



DEPARTMENT OF THE NAVY
OFFICE OF THE ASSISTANT SECRETARY
(RESEARCH, DEVELOPMENT AND ACQUISITION)
1 000 NAVY PENTAGON
WASHINGTON DC 20350-1000

0 6 AUG 2014

MEMORANDUM FOR DISTRIBUTION

SUBJECT: Clarification on Improving Communications During the Market Research Process

On June 2, 2014, this office provided the attached guidance on improving communications with industry to increase the level of transparency on decisions resulting from the sources sought/market research process.

As stated in our June 2, 2014 guidance memorandum, market research should be conducted with the purpose of determining if sources capable of satisfying the DON requirements exist. The issuance of a sources sought notice is one form of market research. Until market research is conducted and the results are documented, any intent to set aside a requirement for small business is premature. Contracting officers must utilize the results of thorough market research when determining whether a requirement can be set aside for small business.

The following clarifying and supplemental guidance is provided:

Effective immediately, for procurements above the simplified acquisition threshold, whenever a sources sought notice is used to conduct market research, contracting officers shall document the results in their market research documentation and provide feedback to industry regarding the decision made to set aside/not set aside a procurement. This should be accomplished via the pre-solicitation synopsis notice. The synopsis must reference the previous market research sources sought notice and must include a statement that the activity small business office concurs with the decision.

For acquisitions where a sources sought notice was used, but which do not require publication of a separate synopsis (e.g., combined synopsis/solicitation per FAR 12.603, orders per FAR 16.505, orders per FAR 8.4), Contracting Officers shall instead reference the previous sources sought notice, with a statement that the small business office concurs with the decision, in the solicitation itself.

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Each contracting activity shall disseminate this policy and ensure compliance with the updated requirements. Questions regarding this memorandum should be directed as follows: the DASN AP POC is 703-614-9641 and the OSBP POC is 703-693-4071.

Elliott B. Branch
DASN (AP)

Attachment:
As stated



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JUN - 2 2014

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SUBJECT: Improving Communications During the Market Research Process

Open communication with industry provides the Department of the Navy (DON) with a level of transparency in the conduct of our acquisition business. During discussions with small businesses, it became apparent that decisions resulting from the sources sought/market research process may not meet that expected transparency. Improved communication in this area will advance the DON's commitment to provide competitive opportunities where small businesses can provide products, services, and solutions to support the warfighter.

As a reminder to DON contracting officers, market research should be conducted with the purpose of determining if sources capable of satisfying the DON requirements exist. The issuance of a sources sought notice is one form of market research. Until market research is conducted and the results are documented, any intent to set aside a requirement for small business is premature. Contracting officers must utilize the results of thorough market research when determining whether a requirement can be set aside for small business.

Effective immediately, upon thorough documentation of market research results, a contracting officer shall provide feedback to industry regarding the decision made to set aside a procurement. This should be accomplished via the pre-solicitation synopsis notice. The synopsis must reference the previous market research sources sought notice and must include a statement that the activity small business office concurs with the set aside determination.

Each contracting activity shall disseminate this policy and ensure compliance with the updated requirements. Questions regarding this memorandum should be directed as follows: the DASN AP POC is 703-614-9641 and the OSBP POC is 703-693-4071.

Elliott B. Branch
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