

## Debriefing Agendas

*[Note: Debriefings may be done orally, in writing, or by any other method acceptable to the contracting officer. There is no specific requirement to hold face-to-face debriefings. If done in writing, it is very important to maintain some evidence that the offeror received the written debriefing. Sometimes, it will be financially prohibitive for the offeror to attend a debriefing in person. The preferences of the offeror should be afforded due consideration, but the contracting officer makes the final decision as to the location and methodology for the debriefing. The contracting officer should normally chair any debriefing held, with support provided by individuals who conducted evaluations. A debriefing requires thorough preparation. Experience has shown that going into a debriefing unprepared is the surest way to lose the confidence of the offeror and increase the chances of a protest. An effective debriefing can often deter a protest by demonstrating that the government conducted a thorough, fair evaluation and made a sound source selection decision according to the solicitation evaluation methodology. An official summary of the debriefing must be included in the contract file. Debriefings consist of two distinct types, pre-award (offerors excluded from the competitive range) and post-award. Separate regulations govern each type, as detailed below.]*

### Pre-award Debriefing Agenda

*[Note: Offerors excluded from the competitive range or otherwise excluded from the competition before award may request a debriefing before award. The offeror may request a pre-award debriefing by submitting a written request for debriefing to the contracting officer within **3 days after receiving notice of exclusion from the competition**. At the offeror's request, this debriefing may be delayed until after award, and if so, it shall include all information normally provided in a post-award debriefing. Debriefings that are delayed could affect the timeliness of a protest filed. If the offeror does not submit a timely request, the contracting officer is not required to give either a pre-award or post-award debriefing. Offerors are entitled to **only one debriefing** for each proposal. The contracting officer should "make every effort" to provide timely requested pre-award debriefings "as soon as practicable," but may refuse such requests if, for compelling reasons, it is not in the best interests of the government to conduct the debriefing at that time. If that is the case, the rationale shall be included in the contract file, and the debriefing shall be provided no later than the time post-award debriefings are provided.]*

At a minimum, the pre-award debriefing must include the following, according to FAR 15.505:

- The agency's evaluation of significant elements in the offeror's proposal
- A summary of the rationale for eliminating the offeror from the competition
- Reasonable responses to relevant questions about whether source selection procedures contained in the solicitation, applicable regulations, and other applicable authorities were followed in the process of eliminating the offeror from the competition

Pre-award debriefings must **not** disclose:

- The number of offerors
- The identity of other offerors
- The content of other offerors' proposals
- The ranking of other offerors
- The evaluation of other offerors
- Any of the information prohibited in FAR 15.506(e), including:
  - A point-by-point comparison of the debriefed offeror's offer with other offers
  - Information prohibited from disclosure or exempt from release under the Freedom of Information Act, such as:
    - Trade secrets
    - Privileged or confidential manufacturing processes and techniques
    - Commercial and financial information that is privileged or confidential, including cost breakdowns, profit, indirect cost rates, and similar information
    - The names of individuals who provided references about an offeror's past performance

### **Post-award Debriefing Agenda**

*[Note: The agency must debrief and furnish the basis for the selection decision and contract award to any offeror whose written request was received by the agency **within 3 days after the date on which that offeror received notification of contract award**. To the maximum extent practicable, the debriefing **should occur within 5 days after receipt of the written request**. Offerors that request a post-award debriefing in lieu of a pre-award debriefing, or for which the debriefing was delayed for compelling reasons beyond contract award, also should be debriefed within this time period. An offeror that was notified of exclusion from the competition, but failed to submit a timely request, is not entitled to a debriefing, but requests may be accommodated.]*

At a minimum, the post-award debriefing must include the following, according to FAR 15.506:

- The agency's evaluation of the significant weaknesses or deficiencies in the offeror's proposal, if applicable
- The overall evaluated cost or price (including unit prices) and technical rating, if applicable, of the awardee and the debriefed offeror, and past performance information on the debriefed offeror
- When any ranking was developed, the overall ranking of all offerors
- A summary of the rationale for award
- For acquisitions of commercial items, the make and model of the item to be delivered by the awardee

- Reasonable responses to relevant questions about whether source selection procedures contained in the solicitation, applicable regulations, and other applicable authorities were followed

The post-award debriefing must **not** include point-by-point comparisons of the debriefed offeror's proposal with those of other offerors. Moreover, the debriefing must not reveal any information prohibited from disclosure or exempt from release under the Freedom of Information Act, including:

- Trade secrets
- Privileged or confidential manufacturing processes and techniques
- Commercial and financial information that is privileged or confidential, including cost breakdowns, profit, indirect cost rates, and similar information
- The names of individuals who provided references about an offeror's past performance