



# NIGP

## Global Best Practice

### DEBRIEFS

**Note: Debriefs are mainly used for RFPs and, therefore, this practice uses the terms Request for Proposals (RFP), proposers, and proposals.**

#### STANDARD

Debriefs should provide value to the proposer and the entity. The quality of a debrief derives from policy and is impacted by the clarity of the solicitation, evaluation process and documentation, and preparedness of the procurement professional conducting the debrief.

#### Definition

**Debriefing:** A practice used primarily after the Request for Proposals, or Invitation to Negotiate process, whereby the procurement professional meets with a proposer to discuss the strengths and weaknesses of that proposer's proposal.

#### Element 1: What is the purpose of a debrief?

A debrief meeting is used to provide constructive feedback to a proposer on their proposal. Proposers may consider this feedback when preparing subsequent proposals.

Entities may benefit equally from the information learned during a debrief, which they can utilize when preparing subsequent solicitations. Debriefs may also serve to develop relationships and build trust with proposers.

### Element 2: Considerations for establishing policies and procedures

The procurement professional's conduct and level of disclosure during a debrief is directed by policies and procedures, based upon laws, regulations, and other applicable legal guidance to which the entity is subject or adopts, along with generally accepted ethical principles. Complying with the policies and procedures ensures the appropriate level of disclosure, type of information, and method of disclosure during the debrief. To ensure compliance, the entity should apply the strictest requirement as a standard.

Entities may be obligated by law and Trade Agreements to offer a debrief, for example:

- U.S. Model Procurement Code (MPC) Section 3-203(8) authorizes the procurement officer to conduct debriefings after source selection decision and contract award, but does not require them to do so.
- U.S. FAR 15.506 requires the purchasing entity to provide a debrief to a proposer for procurements conducted under FAR Part 15, if the proposer requests a debrief in writing within three calendar days after the entity's award notice.
- Canada Free Trade Agreement, Article 516 requires Procurement to provide a debrief upon the written request from an unsuccessful proposer.
- World Trade Organization Agreement on Government Procurement (GPA), Article XVI requires Procurement to provide a debrief upon the written request of an unsuccessful proposer.

#### Level of Disclosure

Assess the risk of the debrief for potential controversy. Debriefs for large, complex, or high profile procurements may warrant additional preparation. Be prepared for potential difficult conversations. Conduct the debrief with no less transparency than the entity's legal requirements.

Discuss strengths and weaknesses of the proposer's submission in relation to the evaluation criteria.

- Provide a general overview for each evaluation criterion, not a point-by-point comparison.
- Do not compare information between proposals.
- The debrief may include information on the proposer's ranking relative to other proposals.

Achieving a quality debrief depends on policies and procedures, as well as:

- A solicitation with clearly stated requirements, evaluation criteria, scoring method, and evaluation process.
- The procurement professional should provide the evaluation team with an evaluation template relevant to that specific procurement to guide the evaluators in documenting the strengths and weaknesses according to the evaluation criteria to support their score.
- An evaluation team who executed the evaluation process as stated in the solicitation.
- A procurement professional who maintained the appropriate documentation in the procurement file.

The evaluation team must understand and appreciate the impact the evaluation documentation has on the quality of the debrief. Develop an evaluation team training plan that:

- Emphasizes the correlation between the evaluation documentation and the quality of the debrief.
- Includes use of documents to properly record the scoring or ranking.
  - Evaluators must score each proposal according to the evaluation criteria, and should document the strengths and weaknesses that support each score, noting the correlating proposal page or section number
- Covers professional documentation standards, i.e., no slanderous, personal, judgmental, derogatory, or extraneous comments.
- Offers future potential evaluation team members the opportunity to audit a prior debrief.
  - May include attending debriefs as observers or conducting of mock debriefs
- Practices the drafting and preparation of documents for debriefs, including:
  - Evaluation committee notes, including scores; justification for scores
- Instructs on compliance relative to disclosure of information.

### Element 3: The process of debriefing

Once the entity has developed its policies, procedures, and sample documents, the debriefing process should include the following:

- Instructions on how to request a debrief in the solicitation and Notice of Intent to Award, identifying:
  - Deadline for request; deadline should be reasonable with flexibility
  - Contact person
  - Method of contact, e.g., phone or email
- An agenda and explanation of the debrief structure and process.
- Confirmation in advance of who will attend from the proposer side and their position of responsibility.
- Invitation to a colleague to attend the debrief as an observer for accountability.
- Introduction of attendees and how they relate to the proposer's response or entity's team.
- The procurement professional should manage expectations by addressing the:
  - Educational nature of the meeting
  - Level of disclosure: State what the entity will and will not share
  - Distinction between the proposer's capacity and capability and what was included in the proposal
  - Entity's response to questions and how the response will be restricted to the parameters set
- Share the proposer's strengths and weaknesses in relation to the evaluation criteria, never in relation to other proposals.
- Share only the evaluation comments and score for the proposal being debriefed.
- Ask the proposer if there is anything else the procurement professional can address within the parameters of the debriefing process.
- Update the procurement file after the debriefing for future reference.
  - Include a sheet documenting the meeting, i.e., name and signature of attendees, what was discussed, any issues

**Note: A debrief is not an opportunity to unofficially protest or change the outcome.**

**Note: Legal Counsel should not be in attendance at a debrief.**

There are situations where the entity may provide a proposer with positional information, for example:

- Under the U.S. Government Performance and Results Act (GPRA), the entity may say another proposal scored much higher on that criteria without mentioning details. This may lead to a Freedom of Information Act (FOIA) request.
- Under some trade agreements, for example, the World Trade Organization Agreement on Government Procurement (GPA), the entity may be permitted to disclose a proposer's rank relative to other proposers.

**Tip: Consider grouping comments into general sections of the proposal, e.g., technology approach, resources.**

#### Element 4: How to conduct a successful debrief

Considerations and best practices for a valuable debrief while mitigating risk to the entity include the following activities by the procurement professional:

- Prepare for conducting a debrief.
  - Know the law and expectations for the debrief
  - Review the procurement file
    - Assemble documents (i.e., evaluation committee notes, proposal, etc.)
  - Gain familiarity with evaluation notes to communicate constructive feedback related to strengths and weaknesses
  - Prepare, practice
    - Anticipate potential questions or areas of concern from the proposer and prepare measured responses
  - Send a summary sheet to the proposer that requests a debrief before the debrief
    - The sheet would include strengths and weaknesses in relation to the evaluation criteria and often negates the need for the debrief
- Conduct the debrief.
  - Lead with strengths before discussing weaknesses
  - Be prepared to offer suggestions for improvements for future proposals
  - Note: Do not provide an example of a suggested response**
  - Be as transparent as the entity's legal requirements allow without disclosing any proprietary information
    - Discuss strengths and weaknesses of only the proposer's proposal in relation to the evaluation criteria (a general overview, not a point-by-point comparison)
  - Debrief may include information on the proposer's ranking relative to other proposals
  - Designate a colleague to take notes during the debrief, documenting questions asked, comments made, and any other relevant information or observations
  - Act professionally
    - Employ active listening skills (be focused; no distractions)
    - Dialogue should be courteous and respectful
    - Stay calm and professional
    - Prepare statements to diffuse difficult situations or questions

Positive outcomes of a successful debrief

- Debriefs may reduce the likelihood of a protest as they provide an avenue for proposers to ask questions and be heard.
- Ultimately, the feedback discussed in a well executed debrief, should result in improvements for future solicitations and proposals.

**Myth: Debriefs lead to protests.**

### Background

Debriefs are an important tool and can result in tangible improvements. Entities should encourage proposers to request debriefs by actively offering them. This practice provides guidance on the process of conducting a debrief that provides value to both proposer and entity. The quality of a debrief directly relates to the training of the procurement professional and evaluation team, the evaluation process, and the detail of evaluation team notes.

### Resources

- Allair, L. and Johnson, B. Debriefing Suppliers: Why and What to Discuss. Power Point. NIGP Forum 2020.
- Bauccio-Teschlog, T., Carney, D., Foster, J., King, R., & Weber, C. *Developing and managing requests for proposals* (DMRFP). Third edition. Routledge, Taylor & Francis Group, 2020.
- MontgomeryCountyMD.GOV. Office of Procurement. *Request for Proposals (RFP) Debriefing Questions and Answers*. 2021.
- #RFPDreamTeam, Learning Lab 8 - Post Evaluation Steps, 2021.
- The UK Office of Government Commerce. *Supplier debriefing guidance*. March 2003.
- USC Title 41 - PUBLIC CONTRACTS
- World Trade Organization Agreement on Government Procurement. [https://www.wto.org/english/tratop\\_e/gproc\\_e/gp\\_gpa\\_e.htm](https://www.wto.org/english/tratop_e/gproc_e/gp_gpa_e.htm)