addressing Misconceptions to Improve Communication with Industry During the Acquisition Process” \(Feb. 2, 2011\)](#) – a memo released by the Office of Management and Budget to the U.S. government acquisition and procurement community.

In the memo, Daniel Gordon, former administrator for Federal Procurement Policy, addresses the myths that often prevent the acquisition/procurement community from interacting with Industry. The memo encourages meetings with Industry, even on a one-on-one basis, as long as any information that could directly affect proposal preparation is shared in a timely manner with all potential offerors to avoid providing any offeror with an unfair advantage.

2. Read the [U.S. Department of Defense \(DoD\) Directive 3204.1 \(1999\)](#) on Independent Research and Development (IR&D) where the DoD encourages cooperation between the agency and Industry in order to maximize benefits arising out of IR&D activities.

The directive recommended “providing to contractors available information useful to their planning and research in bounds set by security, intellectual property rights, fairness in competition and good business practice. Information to be provided includes ... mission needs and operational requirements.”

Knowing the difference between a potential future acquisition and a current acquisition is critical in understanding what information may be provided to Industry on an individual or group basis and what information must be provided to all bidders. See, the discussion regarding FAR 15.201 in the next reference below.

3. Read FAR 15.201 - Exchanges with Industry Before Receipt of Proposal.

This regulation encourages exchange of information with Industry in the period prior to a Request for Proposal (RFP)

release. For example, 15.201(f) states “general information about agency mission needs and future requirements may be disclosed at any time. After release of the solicitation, the contractor officer must be the focal point of any exchange with potential offerors. When specific information about a proposed acquisition that would be necessary for the preparation of proposals is disclosed to one or more potential offerors, that information must be made available to the public as soon as practicable.”

FAR 15.201 contains multiple other references to the benefits of exchanges with industry prior to RFP release. The closer a need or requirement becomes to being the subject of an acquisition by the agency and prior to any, the government should consider disclosing the information to all potential offerors.

Interaction with the EDGE® Innovation Network is most advantageous to the government early in the “market research” period contemplated by FAR Part 10, or well in advance of any acquisition. This eliminates any consideration of favoritism. Market Research occurs prior to the development of new requirements documents for acquisition by the agency and prior any solicitations for an acquisition. Market research and one-on-one meetings with potential offerors are encouraged by FAR 15.201.

The EDGE® can provide an agency with the opportunity to reach over 400 companies, universities and non-profit organizations through its network rather than the agency engaging dozens of individual companies through one-on-one outreach sessions.

4. Finally, as the “Myth-Busting” memo points out in Misconception/Fact #1, engaging with contractors in advance of an acquisition does not create an Organizational Conflict of Interest (OCI). Such engagement provides the government with ideas and options.

EDGE members are neither under contract nor being paid to provide these ideas and options to the agency. Members demonstrate and pitch potential solutions and approaches. The memo states “these marketing efforts, in themselves, do not raise OCI concerns.”

If you have questions, please contact us at edgeinnovation@gdc4s.com.