



Department of Housing and Urban Development (HUD)
VENDOR MANAGEMENT PLAN

A) STATEMENT OF COMMITMENT. The Department of Housing and Urban Development's policy is for representatives at all levels of the Department to have early, frequent, fair, even, and transparent dialogue with vendors and contractors based on matters of mutual interest (such as identifying best practices and policies, removing barriers to competition; identification of technology trends and development objectives security challenges, etc.) in a manner that protects sensitive information, operations, sources, methods and technologies. As such, the Department of Housing and Urban Development is committed to:

- 1) Recognizing, promoting, and committing to pre-award vendor communication consistent with existing law and regulation;
- 2) Ensuring we have strategies in place for post-award vendor dialogue that promotes positive contractor performance and compliance with contractual regulations; and
- 3) Ensuring we are continually improving and streamlining our vendor communication avenues.

Subject to sound business judgment (and the statutory limitations identified herein), officials within the Department are encouraged to participate in communication activities with industry as necessary to conduct official business. (It is not required, desired, or practicable that industry outreach be centralized.) Ethics laws and rules per se do not prohibit communications with industry representatives. They do, however, mandate fair and even treatment such that communication opportunities with HUD officials must be made available to all interested outside parties. All methods of communication, unless statutorily prohibited, are permitted. Communication with a wide and diverse variety of businesses of all sizes and with industry organizations is often the best overall strategy to ensure the communication is fair, even and transparent. The following are statutorily based limitations on communicating with firms:

- Conflict of Interest Prohibition (18 USC 208). Government officials may not participate in a matter that presents an actual or apparent conflict of interest.
- Procurement Integrity Act (41 USC 423). Government officials may not disclose proprietary or source selection information.
- Competition in Contracting Act (CICA) (10 USC 2304). Government officials may not give unauthorized preferential treatment to any firm(s), and must treat all firms equally.
- Trade Secrets Act (18 USC 1905). Government officials must not disclose trade secrets or other proprietary information without permission of the owner of the information, and Government officials must protect procurement-sensitive

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information as well as information that would not otherwise be disclosed to the public under the Freedom of Information Act (FOIA).

- Federal Advisory Committee Act (5 USC App2). Government officials must comply with the Federal Advisory Committee Act when seeking consensus advice or recommendations from a group that includes non-government employees.

B) SENIOR AGENCY OFFICIAL. The Senior Agency Official responsible for promoting vendor management at HUD is the Chief Procurement Officer (CPO), located at the Headquarters in Washington, DC. The Office of the Chief Procurement Officer ensures that early vendor communication is part of the acquisition process through Requests for Information (RFIs), Sources Sought Inquiries (SSI) and Industry Days. The Office of Small and Disadvantaged Business Utilization (OSDBU) also ensures early vendor communication through Small-Business Outreach events for individual projects and publishing annual, multi-program forecasts. The Departmental management team is committed to fair contracting to maximum extent practicable, ensuring small businesses are afforded maximum opportunities to compete, and that all non-public information is protected, regardless of the source.

C) REDUCE BARRIERS AND PROMOTE ENGAGEMENT. HUD's commitment to reducing communication barriers and promoting vendor engagement involves the following efforts:

1) PRE-AWARD

- a) Identify requirements appropriate for industry involvement in the Strategic Procurement Planning process and build such involvement into individual acquisition plans.
- b) Engage with potential offerors through RFI, SSI, Industry Days, and Industry Conferences to exchange general information and conduct market research related to an acquisition prior to release of solicitations;
- c) Have outreach events with industry facilitated by OSDBU and other participants in the acquisition process to discuss the procurement forecast, Departmental Sourcing Strategies, and promote partnering and matchmaking.
- d) Ensure that whenever appropriate in competitive negotiated acquisitions, the source selection process includes discussions with offerors to ensure HUD obtains the best value in each such acquisition.

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- e) Ensure timely requested pre-award and post-award debriefings are available for every offeror.

2) POST-AWARD

- a) The HUD Procurement Handbook 2210.3 dictates that the contracting office will conduct regularly scheduled progress review meetings which provide an excellent forum for the identification and resolution of contract problems that may affect contract cost, schedule and performance. Members include key personnel of the contractor and key members of the Government acquisition team (e.g., program management, contracting, technical, quality assurance, and others). The contractor is required to submit a contract status report prior to each review. Those status reports then become the basis for analysis and discussion. The CO must encourage open discussion to identify problems that may affect contract cost, schedule or performance as early as possible so that action can be taken to resolve them and mitigate their impact.
- b) Additionally, the COR will conduct periodic meetings with contractor technical personnel to discuss technical questions that may affect contract cost, schedule and performance. These technical meetings can be used to supplement progress review meetings. Any issues identified during these meetings must be conveyed to the CO.
- c) Ensure post-award debriefings are not only available for every offeror but are highlighted and encouraged in the post-award notification letters to unsuccessful offerors.

3) IMPROVE & STREAMLINE COMMUNICATIONS

Currently HUD uses podcasts, YouTube and central posting websites such as www.fedbizopps.gov to disseminate non-sensitive information to the public. HUD will continue to use these avenues as well as continue to search for new avenues to maintain communications with vendors and the public.

D) PUBLICATION. HUD ensures the public is notified of Vendor Engagement Events, to include Industry Days, Small-Business Outreach Sessions, Pre-Solicitation conferences, RFI/P question-and-answer sessions, etc. These sessions are posted and updated regularly using the existing "Special Notices" function at www.fedbizopps.gov.

E) ROLES AND RESPONSIBILITIES. The following are brief descriptions of the various roles and responsibilities of individuals involved in vendor management:

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- 1) **CONTRACTING OFFICER (CO):** The only appointed government employee who has been given authority to enter into, administer, and/or terminate contracts and make related determinations and findings.
 - Determine the plan - For each appropriate active acquisition, establish the timing, frequency, and degree of vendor engagement necessary to appropriately develop requirements, acquisition strategy, and performance metrics prior to release to OCPO for award.
 - Identify communication method - Recommend appropriate means of communication (one-on-one meetings, vendor industry days, draft RFPs, pre-solicitation conferences), using one of these methods).
 - Consider methods that would generate new entrants to the market to increase competition.
 - Work with the OSDBU and small business specialist to identify the best ways to reach out to small businesses.
 - Convey roles to the agency team - Communicate expected roles and responsibilities of the Project Manager (PM) and Contracting Officer Representative (COR) concerning the vendor engagement efforts and how these sessions will be conducted.
 - Encourage the PM and COR to communicate appropriately for pre-solicitation efforts.
 - Be the focal point for vendor communication after the solicitation is issued.
 - Document - Document the file with the results of the industry communication, including the ultimate effects it had on the acquisition (e.g., revision or clarification of work statement).
 - Discuss the agency procurement forecast – Be knowledgeable of the content in the procurement forecast to discuss upcoming procurements with small business so that they may determine how best to focus their resources to place bids and proposals.
- 2) **PROGRAM MANAGER:** A designated individual with responsibility for and authority to accomplish program objectives for the development, production, and sustainment to meet the user's operational needs.
 - Confer with the CO early - As part of the acquisition planning process, 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.

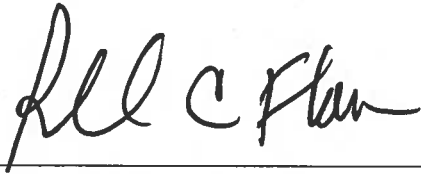
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- Evaluate expected level of competition - Assess the level of competition through market research.
 - Notify the CO - Discuss vendor engagements activities with the CO prior to the meetings. The CO may or may not be able to attend but should be aware of all communications.
 - Discuss the agency procurement forecast- Be knowledgeable of the content in the procurement forecast to discuss upcoming procurements with small business so that they may determine how best to focus their resources to place bids and proposals.
- 3) COR: Authorized to act on behalf of the program office head and Contracting Officer in activities involving those technical aspects of the proposed contract that are the responsibility of the program office.
- The COR must receive authorization in writing by the contracting officer to perform contract-specific technical and/or administrative functions.
- 4) COUNSEL consists of the attorney(s) on staff within a governmental legal department.
- Encourage communication to the maximum extent practicable - Advise the CO and team so they understand what is considered appropriate communications in terms of content, delivery methodology, etc.
- 5) ETHICS OFFICERS prevent conflicts of interest on the part of Government employees, fosters high ethical standards for employees, and strengthens the public's confidence that the Government's business is conducted with impartiality and integrity.
- Include vendor communications in annual ethics training - Ensure ethics training clearly explains what is permissible – not only what is prohibited.
- 6) THE OFFICE OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION (OSDBU) exchanges information on methods, initiatives, and best practices with the acquisition workforce to support the implementation and execution of the Federal small business contracting programs.
- Focus on the agency procurement forecast - Ensure the agency's acquisition workforce is aware of all actions listed in the agency's procurement forecast and the importance of ensuring small businesses are afforded maximum opportunities to compete for contracts.

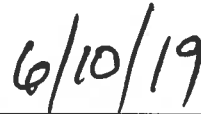
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- Use the Small Business Central Event Listing on FedBizOpps to publicize opportunities. This functionality helps small business find outreach events and promotes competition.

F) PLANS TO IMPROVE AND STREAMLINE. Early, frequent, and clear communications among the Department and its current and potential suppliers helps the Department achieve its acquisition goals and helps industry make informed investment and business decisions as necessary to meet near and longer-term requirements of the Department. The Chief Procurement Officer will regularly coordinate with the Program Managers and the Director of OSDDBU to help HUD determine whether HUD's communication and outreach efforts are effective, and what changes, if any, need to be implemented.



Ronald C. Flom
Chief Procurement Officer



Date