



**HUD's HAP Support  
Services  
PROCUREMENT:  
A PRIMER**

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# Procurement Contract Or Cooperative Agreement – Does It Matter?

## ○ Procurement Contracts

- Formalized process
- Many Regulations
- Process review
- Rigid Scope of Work
- Strict schedule of milestones or deliverables

## ○ Grants/Cooperative Agreements

- Flexible Process
- Fewer Regulations
- Minimal process review
- Flexible Scope of Work
- General timetables

# The Procurement Process

## – General Overview (Agency)

- Agency determines it has a need for goods and/or services.
- Agency drafts a solicitation.
- Agency posts a solicitation on Federal Business Opportunities ([www.fedbizopps.gov](http://www.fedbizopps.gov)).
- Interested parties prepare offers in response to the solicitation requirements and submit offers by the required due date.
- The contracting officer or source selection authority evaluates the offers and makes award(s).

# The Procurement Process

## – First Steps (Contractor)

- Data Universal Numbering System (DUNS)– an offeror must obtain a DUNS number from Dun and Bradstreet. Available for free for federal contractors.
- Register in the System for Award Management (SAM) system which requires the completion of several federal representations and certifications.
- If already registered in SAM then you may need to change the Purpose of Registration from “Federal Assistance Awards Only” to “All Awards”.

# The Procurement Process

- So far HUD *has*:
  - Held An Industry Day
  - Issued a Request for Information (RFI)
  - Issued a Sources Sought
  - Issued two Revised Draft Solicitations (86546A18R00002 for HAP Regional Support and 86546A18R00001 for HAP National Support) on December 12, 2017
  - Comments, questions and capability profiles (originally due 1/2/2018) are due by January 31, 2018

# The Procurement Process

- Types of Contracts
  - Fixed-Priced Contracts
  - Cost-Reimbursement

# The Procurement Process

- Fixed-Priced Contracts
  - firm-fixed-price contracts,
  - fixed-price contracts with economic price adjustment,
  - fixed-price incentive contracts,
  - fixed-price contracts with either prospective or retroactive price re-determination, and
  - firm-fixed-price, level-of-effort
  - Draft RFP contemplates a single ID/IQ Fixed Unit Price Contract(s)

# The Procurement Process

- Cost-Reimbursement Contracts
  - cost contracts,
  - cost-sharing contracts,
  - cost-plus-incentive-fee contracts,
  - cost-plus-award-fee contracts, and cost-plus-fixed-fee contracts



# The Procurement Process

## WHERE:

The final RFP will be published on [www.fedbizopps.gov](http://www.fedbizopps.gov) and most likely on HUD's website given its past practices.

## WHEN:

We don't know so check frequently!

# The Procurement Process

- The RFP – Broken Down into Sections A-M
  - Section A – Contract Form/SF33
    - Point of Contact
    - Amendment Acknowledgements
    - Signature Page
    - DUE DATE

# The Procurement Process

- The RFP – Sections A-M
  - Section A – the Contract form cover
  - Section B – Supplies and Services and Pricing
    - Contract Line Items
    - Period of Performance/Options
    - Pricing Guidelines
    - Draft RFPs include Estimated Quantities
  - Section C – Performance Work Statement (PWS)

# The Procurement Process

- The RFP – Sections A-M
  - Section D – Packaging and Marking
  - Section E – Inspection and Acceptance
  - Section F – Deliveries of Performance

# The Procurement Process

- The RFP – Sections A-M
  - Section G – Contract Administration Data
  - Section H – Special Contract Requirements
  - Section I – Contract Clauses
  - Section J – List of Attachments

# The Procurement Process

- The RFP – Sections A-M
  - Section K – Representations and Certifications
  - Section L – Instructions to Offerors
  - Section M – Evaluation Factors for Award

# The Procurement Process

- HELPFUL HINTS

- A team of people should scour and scrutinize every word of the solicitation including clauses incorporated by reference. This is a TEAM effort.
- Make sure you understand everything – if not sure ask questions!
- Make checklists of action items and assign items to the proper parties internally with set deadlines.
- Respond appropriately to the specifications and follow the structure established by the solicitation.
- Coordinate the information requested in Section L with the evaluation factors listed in Section M. They should *match*.

# The Procurement Process

## ○ HELPFUL HINTS

- Be clear – give specific information about your entity and how it will perform the PWS. Do not parrot back the solicitation requirements.
- Set yourself apart from others. Why are you the best? Put it in the proposal but apply it to the specific work being solicited.
- Offer competitive pricing. You may not get another chance.
- Proofread!
- Make sure you have signed everything required and included every attachment requested.



# **The Procurement Process – Before the RFP Due Date**

- Pre-Proposal Conference
- Questions and Answers
- Amendments

# **The Procurement Process – After the RFP Due Date**

- Determination of a Competitive Range
- Discussions/Clarifications
- FPRs
- Notice of Award

# Contract Compliance

- Will PHAs have to comply with:
  - Service Contract Act? (yes)
  - Equal Opportunity Clauses? (yes)
  - E-Verify? (yes)
  - Small Business Subcontracting Plans? (yes)
- Private companies will have a higher administrative burden.

# Subcontracting

- A small business is a concern that:
  - Is organized for profit;
  - Has a place of business in the U.S.;
  - Operates primarily within the U.S. or makes a significant contribution to the U.S. economy through payment of taxes or use of American products, materials or labor;
  - Is independently owned and operated; and
  - Is not dominant in its field on a national basis

# Partnering

- Subcontractors
- Joint Ventures
- Mentor-Protégé

# Joint Ventures

- An arrangement in which two or more parties pool their resources for the purposes of performing the contract but still retain their distinct legal identities. ABC and XYZ come together to form EFG. EFG would bid on the contract and perform the work using the resources of ABC and XYZ.
- JV gets its own DUNS and registers with SAM
- Members of JV are affiliated for size purposes unless both members are small. This is separate and apart from the Mentor-Protégé rules.

# Mentor-Protégé – New Rules

- A formal arrangement where the Prime assists small business concerns, enhancing their capability to perform successfully on future contracts and subcontracts.
- A Mentor-Protégé may qualify as a small business for any government prime contract if the Protégé qualifies as a small business for the procurement. Protégé must have experience in that NAICS.
- SBA must approve the Mentor-Protégé agreement. This is currently only taking 3 days!
- Protégé may only have one Mentor at a time with limited exceptions.
- Mentor can have up to three Protégés under certain circumstances.

# QUESTIONS





# POINTS OF CONTACT

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