



The ABCs of Government Contracting

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MARKETING TO THE FEDERAL GOVERNMENT

2010 Congressional Procurement Conference

By: Alan R. Swendiman, Esq.
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Jackson & Campbell, P.C.

- Regional law firm headquartered in Washington, D.C., with offices in Vienna, Virginia, Rockville and Baltimore, Maryland was founded in 1890's.
- 60 Professionals
- Practice areas include

Practice Areas

- Government Contract Law
- Business Law
- Business Succession
- Employment Law
- General Litigation
- Health Law
- Insurance Coverage
- Real Property & Asset Management
- Tax Law
- Bankruptcy & Creditors' Rights
- Trusts & Estate Planning

Alan R. Swendiman - Director

- **Over 35 years of experience in the private practice of law**
 - business and commercial legal matters including contracts, leasing, purchase and sale of real estate, governance, formation of business entities, business succession planning, and general corporate counseling
- **Served as General Counsel and Acting Chief of Staff of the General Services Administration (“GSA”)**
 - engaged in government contracting, leasing and construction
- **Special Assistant to the President and Director, Office of Administration**
 - managed delivery of administrative support and services to the Executive Office of the President, including GSA’s modernization of the Eisenhower Executive Office Building
- **General Counsel of the United States Agency for International Development**
 - oversaw government contracts and grants with commercial and non-profit organizations

Marketing to the Federal Government

- Identify the product(s) or service(s) you wish to sell
- Register your business and get necessary certificates
 - Obtain North American Industrial Codes (NAIC)
www.census.gov/eos/www/naics/
 - Obtain Data Universal Number System (DUNS) number
www.dnb.com
 - Register with Central Contractor Registry (CCR)
www.ccr.gov

- Do your research
 - Research Federal agencies
 - Know what agency and major contractors need and are buying
 - Review agency publications
 - Agency website
 - Agency forecast
 - FedBizOpps.gov
 - register to get notices
 - Check www.fpds.gov
 - Shows past awards
 - Identifies competition

- Know your market and identify your target market
 - 1-2, 3-5 agencies
 - Identify divisions of agencies
- Create marketing plan
- Sell your strengths
 - Core capabilities vs. status (e.g., small business, women-owned, SDVOSB, etc.)
- Distinguish yourself from others – what sets you apart
 - Can't be everything to everyone
- Show value

- Come with solutions to help the contract officer
- Have a systematic approach
 - Be consistent
 - Follow-up
- Avoid getting in game too late
 - Look at agency 2 year forecast
 - Be familiar with federal budget process

- Consider using Federal supply schedules
 - Must be a business and not a start-up
 - 2 year requirement
 - If approved, agencies can buy off schedules
 - Must have \$25,000 in sales during first 2 years
 - GSA gives you the license to fish – not the fish

- Government committed to competition
 - Sole source the exception
- Solicitation types:
 - Requests for Proposals (RFPs)
 - Invitations for Bids (IFBs)
 - Requests for Quotations (RFQs)
- Solicitations are typically in writing and contain:
 - Statement of Work/Specifications/Government Requirements
 - Proposal Instructions
 - Draft Contract

- Review request for proposal (RFP) carefully
 - Look at what RFP is requesting
 - Be responsive, thorough and complete
- Don't submit rushed proposal
 - Contract officers remember

- Meet with agency small business representatives
- Consider teaming
 - Market to larger companies who have contracts
 - Be willing to bring opportunities to larger firms
 - 8(a) businesses
 - Make sure you have a written agreement
- Have a one-page capability statement showing what you did for others

- Know Federal Acquisition Rule and the agency acquisition regulations
 - The “bible” of Federal government contracting
www.acquisition.gov/far
 - Describes policies and procedures Federal government follows to purchase goods and services

- Consider joining trade associations
- Attend industry events
- Develop elevator speech
 - What you provide
 - What sets you apart
- Establish relationships with contract officers and program managers – network.

- Contact Officer (CO)
 - Only person that can agree to contract terms
 - Only person authorized to obligate/commit funds and bind the Government.
- Contracting Officer's Technical Representative (COTR)
 - Provides technical support for CO
 - Administrates performance of the contract
 - Directs work of contractor within scope of contract
 - Cannot change contract forms
 - No authority to contract or bind the Government

- Maximize use of federal programs: GSA, NASA SEWP
- Market, market, market
- Must perform

THANK YOU

If you have any questions or comments, please contact us:

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