

# VA MARKET RESEARCH GUIDE FOR ACQUISITION TEAMS

*August 1, 2019*

**VA**



**U.S. Department of Veterans Affairs**

Office of Acquisition and Logistics  
Procurement Policy and  
Warrant Management Service (PPS)

# VA Market Research Guide for Acquisition Teams

---

## TABLE OF CONTENTS

A. INTRODUCTION.....	3
B. PURPOSE.....	5
C. WHAT IS MARKET RESEARCH?.....	5
D. STRATEGIC & TACTICAL PHASES OF MARKET RESEARCH.....	8
E. WHEN TO DO MARKET RESEARCH.....	10
F. THRESHOLDS FOR CONDUCTING MARKET RESEARCH .....	11
G. ROLES AND RESPONSIBILITIES—WHO CONDUCTS MARKET RESEARCH?.....	11
H. DOCUMENTATION REQUIREMENTS—FOUR BASIC ELEMENTS OF MARKET RESEARCH .....	14
I. MARKET RESEARCH PRINCIPLES.....	15
J. GENERAL MARKET RESEARCH TECHNIQUES.....	16
K. VETERANS FIRST CONTRACTING PROGRAM.....	17
L. KEY STEPS TO START CONDUCTING MARKET RESEARCH AT VA.....	19
M. HOW TO CONDUCT MARKET RESEARCH.....	21
N. MARKET RESEARCH TOOL—VA BUSINESS INTELLIGENCE TOOL.....	22
O. UNDERSTAND THE NUANCES OF BRAND NAME OR “BRAND NAME OR EQUAL” PURCHASE DESCRIPTIONS.....	22

# VA Market Research Guide for Acquisition Teams

---

## APPENDICES

A. RESEARCH LINKS AND OTHER RESOURCES.....	24
B. REGULATORY REFERENCES AND OTHER GUIDANCE.....	34
C. KEY TERMS AND DEFINITIONS.....	36

## ATTACHMENTS

1 – Streamlined Market Research Report-Template.....	43
2 – Market Research Report Template.....	47
3 – OSDDBU Market Research Checklist (SB source focus).....	62
4 – Rules for Meeting with Industry Representatives.....	68

*Acknowledgment:* The Department of Veterans Affairs, Office of Acquisition and Logistics (OAL), Procurement Policy and Warrant Management Services (PPS) benchmarked best practices on market research policy, techniques and documentation across the Department of Veterans Affairs and other federal agencies/departments including the Department of Defense and the Defense Acquisition University, the Department of Homeland Security and the Small Business Administration. Salient passages and best practices were incorporated, where appropriate, to produce this guide.

# VA Market Research Guide for Acquisition Teams

---

## A. INTRODUCTION

### Preface

Market research and acquisition planning are collaborative processes between contracting offices and requiring activities/program/project offices. Each member of the acquisition team has key responsibilities to ensure appropriate issues are considered when conducting market research that will flow directly into acquisition planning and developing the acquisition strategy. Acquisition teams and program/project offices who conduct comprehensive market research help ensure the VA selects the most suitable approach to acquiring supplies, services and construction and facilities in support of our critical mission and to facilitate the identification of capable small businesses<sup>1</sup>, and particularly veteran-owned small businesses<sup>2</sup>.

Done well, the results of market research will inform the Source Selection Authority (SSA) on a wide variety of issues such as the most appropriate contract vehicle and type, customary business practices, sustainment issues and a host of other key decision criteria that acquisition teams need to consider in order to select the appropriate approach in a given scenario. To fulfill VA's critical and timeless mission to support our Nation's Veterans, it is important that members of the acquisition team understand the importance of market research, its link to more effective acquisition outcomes, and their own roles and responsibilities.

A key component to helping us deliver business solutions that meet Veterans' needs and to serve ably in our role as trusted business partners is to improve how we engage our customers, key stakeholders and industry at the outset of an acquisition. This includes how we go about the process of gaining critical market intelligence insight to inform our acquisition strategies.

Market research has *always* been a critical component of acquisition planning where the market place is examined to garner key information so the VA can benefit from the commercial market place's capabilities, technologies and competitive forces in meeting Veteran's needs. Today, however, market research is receiving renewed emphasis and attention at the VA commensurate with the Department's realignment of acquisition roles and responsibilities to improve our business acquisition functions. Market research is vital to helping the VA achieve mission success and improve the Veteran experience. We must ensure acquisition teams and key decision makers have the right information to make informed decisions on requirements and acquisition strategies. Market research is essential to help shape that outcome.

This guide is developed to aid you in understanding your collaborative roles and responsibilities as members of the acquisition team. Market research is both a collaborative and continuous partnership to stay abreast of emerging changes in the marketplace. Use this guide as a road map and the templates as tools to capture that data and help document

---

<sup>1</sup> For purposes of this guide the term small business includes VA verified veteran-owned small businesses

<sup>2</sup> The term verified veteran-owned small business (VOSB) includes service-disabled veteran-owned small business (SDVOSB) when used as a stand-alone term in this guide

## VA Market Research Guide for Acquisition Teams

---

the results of your market research in order to facilitate effective and efficient acquisition strategies and decisions. By capturing the information, data and recommendations for current and future use, it will help guide VA decision makers on the allocation of scarce resources in our quest to solve important problems for Veterans.

### **Applicability**

This guide applies to all VA offices and components.

### **Background**

Market research is critical to ensuring the VA gets it right regarding requirements, market capability, etc., but it also helps to ensure VA meets required socioeconomic goals, including elevating the participation of small businesses in the federal contracting space. At VA, it is particularly important from both the perspective of supporting veteran-owned small businesses using a unique VA set-aside authority, and to ensuring our mission to serve Veterans can be accomplished by access to a wide range of businesses that enhance VA's organic support capabilities.

Market research should be meaningful, continuous and on-going. The emphasis in market research has evolved from simply finding commercial products to meet our needs, to actually generating solicitations that mirror, to the maximum extent possible, customary commercial practices—from the clauses utilized, any unique terms and conditions, and to the specifications/statements of work.

It is not enough to simply identify the market research method and the specific sources contacted. Acquisition teams must establish an audit trail from the market research effort to the actual purchase. If you learned nothing of value from the source researched, explain why the data is irrelevant to the acquisition. If you gained useful insight, indicate the key details and your analysis of the data in the report.

Bottom-line: Market research is not about checking boxes and listing contacts. Market research is about discovering ways to improve procurement outcomes and executing VA's critical mission on-time and on-target. The market research report merely documents the link between the research, the acquisition strategy selected, and the final product or service delivered.

Please note that the depth of how much market research you conduct and document in the market research report should be commensurate with the nature and complexity of the acquisition, urgency, estimated dollar value and past experiences. This guide can be a helpful tool to the VA Acquisition Team and Integrated Product or Integrated Project Teams (IPTs), when established, to facilitate their market research approach as part of the overall acquisition planning strategy. Program and project managers and staff are most familiar with their requirements and are best positioned to develop relevant and useful market research.

# VA Market Research Guide for Acquisition Teams

---

## B. PURPOSE

The purpose of the VA Market Research Guide for Acquisition Teams (the Guide) is to provide techniques and procedures, guidance and instruction to VA acquisition teams for conducting market research prescribed in Federal Acquisition Regulation (FAR) [part 10](#), Veterans Affairs Acquisition Regulation (VAAR) part 810, Veterans Affairs Acquisition Manual (VAAM) part M810 (when published), and other procurement policy memoranda, including a Procurement Policy Memorandum and Class Deviations concerning the Veterans First Contracting Program<sup>3</sup>. This guide implements and supplements VA-wide guidance to assist the requiring activity and members of the acquisition team/IPT in conducting market research. This guide is used in conjunction with [FAR part 10](#), VAAR part 810, VAAM part M810 (when published) and other implementing guidance at the HCA level.

### Purpose of Market Research

To fulfill VA's critical and timeless mission to support our nation's Veterans, it is important that members of the acquisition team understand the importance of market research, its link to more effective acquisition outcomes, and their roles and responsibilities. Among other things, market research is performed to:

- Support the development of effective acquisition planning
- Arrive at the most suitable acquisition approach
- Ascertain key information on—
  - Existing products/services/capabilities
  - Availability of commercial items
  - Capable small business sources and other sources
  - Competitive market forces
  - Commercial practices
  - Product performance and quality
  - Successful acquisition practices of other organizations—both government and commercial

**Note:** [FAR 7.102](#) requires acquisition planning and market research for **all** acquisitions. The extent and amount of research and documentation depends on the complexity, dollar value, urgency, past experience, and other unique aspects of a potential acquisition. [FAR 7.105](#) requires that written acquisition plans address all the technical, business, management, and other significant considerations that will control the acquisition.

## C. WHAT IS MARKET RESEARCH?

Market research shapes the requirement—[FAR 2.101](#) defines market research as “collecting and analyzing information about capabilities within the market to satisfy agency needs.” Among other things, market research:

---

<sup>3</sup> Note: Unless otherwise noted, VAAR or VAAM references in this guide are to be read to mean “as modified by applicable Regulatory Deviation and/or Procurement Policy Memorandum (PPM).” For VA regulatory deviations and PPMs see: <https://www.va.gov/oal/business/pps/deviations.asp>

## VA Market Research Guide for Acquisition Teams

---

- Is considered a continuous process designed to gather data and information about products and product characteristics, suppliers' capabilities and the business practices that surround them, services, market capabilities, technology advances, and associated prices.
- Involves the documentation and presentation of the information, plus the analysis of that data to facilitate overarching acquisition and specific procurement decisions.
- Requires acquisition teams to collect and analyze information about the market that subsequently can be used to determine whether the need can be met by products or services available in the commercial market, such as —
  - Whether commercial practices regarding customizing, modifying products or tailoring services are available to meet customer needs;
  - What are the customary terms and conditions, including warranty, buyer financing, and discounts under which commercial sales are made; and
  - Whether the distribution and logistics support capabilities of potential suppliers are sufficient to meet the needs of the government.

Market research information can be used to shape the acquisition strategy; to determine the type and content of the product description, statement of work, or performance work statement; to develop the terms and conditions included in the contract, and the evaluation factors used for source selection.

- The research helps determine if commercial items are suitable (see [FAR 10.001\(a\)\(3\)](#)) or to the extent they are not available, if non-developmental items are available that—
  - Meets the VA's requirements;
  - Could be modified to meet the VA's requirements; or
  - Could meet the VA's requirements if those requirements were modified to a reasonable extent.
- By performing this due diligence, it furthers market competition by avoiding a need to develop unique government items to satisfy agency requirements and allows for more robust competition for items readily available in the commercial market. Thorough market research serves to simplify and shorten the acquisition process.

### The Collaborative Process of Market Research

A teaming approach to market research ensures appropriate functional specialties and key stakeholders are represented to bring the necessary skill sets and analysis to the data and information assembled. Activities should establish market research teams as early as possible in the acquisition process to plan and conduct research activities. The composition of the team will vary depending on the requirement and activity, and membership may evolve as the acquisition moves from phase to phase. The team may take the form of one of these structures—

- **An acquisition team**—functional specialists assigned to a given program/project;
- **A market research team**—a team dedicated to performing market research in a given item or items; or
- **An IPT** (*required for acquisitions valued over \$7 million*)—this team is a more formal structure for an acquisition team to perform its work under the purview and guidance

## VA Market Research Guide for Acquisition Teams

---

of a chairperson(s). The chairperson duties may be fulfilled by a single person or a couple of people—the individual(s) may be program/project managers, a contracting officer or a contract specialist.

**Note:** See the types of functional specialists who are involved in market research below.

Market research and acquisition planning are collaborative processes between contracting offices and requiring activities/program/project offices. Each member of the acquisition team has key responsibilities to ensure appropriate issues are considered when conducting market research, which is a critical component of acquisition planning. Acquisition teams and program/project offices who conduct comprehensive market research help ensure the VA selects the most suitable approach to acquiring supplies, services and construction in support of our critical mission and to facilitate the identification of capable small businesses, in particular VA-verified Service-Disabled Veteran-Owned Small Businesses (SDVOSBs) and Veteran-Owned Small Businesses (VOSBs) who are so vital to helping the VA achieve its mission.

**Market Research / Acquisition Team Composition.** Team members include, as appropriate—

- Program/Project Managers (P/PM) (Acquisition Planners—see VAAM Part M807, when published)
- Requiring Activity/users (if different than the P/PM)
- Contracting Officer
- Contracting Specialist
- Contracting Officer's Representative (COR)
- Subject Matter Experts (SMEs)
- Finance
- Small Business Specialist/VA Office of Small and Disadvantaged Business Utilization (OSDBU)
- Office of General Counsel (OGC)
- Others, as needed which may include—industry representatives, potential vendors, and others as needed.

**Note:** Industry is regarded as a member of the Acquisition Team as defined by [FAR 1.102\(c\)](#), *"The Acquisition Team consists of all participants in Government acquisition including not only representatives of the technical, supply, and procurement communities but also the customers they serve, and the contractors who provide the products and services."*

Use of industry representatives as members of official market research teams will be limited to those approved by HCAs. Use of industry representatives may create unintended Organizational Conflicts of Interests and most typically industry may be invited as participants to share information with and present to official government-only member market research teams to avoid conflicts of interest or the appearance of favoritism.

# VA Market Research Guide for Acquisition Teams

---

## Market Research Planning

Planning market research is important and necessary because it allows you to establish a logical and systematic approach for meeting the needs of the customer. A plan also allows you to anticipate problems and formulate strategies to avoid them, especially when conducting larger and more formal market research outreach to industry. This guide provides templates that help serve as useful tools in the organization of this outreach, research and material.

Plan market research activities in advance, giving special consideration to—

- Essential requirements
- Time, cost and scope of the essential requirement
- Alternatives and possible trade-offs
- Methods for contacting potential suppliers
- Techniques for handling initial and follow-up queries
- Information given to and obtained from potential suppliers

## D. STRATEGIC AND TACTICAL PHASES OF MARKET RESEARCH

Market research has two phases: strategic market research that serves as a surveillance of the marketplace, and tactical market research that requires investigation into a specific need or requirement.

### STRATEGIC MARKET RESEARCH

**Strategic:** Here, the acquisition team keeps abreast of current trends in the market and industry, which typically requires attending and participating in—

- Industry conferences
- Trade Shows
- Industry educational groups

Strategic market research is an ongoing process. It includes all the activities that acquisition personnel must perform on a continuing basis to stay abreast of technology, product developments and service offerings in their areas of expertise and responsibilities. Keeping abreast of industry trends and general market information will assist the team when a requirement presents later as it helps inform the background and underlying understanding of the general market conditions related to a particular service, supply or construction trend. It is not necessarily aimed at a specific acquisition, but at the accumulation of a knowledge base that becomes the foundation from which you can pursue a more focused market investigation when a requirement does materialize. It supports decisions regarding industry capability, product availability, competitive market forces, and alternative sources of supplies or services.

## VA Market Research Guide for Acquisition Teams

---

When conducting strategic market research, you seek to understand how commercial consumers other than the Government—

- Develop acquisition strategies
- Communicate requirements
- Determine evaluation criteria
- Determine contractor incentive packages
- Encourage commercial competition
- Determine their contractor assessment metrics
- Communicate source selection plans
- Communicate solicitations
- Evaluate cost/price
- Award contracts
- Evaluate contractor performance
- Take advantage of other commercial business practices

### **TACTICAL MARKET RESEARCH**

**Tactical:** Here, the acquisition team focuses on a specific requirement, and market research is related to determining capacity, resources, and business practices, etc., through a number of activities such as—

- Requests for Information (RFIs)
- Industry days
- One-on-one meetings
- Internet research
- Field research (examine products/services)

If commercial items exist that meets VA's requirements, the acquisition team is required to purchase them rather than develop new items (see [FAR 12.000](#)). Commercial items may satisfy agency requirements either "as is" or after modification or tailoring.

Tactical market research is more focused and detailed. It is conducted in response to a specific materiel need or need for services, including construction. It serves to provide answers related to prices, quality, and delivery dates/timeframes. It can also determine whether the requirement(s) can be modified, to a reasonable extent, to allow the use of commercial items. It identifies information about—

- Available Sources
  - What and how many are available
  - Market/corporate strategies
  - Technical strengths and weaknesses
  - Distribution and support capabilities
  - Patent and data rights

## VA Market Research Guide for Acquisition Teams

---

- Available Supplies and Services
  - Typical commercial customizing or tailoring
  - Potential cost of modifying the item to meet current needs
  - Salient characteristics
  - Prices
  - Tradeoffs
  - Reliability, history, and past performance
- Industry Trends
  - Industry specifications and standards
  - Customary terms and conditions, such as discounts and warranties
  - Relevant laws and regulations
  - Production and delivery lead-times
  - Forecast of product/technology changes
  - Trends in market prices
  - Trends in supply/demand and trends in service offerings
  - Factors that affect market prices

### E. WHEN TO DO MARKET RESEARCH

[FAR 10.001\(a\)\(2\)](#) requires that market research be conducted, as appropriate, under specific circumstances—

- Before developing new requirements documents for an acquisition (engage industry early in the acquisition lifecycle, to obtain information about leading commercial practices that can shape the acquisition strategy, support and test plans, product description, statement of work (SOW), statement of objectives (SOO), performance work statement (PWS), evaluation factors, contract terms and conditions, etc.);
- Before soliciting offers for acquisitions with an estimated value in excess of the simplified acquisition threshold (SAT) (see [FAR 2.101](#) definitions);
- Before soliciting offers for acquisitions with an estimated value less than the SAT when adequate information is not available, and the circumstances justify its cost;
- Before soliciting offers for acquisitions that could lead to a bundled contract (see definitions);
- Before awarding a task or delivery order under an indefinite-delivery/indefinite-quantity (IDIQ) contract for a noncommercial item in excess of the SAT; and
- On an ongoing basis to identify the capabilities of small businesses and new entrants into Federal contracting that are available in the marketplace. This includes supporting contingency operations and disaster or emergency relief activities.

**Note:** It is important to note that Federal Supply Schedule acquisitions subject to [FAR subpart 8.4](#) are not exempt from the requirement to conduct adequate market research and the development of acquisition plans.

**Key Lessons Learned Point:** [GAO Decision B-406256; B.406256.2](#), Matter of DNO, Inc., March 22, 2012 demonstrates the importance for agencies to conduct sufficient

## VA Market Research Guide for Acquisition Teams

---

market research. In this case, the contractor's protest was sustained, and the contractor was entitled to the costs of filing and pursuing protests, including reasonable attorney's fees, where the agency's decision to not set-aside the requirement for small business concerns was based on "insufficient efforts to ascertain, and inaccurate assumptions of, small business capability to perform the contract."

### F. THRESHOLDS FOR CONDUCTING MARKET RESEARCH

Two key thresholds govern when conducting market research (see also VAAR 810.001-70, Market research policy, regarding the use of VA Vendor Information Pages (VIP)):

1. At or exceeding the simplified acquisition threshold (SAT): Market research shall be conducted, and a market research report shall be completed.
2. Between the micro-purchase threshold (MPT)<sup>4</sup> and below the SAT: Market research is conducted on a case-by-case basis and does not require a full-blown market research report. A streamlined market research effort is required for the purpose of locating qualified small business sources. This shall also be documented in the contract file. See [FAR 19.502](#).

**Note:** An SDVOSB/VOSB set-aside fulfills the mandate that acquisitions are required to be reserved exclusively for small business concerns between the MPT and the SAT. Streamlined market research is still required on acquisitions that are reserved exclusively for small business concerns to ensure the VA Rule of Two is appropriately considered and market research is conducted to locate verified SDVOSBs/VOSBs.

### G. ROLES AND RESPONSIBILITIES—WHO CONDUCTS MARKET RESEARCH?

Market research should use the expertise of all members of the Government acquisition team/IPT. Good market research requires the team/IPT to understand the technical alternatives that are available, the differences among terms and conditions, the practical aspects of standard commercial practices, and the value each alternative offers the Government. Specific roles are shown below:

#### **Program Offices:**

- Define technical requirements based on results of market research and agency requirements.
- Conduct initial market research to develop requirements and use VA's VIP database to identify verified (VIP-listed) and capable SDVOSBs and VOSBs at <https://www.vip.vetbiz.va.gov/>.

---

<sup>4</sup> See [FAR 2.101](#) Definitions, for current micro-purchase and simplified acquisition thresholds.

## VA Market Research Guide for Acquisition Teams

---

- Help conduct research to provide information to the Contracting Officer concerning whether two or more verified SDVOSBs or VOSBs are available (VA Rule of Two 38 U.S.C. 8127(d) requirements).
- Use the System for Award Management (SAM) at <https://www.sam.gov/SAM/pages/public/index.jsf>, which is a searchable database that is most widely used and proficient in identifying vendors' small business status.
- Seek advice from the Contracting Officer and Small Business Specialist, as appropriate, to ensure that potential sources of information are fully explored as practicable, including existing contract vehicles, small businesses, and new entrants to Federal contracting.
- Engage with industry (small business conferences, outreach events, meet with small business vendors, attend professional/trade associations/conferences).
- Evaluate expected level of competition; assess the need for introducing new entrants to the market and recommend to the Contracting Officer ways to effectively do this.
- Determine if commercial items or non-developmental items are available that meet the Government's requirement.
- Serve as the primary point of contact in meetings with potential vendors to ascertain additional market research information.
- Ensure that all vendors contacted understand that the reason they are being contacted is for market research purposes only and make no representations or other statements about future commitments or contracts.
- Request vendors to provide their standard public and commercially available literature and capability documents in response to market research inquiries.
- Write the Market Research Report.
- Program/Project Manager signs the Market Research Report.
- Supply information about needs to VA Forecast of Contracting Opportunities.

### **Contracting Officers and Contract Specialists:**

- Assist the Program Office staff in documenting their requirements.
- Coordinate market research on specific acquisition package with program office.
- Review contract vehicles to consider various alternatives for best business solution.
- Serve as a member of the Acquisition Team in conducting market research, helping publish RFIs, prepare draft request for proposals (RFPs), conducting industry days, and other events in concert with the lead responsibility of the Program or Project Manager or technical office.
- Ensure that the VA Rule of Two is applied appropriately based on results of market research, capability of SDVOSBs/VOSBs, etc., and after considering the range of acquisition approaches where capable SDVOSBs/VOSBs might be reached such as available VA strategic sourcing solutions and mandatory existing contract vehicles, and other sources, e.g., non-mandatory sources (see FAR 8.004), or commercial sources in the open market, when it makes the best business sense.

### **Contracting Officers:**

- Ensure the VA Rule of Two is executed in accordance with 38 U.S.C. 8127(d) requirements by—

## VA Market Research Guide for Acquisition Teams

---

- Reviewing the VIP database at <https://www.vip.vetbiz.va.gov>;
- Searching the VIP database by applicable North American Industry Classification System (NAICS) codes to determine if two or more VIP-listed SDVOSBs or VOSBs in the appropriate NAICS code, are listed as verified in the VIP database; and
- Determining if identified SDVOSBs or VOSBs are capable of performing the work and likely to submit an offer/quote at a fair and reasonable price that offers best value to the Government.
- Set aside the requirement in the contracting order of priority in accordance with VAAR subpart 819.70 and VAAR 819.7004, 819.7005 and 819.7006 (check for [Regulatory Deviations](#) that may be applicable such as the [Veterans First Contracting Program, 38 U.S.C. 8127 & 8128 Implementation Policy and Procedures](#) at) <https://www.va.gov/oal/business/pps/vfcpReadingRoom.asp>)
- Use pre-solicitation and sources sought notices as required and appropriate (RFIs, draft RFPs, pre-proposal conferences, and site visits).
- Approve the Market Research Report and ensure that appropriate market research documentation is included in the contract file.
- Prepare market research memo to document findings and include it with the VA Form 2268 submitted for review.
- Verify, through SAM (see <https://www.sam.gov/SAM/pages/public/index.jsf>) that an eligible firm meets the size standard applicable to the North American Industry Classification System (NAICS) used for the particular procurement.
- Determine if the product or service identified to satisfy the Government's requirement meets the FAR definition of a Commercial Item.
- Manage information on a specific acquisition package to ensure compliance with procurement integrity requirements (see [FAR 3.104](#)).
- Serve as SSA on all procurements unless another SSA is formally appointed in accordance with [FAR 15.303](#).
- Ensure the contract file is sufficiently documented to support all business decisions.

### **Contracting Officer's Representatives (COR):**

- Execute the duties and responsibilities delegated to them by the contracting officer.
- A COR shall adhere to [FAR 1.602-2\(d\)\(1\) through \(7\)](#).

### **Office of Small and Disadvantaged Business Utilization (OSDBU):**

- Makes recommendations to the program manager, contract specialist, and contracting officer whether an action should be set-aside, consistent with OSDBU and VA statutory mandates.
- Reviews contracting officer decision to ensure the VA Rule of Two is executed in accordance with 38 U.S.C. 8127(d) requirements. Documents the recommendation using VA Form 2268, Small Business Program and Contract Bundling Review, see <https://vaww.va.gov/osdbu/ast/2268.asp>
- Provides [market research assistance](#) through outreach events, VA Business Intelligence tool (VA BIT), etc. See OSDBU's intranet page at <https://vaww.va.gov/osdbu/ast/marketResearch.asp>

# VA Market Research Guide for Acquisition Teams

---

## **Small Business Liaisons supporting VA field activities:**

- Participate in the acquisition planning processes to help Program Offices fulfill their responsibility to identify capable small businesses as well as identify agency opportunities where small businesses can participate.
- Ensure that the VA Rule of Two is appropriately considered in accordance with 38 U.S.C. 8127(d) requirements as set forth in VAAR part 819.
- Identify requirements for small businesses.
- Participate in the review proposed acquisitions for potential set-aside in accordance with the VA Rule of Two.
- Assist in identifying alternative strategies that would reduce or minimize acquisition strategies involving substantial bundling.
- Coordinate the Procurement Forecast of expected contract opportunities (Acquisition Plans) as appropriate.

## **Office of General Counsel (OGC):**

- Advises the contracting officer and team as required.
- Includes vendor communications in annual ethics training; ensure ethics training clearly explains what is permissible, not only what is prohibited.

## **H. DOCUMENTATION REQUIREMENTS OF MARKET RESEARCH—REQUIRED MINIMUM ELEMENTS**

- **Document the results of small business search as part of an overall Market Research Report.** The OSDBU provides a streamlined Market Research Report format tool to record the results of the small business sources research on the OSDBU intranet site at <https://vaww.va.gov/osdbu/ast/marketResearch.asp>. Remember—small business research is just one portion of overall market research that is performed. This is a useful tool to help plan and organize that search.
- **Minimum documentation requirements of basic market research elements.** By thoroughly documenting these elements, VA acquisition teams will enable senior level reviewers and those not connected with the research to understand how the acquisition team collected and analyzed information about capabilities within the market to satisfy agency needs. The following four elements must be documented, at a minimum, in every market research report:
  - Identify the market research methods/techniques used
  - Identify the timeframes when they were used and performed
  - Provide an analysis of the capabilities of potential sources
  - Include a conclusion based on this analysis

### **Additional elements to address are included in the templates:**

- ❖ Streamlined VA Market Research Report template is provided at **Attachment 1**.

## VA Market Research Guide for Acquisition Teams

---

❖ VA Market Research Report template is provided at **Attachment 2**.

**Key Lessons Learned Point:** See [General Accountability Office \(GAO\) Report GAO-15-8](#), “Market Research—Better Documentation Needed to Inform Future Procurements at Selected Agencies,” October 2014 that describes how agencies can better perform and document the results and recommendations of market research.) The VA has incorporated key findings identified at other agencies by requiring the minimum documentation requirements and four elements described above.

### I. MARKET RESEARCH PRINCIPLES

In discussing market research, we have described a general process that can be adapted to a wide range of items, services, and organizational structures. Underlying the process are six principles that need to be kept in mind:

1. **Start early.** Begin market research early, while the requirement is still flexible. In a milestone process, begin market research prior to the first Decision Event/Milestone, while the mission need is being defined and in support of the operational requirement document. Additional research will be performed later to identify subsystems or components during design of development programs and to get more specific details related to technical characteristics and related market practices.
2. **Involve users.** Involve users/customers in the market research process, not merely in defining the requirement. Users can be active participants in the market research for some items and services or testers for others. Try to involve users formally in working groups, but also maintain informal lines of communication between them and the market analysts. Users in the field have access to new technology and new product information that needs to be conveyed to those who define requirements. Users also play a major role in identifying problems with the current equipment or service.
3. **Communicate.** Good communication across functional areas and with industry and users is important to the success of a market investigation. For this reason, an extensive market investigation may work best as a team effort. The effect of linking each member’s prior experience and area of expertise with the information gathered will guarantee more balanced, “best-value” decisions. In communicating with industry, consider the use of some different forums than those you’ve used in the past to ensure you are communicating with commercial companies – in addition to those that have traditionally participated in the government market.
4. **Think of market research as an iterative process.** Successful market research is an iterative process. Market research is first used to determine the availability of commercial capabilities, practices, items, and services to meet the general requirement. It must also be done later to identify commercial components available for incorporation into systems developed for VA and to get more specific, detailed information to make various acquisition decisions.

## VA Market Research Guide for Acquisition Teams

---

5. **Tailor the investigation.** The amount of time and money spent on market research should be related to factors such as the value of the acquisition, the complexity of the item or service, the use of the item or service, and the potential it has to solve the VA's identified or projected needs. If market intelligence information tells you there is little potential for solving the VA's problems, further market research should be minimal. If there are commercial practices that can improve how VA acquires a particular supply or service, an extensive market investigation may be called for.
6. **Refine as you proceed.** The research should always proceed from the general to the specific. Acquire a little bit of information on many producers and products and a lot of information on the few products that seem likely to meet the requirement. The market research should be structured to acquire only enough information to decide whether to proceed to a more detailed examination of commercial possibilities.

### J. GENERAL MARKET RESEARCH TECHNIQUES

There are many techniques available to program/project offices for conducting market research as set forth in [FAR part 10](#), including VAAR part 810, VAAM part M810, when published, and other best practices employed in the acquisition field. These are generally grouped into two categories, internal and external—

#### Internal

- At VA, start with querying the VA's OSDBU VIP database found at <https://www.vip.vetbiz.va.gov/> to begin your initial search for VA Center for Verification and Evaluation (CVE) VIP-listed SDVOSBs and VOSBs.
- Review the results of recent market research undertaken to meet similar or identical requirements. At the VA, this information may be gleaned by contacting the contracting officer on the prior requirement(s) to obtain the market research findings or contacting other Federal agency contracting officers. This may be explored through the General Services Administration (GSA) Acquisition Gateway portal (see Appendix A – I. Research Links and Other Resources, on page 30 of the guide).
- Contact knowledgeable government officials on market capabilities to meet requirements, including obtaining source lists of similar items from other contracting activities.
- Query the government-wide database of contracts and other procurement instruments intended for use by multiple agencies—the Interagency Contract Directory, available at <https://www.contractdirectory.gov/contractdirectory/> and other government and commercial databases.
- Review catalogs and other generally available product literature published by manufacturers, distributors, and dealers or available on-line.
- Review prior acquisition history.
- Use the expertise and information from the OSDBU and market research assistance offered to contracting officers and IPTs.
- Access VA Business Intelligence Tool that offers opportunities to directly match supplier capabilities with customer requirements in specific Communities of Interest.

## VA Market Research Guide for Acquisition Teams

---

This unique approach enables VOSBs to personally engage with procurement officials and commercial customers to enhance their chances of winning procurement contracts.

### **External**

- Contacting knowledgeable industry officials on market capabilities to meet requirements or obtaining source lists of similar items from trade associations or other sources.
- Conducting interchange meetings or holding presolicitation conferences to involve potential offerors early in the acquisition process.
- Publishing formal requests for information (RFI) in appropriate technical or scientific journals or business publications.
- Participating in interactive, on-line communication among industry, acquisition personnel, and customers.
- Holding one-on-one meetings with industry.
- Publishing RFIs\* or sources sought notices in the Federal Business Opportunities official website at <https://www.fbo.gov/>.
- Attending trade fairs and conferences.
- Performing site visits (program staff visiting vendors or vendors visiting the agency).
- Preparing a formal survey or questionnaire and sending it to multiple suppliers.
- Sponsoring industry conferences or industry days.

**\*Note:** An RFI is a standard business process used to collect written information regarding the capabilities of various suppliers and vendors, which will better inform buying decisions. Additionally, an RFI may be published during the project planning phase where the requirements team cannot clearly identify product requirements, specifications, and purchase options. RFIs clearly indicate that award of a contract will not automatically follow. Market research may be performed through the issuance of an RFI, which can enable acquisition teams to identify contractors that may be able to provide the product or service. This is not a formal solicitation from the VA, nor should you expect proposal-like responses. An overly elaborate RFI request may unintentionally result in discouraging meaningful participation if the submission of the information is unduly time consuming or burdensome. RFIs are distinguished from sources sought in that sources sought notices may be specifically required IAW [FAR part 5](#) to provide the public notice of proposed contract actions and/or may be required in concert with justification and approval documents.

### **K. VETERANS FIRST CONTRACTING PROGRAM—38 U.S.C. 8127 and 8128 AND IMPLEMENTATION OF U.S. SUPREME COURT RULING**

#### **Unique VA Contracting Authority—The Veterans First Contracting Program and preference for SDVOSBs and VOSBs**

Sections 502 and 503 of Public Law 109-461, the Veterans Benefits, Health Care, and Information Technology Act of 2006 as amended (38 U.S.C. 8127-8128) established a VA-specific program which gives priority and preference in the award of VA contracts to—

## VA Market Research Guide for Acquisition Teams

---

- SDVOSBs, and
- VOSBs, in that order.

The program is known as the **Veterans First Contracting Program** and is implemented under VAAR subpart 819.70. Among other things, this VA specific legislation:

- Requires the Secretary to establish contracting goals, preferences, and priorities for small business concerns owned and controlled by Veterans.
- Allows the use of noncompetitive procedures for small contracts, sole source contracts, and restricted competition for SDVOSBs and VOSBs.
- Requires that SDVOSBs and VOSBs wanting to receive VA contracts must be listed as verified in the VIP database at <https://www.vip.vetbiz.va.gov/> in order to receive a set-aside or a benefit under the program.

Priority for the VA Rule of Two—

- Under 38 U.S.C. § 8127(d), when using competitive procedures, VA must set aside procurements for VOSBs “if a contracting officer has a reasonable expectation that two or more small businesses owned and controlled by veterans will submit offers and that the award can be made at a fair and reasonable price that offers the best value to the United States.” This is known as the “VA Rule of Two.” The Supreme Court has ruled that 38 U.S.C. §8127(d) is mandatory, not discretionary and its text requires the Department to apply the Rule of Two to all contracting determinations. **(See the Supreme Court of the United States (SCOTUS) decision below).**
- Specifically, the VA hierarchy and contracting order of priority places highest priority with SDVOSB then VOSB before other small business categories such as Women-Owned Small Business (WOSB), 8(a), and HUBZone, in no order of priority, and all other small businesses.

**Note:** Market research is a collaborative responsibility and plays a vital role in the successful implementation of the Veterans First Contracting Program. Program offices must work closely with contracting officers to develop an identified need into a specific contracting requirement, and among other similarly critical considerations, the sourcing and use of small businesses (and here at the VA specifically the availability of verified VIP-listed and capable SDVOSBs and VOSBs) should be examined and considered along with other considerations. Requirements are not crafted for small businesses, but once requirements are established, the use of small businesses (and at VA, verified VIP-listed SDVOSBs/VOSBs) can serve an important role in VA’s ability to provide outstanding service to Veterans. The program/project manager in collaboration with the contracting officer is ultimately responsible for ensuring the market research will assist in supporting the contracting officer’s decision whether there is a reasonable expectation of receiving two or more offers from verified SDVOSBs or VOSBs at a fair and reasonable price to justify a set-aside.

## VA Market Research Guide for Acquisition Teams

---

### Supreme Court of the United States (SCOTUS) Decision Impacting the Department of the Veterans Affairs (VA) Implementation of 38 U.S.C. 8127

On June 16, 2016, the U.S. Supreme Court ruled in *Kingdomware Technologies, Inc. v. United States (Kingdomware)*, that VA must set aside procurements for competition among SDVOSBs and VOSBs if the “Rule of Two” is met. The Court determined that the language of the statute does apply to those acquisitions conducted under the Federal Supply Schedules (FSS) program and even when the VA’s small business goals are met.

Major holdings:

- §8127(d) is mandatory, not discretionary, and it requires the Department to apply the Rule of Two to all contracting determinations.
- The Rule of Two contracting procedures in §8127(d) are not limited to those contracts necessary to fulfill the Secretary’s contracting goals under §8127(a).
- 38 U.S.C. §8127(d) applies to orders against the FSS.

**Note:** This guide incorporates the appropriate aspects of VA Procurement Policy Memorandum (PPM) (2016-05), Implementation of the Veterans First Contracting Program as a Result of the U.S. Supreme Court Decision, dated July 25, 2016 the Class Deviation, same title, July 25, 2016, and subsequent updates (see PPMs and Regulatory Deviations at <https://www.va.gov/OAL/business/pps/index.asp>).

### L. KEY STEPS TO START CONDUCTING MARKET RESEARCH AT VA

**Verifying Vendor Status in VIP Database.** The agency is required to conduct market research for every acquisition, as required, but it is especially important in order to fully implement the Veterans First Contracting Program at the VA and our commitment to fully consider capable SDVOSBs and VOSBs. To fully consider the important socioeconomic goals to award first to SDVOSBs and then to VOSBs when market research clearly demonstrates the ability to set-aside the acquisition according to the VA Rule of Two, there are a few mandatory sites the VA has determined that you will have to check to ensure compliance with the program. See key OSDBU Factsheet on VIP: [“How to Use VIP to Conduct Market Research.”](#) Begin this process by—

- **Determining the appropriate NAICS codes and related small business size standards and including them in solicitations above the micro-purchase threshold.**

Note: NAICS (pronounced Nakes) was originally developed to provide a consistent framework for the collection, analysis, and dissemination of industrial statistics used by government policy analysts, academics, researchers, the business community, and the public. NAICS was developed under the auspices of the Office of Management and Budget (OMB) and is revised every five years. The NAICS website is maintained by the U.S. Census Bureau. The 2017 U.S. NAICS Manual includes definitions for each industry and background information, a comprehensive index. You can also examine prior NAICS codes from the 2012 and 2007 manuals. Contractors self-identify the supplies and services they provide via use of NAICS

## VA Market Research Guide for Acquisition Teams

---

codes. Contracting Officers indicate the appropriate NAICS code and related small business size standard and include them in solicitations above the micro-purchase threshold. The Contracting Officer selects the NAICS code which best describes the principal purpose of the product or service being acquired.

- See [FAR 19.303](#) and the U.S. Census Bureau's NAICS website at: <https://www.census.gov/eos/www/naics/> for information on researching and selecting the appropriate NAICS code.
- See [FAR 19.102](#) for information on size standards and the "nonmanufacturer rule" and its applicability. The Small Business Administration (SBA) establishes small business size standards on an industry-by-industry basis. Small business size standards matched to industry NAICS codes are published by the SBA and are available directly at [https://www.sba.gov/sites/default/files/files/Size\\_Standards\\_Table.pdf](https://www.sba.gov/sites/default/files/files/Size_Standards_Table.pdf).

- **Reviewing the VA's OSDBU, VIP database found at <https://www.vip.vetbiz.va.gov/> to begin your initial search for CVE verified SDVOSBs and VOSBs.**

In performing market research, the Contracting Officer must use VIP as the initial source to identify verified SDVOSBs and VOSBs that may meet the VA's requirements. The assessment of the results must consist of an examination of all entities whose profiles reasonably suggest they have relevant capabilities contained in the VIP search. Users should tailor their searches to produce useful results and avoid unduly restrictive searches that may exclude relevant firms unnecessarily. This is a CO responsibility to document this at each juncture, but the OSDBU website may and should be used by program office personnel when conducting market research.

- Search for potential verified SDVOSBs and VOSBs listed in the database in the applicable NAICS code.
- Document the search and the results and include in the electronic Contract Management System (eCMS) contract file. Please see the OSDBU Market Research Assistance intranet website at <https://vaww.va.gov/osdbu/ast/marketResearch.asp> for additional assistance with identifying eligible verified SDVOSBs or VOSBs, and other small businesses for a particular procurement or within an industry.
- Ensure your review includes the universe of verified SDVOSBs and VOSBs listed in the VIP database.

**Continuing market research efforts appropriate to the circumstances and in accordance with [FAR 10.002\(b\)\(1\)](#) and VAAR 810.001-70 (Class Deviation).** This includes further researching, as necessary, the potential capabilities of verified SDVOSBs and VOSBs to perform the work and to determine whether it is likely two or more offerors/quoters (to include bidders when utilizing [FAR part 14](#)) are likely to submit an offer at a fair and reasonable price (VA Rule of Two). The type and amount of market research will necessarily vary depending on factors such as urgency, estimated dollar value, complexity, and past experience. Acquisition teams should review the Principal Executive Director, Office of Acquisition and Logistics, and Construction (OALC), and Acting Chief Acquisition Officer Memorandum, "Encouraging Industry Engagement," dated December 22, 2015 (see [AcqFlash 16-07](#)) for ideas and avenues to foster appropriate industry engagement and exchange of information that will enhance market research results. In

## VA Market Research Guide for Acquisition Teams

---

addition to the early engagement opportunities noted therein, consider utilizing techniques encouraged by [FAR part 10](#) as shown above.

### **Documenting the Results, Analysis and Recommendations of the Small Business Search in a Market Research Report.**

The OSDDBU provides a streamlined Market Research Report format tool on their intranet at <https://vaww.va.gov/osdbu/ast/marketResearch.asp>. The OSDDBU tool/format is focused on recording principally the small business component of the overall market research that may be conducted across other subject areas in addition to sourcing/small business/socioeconomic considerations. The other areas of market research and minimum elements that must be addressed would be documented in accordance with the templates in the attachments.

## **M. HOW TO CONDUCT MARKET RESEARCH**

At the VA, this basic workflow was developed in concert with the Market Research IPT and is provided as useful steps to identify some of the basic market research activities:

1. **Identify Need**—Verify the capability gap still exists and how filling it will support VA strategic priorities, goals, and objectives as defined in the VA Strategic Plan and Planning Guidance.
2. **Define Requirements**—Ensure the business and technical needs are clearly expressed based on documented Business Owner, end-user and SME input.
3. **Research the Market**—Using Attachment 1 of this guide with VA Form 2268, (<https://vaww.va.gov/osdbu/ast/2268.asp>), begin gathering information regarding the availability of vendors who may be capable of filling the identified need. Please note, the **first opportunities reviewed for any Veterans Affairs acquisition must be an SDVOSB or VOSB**. Researching the market can include, but is not limited to, activities such as web searches, releasing RFIs, and hosting or attending events whose purpose is to allow companies and organizations to market their capabilities directly to commercial and/or federal agencies. Acquisition teams must establish an audit trail that clearly shows all efforts conducted (attendance of events, communications with firms or other agencies, RFIs, etc.) for this Market Research effort.
4. **Analyze the Research**—Examination of the gathered information enables the Acquisition Team to determine the existence of small businesses, including SDVOSBs and VOSBs, that can fulfill the need.
5. **Identify Vendor Capability**—The output of the analyzed research should be a list of vendors who have the potential to fulfill, or partially fulfill, the identified requirements. This list should include their socioeconomic classification(s), any applicable salient characteristics that support their being identified as a possible solution provider, and/or any specialized experience that may indicate the vendor(s) ability to fulfill the need.

## VA Market Research Guide for Acquisition Teams

---

6. **Develop Market Research Report**—Market Research Report (see Attachments 1 and 2) is completed by using the gathered information and analysis completed in the previous steps. The report is signed by the Program/Project Manager and submitted to the Contracting Officer for review and/or acceptance.
7. **Submit Market Research Report**—Upon acceptance, the Contracting Officer Files the Market Research Report in the contract file, and submits a copy with VA Form 2268 (<https://vaww.va.gov/osdbu/ast/2268.asp>) to OSDBU for review and concurrence, as required by The Procurement Review Policy Memorandum dated June 22, 2016.

### **N. MARKET RESEARCH TOOL – VA BUSINESS INTELLIGENCE TOOL (BIT).**

VA BIT offers opportunities to directly match supplier capabilities with customer requirements in specific Communities of Interest. This unique approach enables VOSBs to personally engage with procurement officials and commercial customers to enhance their chances of winning procurement contracts. See Appendix A for list of helpful VA OSDBU market research websites, as well as other key research tools and websites.

### **O. UNDERSTAND THE NUANCES OF BRAND NAME OR “BRAND NAME OR EQUAL” PURCHASE DESCRIPTIONS.**

The FAR states that while the use of performance specifications is preferred to encourage offerors to propose innovative solutions (see [FAR 11.104](#)), the use of brand name or equal purchase descriptions may be advantageous. Teams should conduct the appropriate amount of market research to determine the types of salient characteristics widely available in the market place that permit, as much as practicable, full and open competition without specifying a “brand name.” These salient characteristics, such as operating speed, dimensions, height, weight, functions, etc., are essential to ensure both that the Government’s requirements are understood and met, and that, whenever possible, products will be considered from more than one manufacturer to achieve both robust competition and fair and reasonable prices. Market research is the time to identify these salient characteristics, if applicable, and to otherwise gather appropriate market research, which determines that other companies’ similar products or features do not meet (or cannot be modified to meet) VA’s requirements.

**Brand name or equal purchase descriptions** must include, in addition to the brand name—

- General description of salient physical, functional, or performance characteristics of the brand name that an “equal” item must meet to be acceptable for award.
- Use when salient characteristics are firm requirements.

**Items peculiar to one manufacturer (or “brand name”).** Agency requirements shall not be written so as to require a particular brand name, or product, or a feature of a product,

## VA Market Research Guide for Acquisition Teams

---

peculiar to one manufacturer, thereby precluding consideration of a product manufactured by another company, unless—

- The particular brand name, product or feature is essential to the Government's requirements; and
- Market research indicates other companies' similar products, or products lacking the particular feature, do not meet, or cannot be modified to meet, the agency's needs.

Note that appropriate justifications and approvals or other documentation depending on the type of contract, method of acquisition, or dollar value may be required to specify a "brand name."

# VA Market Research Guide for Acquisition Teams

## APPENDIX A

### I. RESEARCH LINKS AND OTHER RESOURCES

The information, general sources, internet links, and search techniques listed below may be beneficial when conducting market research. This covers a wide range of data points, including product type information, services, trends, potential vendors and sources, past performance information and other data useful when conducting research.

Resource   Website Address   Description	
<p><b>VA Office of Acquisition, Logistics, and Construction (OALC) Procurement Policy and Warrant Management Service (PPS)</b> <a href="https://www.va.gov/oal/business/pps/policy.asp">https://www.va.gov/oal/business/pps/policy.asp</a></p> <p>PPS is responsible for <a href="#">Procurement Policy</a> matters at VA including updates to the VA Acquisition Regulation (VAAR); issuance of guidance and information; and development of a VA Acquisition Manual (VAAM). PPS is also charged with reviewing and providing recommendations for the approval of all VA warrant requests, and with managing all Freedom of Information Act (FOIA) requests for OALC. Among other things, PPS publishes the following</p> <ul style="list-style-type: none"><li>• <a href="#">VA Acquisition Regulation (VAAR)</a></li><li>• <a href="#">VA Acquisition Manual (VAAM)</a></li><li>• <a href="#">Regulatory Deviations</a></li><li>• <a href="#">Procurement Policy Memorandums</a></li><li>• <a href="#">Acquisition Policy Flash!</a></li><li>• <a href="#">Service Contract Act Inventory</a></li><li>• <a href="#">Green Purchasing</a></li><li>• <a href="#">Freedom of Information Act Requests</a></li></ul>	
<p><b>Vendor Information Pages (VIP) – VA’s Center for Verification and Evaluation (CVE)</b> <a href="https://www.vip.vetbiz.va.gov">https://www.vip.vetbiz.va.gov</a></p> <p>The VA Office of Small Disadvantaged Business Utilization’s (OSDBU’s) website under the CVE provides a searchable database of all Service-Disabled Veteran-Owned Small Businesses (SDVOSBs) and Veteran-Owned Small Businesses (VOSBs) registered and verified in the VA’s Veteran First Contracting Program. All identified veteran owned small businesses and current verification status is indicated, along with applicable NAICS codes and synopsis of general business offerings. See OSDBU Factsheet “How to Use VIP to Conduct Market Research” found at <a href="https://www.va.gov/osdbu/docs/vip-market-research-20160823.pdf">https://www.va.gov/osdbu/docs/vip-market-research-20160823.pdf</a>.</p>	
<p><b>VA OSDBU Market Research Assistance Page</b> <a href="https://vaww.va.gov/osdbu/ast/marketResearch.asp">https://vaww.va.gov/osdbu/ast/marketResearch.asp</a></p> <p>OSDBU is dedicated to providing assistance to VA Program and Contract Offices in identifying small businesses for a particular procurement or within an industry. This Market Research Assistance page is a comprehensive library of market research resources, helpful hints, and tools to assist in this often time consuming and arduous — but vital — process.</p>	

## VA Market Research Guide for Acquisition Teams

---

### VA Business Intelligence Tool (VA BIT) VA's OSDBU

<https://vabity2.mybusinessmatches.com>

VA BIT offers opportunities to directly match supplier capabilities with customer requirements in specific Communities of Interest. This unique approach enables VOSBs to personally engage with procurement officials and commercial customers to enhance their chances of winning procurement contracts.

### System for Award Management (SAM)

<https://www.sam.gov/SAM/pages/public/index.jsf>

This is the official U.S. Government system that consolidated the Central Contractor Registration, CCR/FedReg, Online Representations and Certifications Application and Excluded Parties List System. The Federal Service Desk (FSD) site is to help visitors get information and assistance for the systems (websites) that the FSD supports, that includes SAM: <https://www.fsd.gov>

### Acquisition Central

<https://acquisition.gov>

This site aggregates federal acquisition content by providing one website for regulations, systems, resources, opportunities, and training. Here you will find the Product and Service Codes (PSC) Manual that provides codes to describe products, services, and research and development purchased by the federal government, as well as links to other key sites such as the FAR, Federal Agency Procurement Forecasts, etc.

### Acquisition Center of Excellence for Services "ACE for Services"

<https://www.dau.mil/cop/ace/Pages/Default.aspx>

This site was established to facilitate knowledge sharing across the acquisition community and to serve as the central clearinghouse for service acquisition policy and guidance information, training opportunities and best practices.

### DAU "Ask a Professor" on Market Research

<https://www.dau.mil/aap/Pages/home.aspx>

"Ask a Professor" is a Department of Defense (DOD) resource for asking acquisition and logistics questions concerning policies and practices. Teams can peruse general questions on market research by going to the search button and querying for "market research" Questions and Answers. Note some information will be DOD specific, but it is an acquisition community resource for broader, general concept type questions about market research.

### DAU Service Acquisition Mall (SAM)

<https://www.dau.mil/tools/Documents/SAM/home.html>

The Service Acquisition Mall provides usable tools and templates to create performance-based service acquisition requirements. You'll find useful information here on previous templates that may help flesh out requirements as you pursue market research. You will see "Step Three" in the Seven Steps to the Service Acquisition Process. Hit the Step Three link to take you to a video on conducting market research.

## VA Market Research Guide for Acquisition Teams

### Bureau of Labor Statistics (BLS)

<https://www.bls.gov/>

BLS is the principal fact-finding agency for the Federal Government in the broad field of labor economics and statistics. Indexes can be tapped for market research purposes (e.g., escalation rates). Teams can locate information here on price indices such as the Consumer Price Index, Producer Price Indexes, and pay and benefit information by area and occupations.

- Consumer Price Index (CPI) – published monthly by the Bureau of Labor Statistics. The CPI provides a guide to changes to "retail" prices. It is used as a price adjustment factor in some areas of procurement (leasing in particular) and as a general gauge of inflation. However, the Producer Price Index is usually a better source of data on price trends for the Government, since the Government is usually a "wholesale" buyer.
- Producer Price Index – published by the BLS. It tracks changes in the prices which producers receive from the initial commercial purchasers of their products. It reflects the selling prices of selected manufacturers or the prices quoted on organized exchanges such as the Chicago Board of Trade. The prices are generally f.o.b. origin for immediate delivery.

### Department of Defense Guidebook for Acquiring Commercial Items – January 2018

[https://www.acq.osd.mil/dpap/cpic/cp/docs/Guidebook\\_Part\\_A\\_Commercial\\_Item\\_Determination\\_20180129.pdf](https://www.acq.osd.mil/dpap/cpic/cp/docs/Guidebook_Part_A_Commercial_Item_Determination_20180129.pdf)

A comprehensive guide that includes additional sources for conducting market research, making a commercial item determination and writing commercial item contracts.

### Contract Pricing Reference Guides

<https://www.dau.mil/tools/p/cprg>

The Contract Price Reference Guides are a set of reference volumes developed jointly by the Federal Acquisition Institute and the Air Force Institute of Technology and were derived from the original Air Force Pricing Guides. The guides are maintained by DOD, Office of the Deputy Director of Defense Procurement and Acquisition Policy for Cost, Pricing, and Finance. The guides are posted at the Acquisition Community Connection (ACC) under the Contracting ACC Practice Center. [Volume 1, Price Analysis](#), Chapter 1 is particularly instructive for acquisition teams to consider when developing their market research plan and should be reviewed by the team or, if an Integrated Product Team (IPT) is established, by the members assigned to the IPT.

Vol 1, Ch. [1.1 Reviewing the Purchase Request and Related Market Research](#)

Vol 1, Ch. [1.2 Considering Contract Pricing in Your Market Research](#)

Vol 1, Ch. [1.3 Using Market Research to Estimate Probable Price](#)

### Federal Business Opportunities (FBO)

[FedBizOpps.gov](http://FedBizOpps.gov) or <https://www.fbo.gov/>

The official free online listing of Government contracting opportunities which has replaced the Commerce Business Daily. Award notices are posted on this site which can be used for market research. You can look by PSC, NAICS, Location, etc.

## VA Market Research Guide for Acquisition Teams

### General Services Administration (GSA)

<https://www.gsa.gov/portal/category/100000>

GSA's acquisition solutions offer private sector professional services, equipment, supplies, telecommunications, and information technology to government organizations and the military. GSA also provides workplaces by constructing, managing, and preserving government buildings and by leasing and managing commercial real estate. In total, GSA provides workspace, security, furniture, equipment, supplies, tools, computers, and telephones. GSA also provides travel and transportation services; manages the federal motor vehicle fleet; oversees telecommuting centers and federal child care centers; preserves historic buildings; manages a fine arts program; and develops, advocates, and evaluates governmentwide policy. Consider existing GSA Federal Supply Schedules, Governmentwide Acquisition Contracts (GWACs), Best-in-Class, when practicable, as a part of robust market research.

### GSA Advantage

<https://www.gsaadvantage.gov>

GSA's Advantage is a reliable and proven one-stop on-line resource for Federal employees worldwide. GSA Advantage offers the most comprehensive selection of approved products and services from GSA contracts.

### GSA E Library

<https://www.gsaelibrary.gsa.gov/ElibMain/home.do>

GSA eLibrary is a one source stop for the latest GSA contract award information. You have the ability to search by Schedule Contracts, Technology Contracts, Disaster Recovery Purchasing, etc. You can enter Keywords, Contract Number, Contractor/Manufacturer Name, Schedule/Special Item Number, GWAC Number, and NAICS code. You can also search by general categories such as Fall/Winter Supplies & Services; Disaster Relief; Hospitality, Cleaning, & Chemicals; Laboratory, Scientific, & Medical; Office Solutions; Security Solutions; Tools, Hardware, & Machinery; Vehicles & Watercraft; Building & Industrial; Furniture & Furnishings; IT Solutions & Electronics; Law Enforcement, Fire & Security; Recreation & Apparel; Services; Travel & Transportation Solutions; and Wildland Fire & Equipment.

### GSA eBuy

[https://www.ebuy.gsa.gov/advantage/ebuy/start\\_page.do](https://www.ebuy.gsa.gov/advantage/ebuy/start_page.do)

**eBuy**, a component of **GSA Advantage!**<sup>®</sup>, is an online Request for Quotation (RFQ) tool. eBuy is designed to facilitate the request for submission of quotations for a wide range of commercial supplies (products) and services under the following acquisition vehicles: GSA Schedules and Technology contracts (i.e., GSA Schedule 70 (Information Technology), GWACs, and Network Services and Telecommunications contracts. This electronic RFQ/request for proposal (RFP) system is designed to allow government buyers to request information, find sources, and prepare RFQs/RFPs, online, for services and products offered through GSA's Multiple Award Schedule and GSA Technology contracts. Government buyers can use eBuy to conduct market research, and then use the service when it is selected as the most appropriate acquisition strategy. Government buyers can use this as a market research tool even if they make use of the broader Federal Business Opportunities (FBO.gov) to solicit from a broader pool than only those on GSA schedule.

**Note:** Use of Federal Supply Schedules (formerly optional use schedules, i.e., non-mandatory VA FSS schedules) is but one of any number of potential viable acquisition strategies that the contracting officer may consider. These schedules are not mandatory but are considered one of the available resources. See [FAR part 8](#) and [VAAR part 808](#) and [VAAM part M808](#) (when published) for further information about considering existing contracts. Use of GSA schedules may limit the ability of small businesses within certain defined geographic areas from participating if they are not schedule holders and this impact should be considered by the acquisition team during market research.

## VA Market Research Guide for Acquisition Teams

### GSA Acquisition Gateway

<https://hallways.cap.gsa.gov/>

GSA's Acquisition Gateway connects federal acquisition professionals who want to share advice, success stories, and lessons learned. The Acquisition Gateway is intended to be the desktop for the Federal acquisition workforce. Organized to match the government's category management structure, the content in the Gateway was developed for acquisition professionals by acquisition professionals. The hallways contain content information useful to agencies as they perform market research and compile information on pulling together their requirements. There is a Statement of Work (SOW) Library containing examples of SOWs/PWSs; currently there are nine different Hallways to explore for information on the left side of the gateway, etc. Consider all Best-in-Class and other GSA or GWACs, when practicable.

### Interagency Contract Directory (ICD)

<https://www.contractdirectory.gov/contractdirectory>

The ICD is a central repository of Indefinite Delivery Vehicles (IDV) awarded by Federal agencies where the IDV is available for use at both the intra agency and interagency levels. IDVs include GWAC, Multi-Agency Contracts, Other Indefinite Delivery Contracts, FSS, Basic Ordering Agreements, and Blanket Purchase Agreements (BPA).

### North American Industry Classification System (NAICS)

<https://www.census.gov/eos/www/naics/index.html>

The North American Industry Classification System (NAICS) is the standard used by Federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy. Contracting officers determine appropriate NAICS code and related small business size standard and include them in solicitations above the micro-purchase threshold (see [FAR 19.303](#)). A NAICS code has six digits. The first two indicate the economic Sector, the third the Subsector, the fourth the Industry Group, the fifth the Industry, and the sixth the U.S. Industry.

### U.S. Small Business Administration

<https://www.sba.gov/>

Links to a wide variety of information and resources relating to small businesses.

### SBA Size Standards

<https://www.sba.gov/size-standards/?ms=nid4070>

This tool can help determine if a business qualifies as a "small business" under SBA Size Standards. SBA uses the NAICS as the basis for its size standards. NAICS assigns numerical codes to classify business activities to various economic sectors and industries. To help small business owners assess their small business status, SBA has established a Table of Small Business Size Standards ([pdf file/excel file](#)), which is matched to the [NAICS](#) for industries. The current table of size standards is based on the 2012 NAICS. The table of size standards can also be found online in the [Small Business Size Regulations](#) (published by the [Electronic Code of Federal Regulations](#)).

### STAT-USA/Internet

<http://tse.export.gov/tse/tsehome.aspx>

A service of the U.S. Department of Commerce that includes the National Trade Data Bank, the U.S. Government's most comprehensive source for international trade data and export promotion information; the Economic Bulletin Board, a comprehensive source for Government-sponsored economic releases and business leads; and Global Business Procurement Opportunities an international procurement marketplace for businesses that provides billions for dollars in procurement opportunities from all over the world.

# VA Market Research Guide for Acquisition Teams

## Steps to Performance-Based Acquisition (SPBA)

<https://pba.app.cloud.gov/app/#/pba>

Found in GSA's Acquisition Gateway, the SPBA presents "the PBA process in easy steps, complete with samples and examples, templates, and other resources to make PBA more collaborative, performance-oriented, and team-focused."

### Other resources to consider—

- Trade journals – Address products; price information (i.e., trends in the immediate area, price escalations, etc.); Government needs vs. commercial needs.
- Specialized publications – They offer current market information regarding products and their suppliers. Publications like Federal Computer Week and Communications Week may be of special interest.
- Other sources of information include:
  - Yellow pages
  - Consumer Reports on-line
  - Procurement Directories
  - Commodity Indices
  - Product Brochures and promotional literature
  - Catalogs published by manufacturers, distributors, and dealers
  - Internet

## II. Websites to Research FAR & VAAR Priorities for Use of Mandatory Government Supply Sources ([FAR 8.002](#) and also see VAAR 808.002)

Resource   Website Address   Description
<b>Inventories of the Requiring Agency</b> see VA Supply Stock Fund and VA Excess
<b>Excess from other agencies.</b> <a href="https://www.gsa.gov/acquisition/government-property-for-sale-or-disposal/personal-property-for-reuse-sale/personal-property-management-for-federal-agencies">https://www.gsa.gov/acquisition/government-property-for-sale-or-disposal/personal-property-for-reuse-sale/personal-property-management-for-federal-agencies</a> Excess agency property can be obtained through Component Personal Property Officials, and from GSA's Office of Personal Property Management that helps federal agencies dispose of personal property that is no longer needs and helps other federal agencies acquire these items. See <a href="#">FAR Subpart 8.1</a> , Excess Personal Property.

## VA Market Research Guide for Acquisition Teams

### Resource | Website Address | Description

#### **Federal Prison Industries, Inc. (FPI) (UNICOR)**

<https://www.unicor.gov/index.aspx>

FPI, also referred to as UNICOR, is a self-supporting, wholly owned Government corporation of the District of Columbia. FPI provides training and employment for prisoners confined in Federal penal and correctional institutions through the sale of its supplies and services to Government agencies. Supplies manufactured and services performed by FPI are listed in the FPI Schedule accessed at the website above. Before purchasing an item of supply listed in the FPI Schedule, conduct market research to determine whether the FPI item is comparable to supplies available from the private sector that best meet the Government's needs in term of price, quality, and time of delivery. This is a unilateral determination made at the discretion of the contracting officer. See [FAR Subpart 8.6](#), Acquisition From Federal Prison Industries, Inc. and VAAR parts 808.002 and [808.603](#).

#### **Procurement List maintained by the Committee for Purchase From People Who Are Blind or Severely Disabled (AbilityOne)**

[https://www.abilityone.gov/procurement\\_list/](https://www.abilityone.gov/procurement_list/)

The Committee, established by Congress to administer the Javits-Wagner-O'Day Act, is responsible for determining which products and services are suitable to place on its Procurement List for the Federal government. It also determines the fair market prices for those items. The Committee has designated two central non-profit agencies to assist with program implementation: National Industries for the Blind (NIB) and SourceAmerica (formerly National Industries for the Severely Handicapped (NISH)). The Committee includes representation 15 Presidentially-appointed members—one of these is the VA.

Note: Prior to considering award of a contract under the AbilityOne program, contracting officers shall apply the VA Rule of Two to determine whether a requirement should be awarded to Veteran-owned small businesses under the authority of 38 U.S.C. 8127-28, by using the preferences and priorities in subpart [819.70](#). If an award is not made to a VIP-listed and verified SDVOSB/VOSB as provided in subpart [819.70](#), AbilityOne remains a mandatory source in accordance with [FAR 8.002](#). All new VA requirements must be approved by the Chief Acquisition Officer, via the Senior Procurement Executive, before contacting the Committee to request addition of new items to the Procurement List. See VAAR 808.002.

#### **Wholesale Supply Sources**

[https://www.gsaglobalsupply.gsa.gov/advantage/main/start\\_page.do?store=FSS](https://www.gsaglobalsupply.gsa.gov/advantage/main/start_page.do?store=FSS)

Search, as applicable, stock programs of the General Services Administration (GSA), the Defense Logistics Agency (DLA), or the Department of Veterans Affairs. GSA Global Supply is a federal program administered by GSA. It works with commercial suppliers to develop its product line, but it is a governmental program. It is not a mandatory source. GSA Global Supply provides common-use items such as office supplies, tools, computer products, and safety equipment to federal customers, civilian and military. Approximately 400,000 products are available to federal users through a variety of ordering mechanisms. GSA Global Supply is a wholesale supply source as identified in [FAR 8.002](#).

#### **National Committed Use Contracts**

See National Committed Use Contracts awarded by the Office of Procurement, Acquisition, and Logistics (OPAL), National Acquisition Center, National Contract Service (NCS) (not associated with VA FSS contracts) and the Commodities and Services Acquisition Service (CSAS).

<https://www.va.gov/opal/about/nacNcs.asp>

<https://www.va.gov/opal/nac/csas/index.asp>

## VA Market Research Guide for Acquisition Teams

Resource   Website Address   Description
<p>The <b>National Contract Service</b> provides acquisition support of hightech medical equipment, pharmaceuticals, direct-to-patient distribution, and medical, surgical and dental supplies and equipment. Additionally, NCS manages the just-in-time delivery programs for pharmaceutical, subsistence, and medical/surgical items. NCS is also responsible for national committed use contracts and standardized BPAs established under the Federal Supply Schedule Program.</p> <p>The <b>CSAS</b> provides holistic supply chain management for the VA National Hearing Aid Program and supports VA and OGAs with professional acquisition and logistical services. Commodities managed by the CSAS include worldwide distribution of hearing aids, hearing and accessories, cochlear implants, assistive devices, batteries, prosthetic socks, orthotic soft-goods, aids for the visually impaired, and manages the hearing and repair program for the VA.</p>
<p><b>VA Federal Supply Schedule (FSS)</b> See the VA Federal Supply Schedule Service website. <a href="https://www.fss.va.gov/">https://www.fss.va.gov/</a></p> <p>Under delegated authority by GSA, the VA manages 9 multiple award contracts for medical equipment, supply, pharmaceutical, and service Schedule programs. With over \$10 billion in sales, the VA FSS Service supports the healthcare requirements of the VA and other federal government agencies by providing customers with access to over 1 million state-of-the-art commercial products and services.</p>

### III. Websites to Research Sustainable (Green) Products and Services

Resource   Website Address   Description
<p><b>VA OAL Green Purchasing Program and Energy Management Program Service (EMPS)</b> <a href="https://www.va.gov/oal/business/pps/greenPurchasing.asp">https://www.va.gov/oal/business/pps/greenPurchasing.asp</a> <a href="https://www.green.va.gov/environment/greenPurchasing.asp">https://www.green.va.gov/environment/greenPurchasing.asp</a></p> <p>VA promotes the Federal Green Purchasing Program through the acquisition of a variety of products, equipment and services that meet Federal standards, laws, regulations, and executive order requirements, as well as VA policy. Search the website links for further information and guidance and links to sites to conduct market research.</p>
<p><b>Green Procurement Compilation (GPC)</b> <a href="https://sftool.gov/greenprocurement">https://sftool.gov/greenprocurement</a></p> <p>The GPC is a website that helps users identify applicable federal green purchasing requirements for products and services. The GPC consolidates information from a variety of sources, making it a comprehensive green purchasing resource.</p>
<p><b>Sustainable Marketplace: Greener Products and Services (Environmentally Preferable Purchasing (EPP) Program)</b> <a href="https://www.epa.gov/greenerproducts">https://www.epa.gov/greenerproducts</a></p> <p>The EPP program is overseen by the U.S. Environmental Protection Agency (EPA). EPP helps the federal government “buy green,” and in doing so, uses the federal government’s enormous buying power to stimulate</p>

## VA Market Research Guide for Acquisition Teams

### Resource | Website Address | Description

market demand for green products and services. This includes products and services identified by the EPP program). Information on Federal green buying requirements and cost and benefits of purchasing choices can be examined during market research at this site, which also includes access to EPA's Recommendations of Standards and Ecolabels for Federal Green Purchasing.

#### **Electronic Product Environmental Assessment Tool (EPEAT)**

<http://greenelectronicscouncil.org/epeat/epeat-overview/>

EPEAT is a system/tool to help purchasers in the public and private sectors evaluate, compare and select desktop computers, laptops and monitors and other electronic equipment, as well as mobile phones, based on their environmental attributes.

#### **ENERGY STAR® Program**

##### **Department of Energy Federal Energy Management Program (DOE-FEMP)**

<https://www.energystar.gov/>

##### **Energy-Efficient Products and Energy-Saving Technologies**

<https://www.energy.gov/eere/femp/energy-efficient-products-and-energy-saving-technologies>

ENERGY STAR is a U.S. Environmental Protection Agency voluntary program that helps businesses and individuals save money and protect our climate through superior energy efficiency. All compliant ENERGY STAR certified products can be found on the website. Federal agencies are required to procure energy-efficient products. The DOE-FEMP helps Federal agencies comply with these requirements by identifying energy- and water-efficient products that meet Federal laws and requirements.

#### **WaterSense®**

<https://www.epa.gov/watersense>

<https://www.epa.gov/watersense/product-search>

WaterSense is an EPA Partnership Program and helps save water with a product label and tips. Products carrying the WaterSense label perform well and may help save money. WaterSense partners with manufacturers, retailers and distributors, and utilities to bring WaterSense labeled products to the marketplace. Market research can be conducted at the WaterSense Product Search site.

#### **Comprehensive Procurement Guidelines**

<https://www.epa.gov/smm/comprehensive-procurement-guideline-cpg-program>

EPA maintains a list of designated products and the accompanying recommendations for post-consumer content and recovered materials content. EPA has developed criteria and a process for product designation. There are eight grouped categories of products with specified proposed recycled-content recommendations for each product. This site contains a Supplier Directory and Product Resource Guides for each of the eight product categories: Construction Products, Landscaping Products, Nonpaper Office Products, Paper and Paper Products, Park and Recreation Products, Transportation Products, Vehicular Products, and Miscellaneous products (award and plaques, bike racks, blasting grits, industrial drums, mats, pallets, signage, etc.).

## VA Market Research Guide for Acquisition Teams

### Resource | Website Address | Description

#### USDA BioPreferred® Program

<https://www.biopreferred.gov/BioPreferred/>  
<https://www.biopreferred.gov/BioPreferred/faces/catalog/Catalog.xhtml>

The purpose of the U.S. Department of Agriculture's (USDA's) BioPreferred program is to promote the increased purchase and use of biobased products. USDA certifies and awards labels to qualifying products and designates categories of biobased products that are afforded preference by Federal agencies when making purchasing decisions. Access the BioPreferred Catalog to identify products that are eligible for preferred Federal purchasing.

#### Alternative Fuel Vehicles and Alternative Fuels

<https://www.afdc.energy.gov/index.html>  
<https://www.afdc.energy.gov/tools>

The U.S. Department of Energy, Energy Efficiency and Renewable Energy provides comprehensive information on alternative fuel vehicles and alternative fuels and other petroleum reduction options such as advanced vehicles, fuel blends, idle reduction, and fuel economy. This includes the ability to search for Light-Duty Vehicles, Heavy-Duty Vehicles and Engines, etc. Also, transportation-related data and trends related to alternative fuels and vehicles can be found at this site.

#### Whole Building Design Guide (WBDG)

<http://www.wbdg.org/>

The Whole Building Design Guide website provides information on "integrated 'Whole Building' Design Techniques and Technologies." VA is a participating agency of the WBDG. More information on VA's building programs and criteria is available via this site (including, then, to a link to the VA Sustainable Design Manual on the Technical Information Library.

# VA Market Research Guide for Acquisition Teams

---

## APPENDIX B

### REGULATORY REFERENCES AND OTHER GUIDANCE

#### I. Federal Acquisition Regulation ([FAR](#)):

- Subpart [2.1](#), Definitions
- Part [3](#), Improper Business Practices and Personal Conflicts of Interest
- Part [5](#), Publicizing Contract Actions
- Part [6](#), Competition Requirements
- Part [7](#), Acquisition Planning
- Part [8](#), Required Sources of Supplies and Services
- Subpart [9.5](#), Organizational and Consultant Conflicts of Interest
- Part [10](#), Market Research
- Part [11](#), Describing Agency Needs
- Part [12](#), Acquisition of Commercial Items
- [15.201](#), Exchanges with Industry Before Receipt of Proposals
- [17.207](#), Exercise of Options
- [Part 19—Small Business Programs](#)
- Part [23](#), Environment, Energy and Water Efficiency, Renewable Energy Technologies, Occupational Safety, and Drug-Free Workplace
- Part [25](#) ([FAR subpart 25.1](#) and [25.2](#) – Buy American Act—Supplies and [FAR subpart 25.4](#), Trade Agreements)

#### II. Veterans Affairs Acquisition Regulation ([VAAR](#)):

See VAAR subpart 819.70 and applicable Class Deviations, such as Implementation of the Veterans First Contracting Program as a result of the U.S. Supreme Court Decision (Class Deviation—Veterans First Contracting Program (VFCP 2016) or Subpart 806.5, Other Than Full and Open Competition

VAAR and applicable [Class Deviations](#) to:

- 808.002, Priorities for Use of Mandatory Government Sources
- 808.004-70, Use of Non-mandatory Sources by VA
- 808.404-70, Use of Federal Supply Schedules—the Veterans First Contracting Program
- 808.405-70, VA Rule of Two Ordering Procedures for Federal Supply Schedules—the Veterans First Contracting Program
- Part 810, Market Research and 810.001-70, Market Research Policy
- Part 819, Small Business Programs
- Subpart 819.70, Service-Disabled Veteran-Owned and Veteran-Owned Small Business Acquisition Program (implements the Veterans First Contracting Program)
- 819.7004, Contracting Order of Priority

## VA Market Research Guide for Acquisition Teams

---

- III. **Principal Executive Director, Office of Acquisition, Logistics, and Construction (OALC) and Acting Chief Acquisition Officer (CAO) Memorandum**, “Encouraging Industry Engagement (VAIQ 7634725), December 22, 2015.
- IV. **Office of Federal Procurement Policy (OFPP) Memorandum entitled, “Myth-Busting 2”**: Addressing Misconceptions and Further Improving Communication During the Acquisition Process, May 7, 2012.
- V. **Office of Federal Procurement Policy (OFPP) Memorandum entitled, “Myth-Busting”**: Addressing Misconceptions to Improve Communication with Industry during the Acquisition Process, February 2, 2011.

# VA Market Research Guide for Acquisition Teams

---

## APPENDIX C

### KEY TERMS and DEFINITIONS

**Acquisition** means the acquiring by contract with appropriated funds of supplies or services (including construction) by and for the use of the Federal Government through purchase or lease, whether the supplies or services are already in existence or must be created, developed, demonstrated, and evaluated. Acquisition begins at the point when agency needs are identified and includes the description of requirements to satisfy agency needs, solicitation and selection of sources, award of contracts, contract financing, contract performance, contract administration, and those technical and management functions directly related to the process of fulfilling agency needs by contract.

**Acquisition Planning** means the process by which the efforts of all personnel responsible for an acquisition are coordinated and integrated through a comprehensive plan for fulfilling the agency need in a timely manner and at a reasonable cost. It includes developing the overall strategy for managing the acquisition.

**Acquisition Program** means a directed, funded acquisition that provides new, improved, or continuing systems or services (e.g., when a continuing system or service is acquired after it was formerly hosted or performed by the Government) in response to an approved need. An acquisition program is divided into levels established to facilitate decision-making, execution, and compliance with statutory and regulatory requirements and may be composed of multiple projects, services contracts, interagency agreement, and other types of acquisitions. In addition, an acquisition program is either designed by the VA Secretary, VA Deputy Secretary, VA Chief of Staff, Administration Heads, Assistant Secretaries, or VA Chief Acquisition Officer as a major acquisition, or estimated to require an expenditure of more than \$10M in one year or a total life cycle expenditure of more than \$100M.

**Acquisition Program Management Framework (APMF)** means a comprehensive acquisition framework that leverages acquisition and program management best practices to enhance VA's ability to acquire business capabilities within established cost, schedule, and scope.

**Acquisition Streamlining** means any effort that results in more efficient and effective use of resources to design and develop or produce quality systems. This includes ensuring that only necessary and cost-effective requirements are included, at the most appropriate time in the acquisition cycle, in solicitations and resulting contracts for the design, development, and production of new systems, or for modifications to existing systems that involve redesign of systems or subsystems.

**Acquisition Team** means those procurement and program office personnel, working in a team environment, with responsibility for various aspects of the procurement process. An Acquisition Team may be composed of some or all members of an Integrated Project or Product Team. [FAR 1.102](#), Statement of Guiding Principles for the Federal Acquisition System, paragraph (c) provides a broader definition: "The Acquisition Team consists of all participants in Government acquisition including not only representatives of the technical,

## VA Market Research Guide for Acquisition Teams

---

supply, and procurement communities but also the customers they serve, and the contractors who provide the products and services.” When used in the context of this guide, Acquisition Team refers only to Government personnel involved in the acquisition who share responsibility for conducting market research.

**Best Value** is the expected outcome of an acquisition that, in the Government’s estimation, provides the greatest overall benefit in response to the requirement.

**Bundling is** consolidating two or more requirements for supplies or services, previously provided or performed under separate smaller contracts, into a solicitation for a single contract that is likely to be unsuitable for award to a small business concern.

**Chief Acquisition Officer** is an executive level acquisition official responsible for agency performance of acquisition activities and acquisition programs created pursuant to 41 U.S.C. 1702.

**Commercial Item** (See [FAR 2.101](#), Definitions for the full and complete definition.) Briefly, it is any item, other than real property, that is of a type customarily used by the general public or by non-governmental entities for purposes other than governmental purposes that has been sold, leased, or licensed to the general public; or, has been offered for sale, lease or license to the general public. Other parts of the definition described in the FAR deals with any item evolving from an item described above, modifications of a type customarily available in the commercial marketplace or minor modifications; some types of services offered and sold competitively in substantial quantities in the commercial marketplace based on established catalog or market prices, etc.

**Contract** is a mutually binding legal relationship obligating the seller to furnish the supplies or services (including construction) and the buyer to pay for them. It includes all types of commitments that obligate the Government to an expenditure of appropriated funds and that, except as otherwise authorized, are in writing. In addition to bilateral instruments, contracts include (but are not limited to) awards and notices of awards; job orders or task letters issued under basic ordering agreements; letter contracts; orders, such as purchase orders, under which the contract becomes effective by written acceptance or performance; and bilateral contract modifications. Contracts do not include grants and cooperative agreements.

**Contracting Officer** means a person with the authority to enter into, administer, and/or terminate contracts and make related determinations and findings. The term includes certain authorized representatives of the contracting officer acting within the limits of their authority as delegated by the contracting officer. “Administrative contracting officer” refers to a contracting officer who is administering contracts. “Termination contracting officer” refers to a contracting officer who is settling terminated contracts. A single contracting officer may be responsible for duties in any or all of these areas.

**Contracting Officer’s Representative (COR)** is an individual, including what was termed a contracting officer’s technical representative, designated and authorized in writing by the contracting officer to perform specific technical or administrative functions. The appropriate term of art to use now is COR.

## VA Market Research Guide for Acquisition Teams

---

**Delivery Order** means an order for supplies placed against an established contract or with Government sources.

**Development** is the systematic use of scientific and technical knowledge in the design, development, testing or evaluation of a potential new product or service (or of an improvement in an existing product or service) to meet specific performance requirements or objectives. It includes the functions of design engineering, prototyping, and engineering testing. In the context of Independent Research and Development, [FAR 31.205-18](#) provides that development excludes (1) subcontracted technical effort that is for the sole purpose of developing an additional source for an existing product; and (2) development effort for manufacturing or production of materials, systems, processes, methods, equipment, tools, and techniques not intended for sale.

**Economically Disadvantaged Women-Owned Small Business (EDWOSB)** is a small business concern that is at least 51 percent directly and unconditionally owned by, and the management and daily business operations of which are controlled by, one or more women who are citizens of the United States and who are economically disadvantaged in accordance with 13 CFR part 127. It automatically qualifies as a women-owned small business concern eligible under the WOSB Program.

**Environmentally Preferable** is products or services that have a lesser or reduced effect on human health and the environment when compared with competing products or services that serve the same purpose. This comparison may consider raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, maintenance, or disposal of the product or service. ([FAR 2.101](#))

**Full and Open Competition**, when used with respect to a contract action, means that all responsible sources are permitted to compete.

**Historically Underutilized Business Zone (HUBZone)** is a firm that is headquartered in an economically distressed area located in a qualified census tract, non-metropolitan county or Indian reservation. To meet the requirements for HUBZone participation, a qualified firm must be: small under the size standard corresponding to its primary industry classification; be at least 51% unconditionally and directly owned and controlled by persons who are United States citizens; have its principal office located in a HUBZone; have at least 35% of its employees residing in a HUBZone; and certify that it will attempt to maintain this residence percentage during the performance of any HUBZone contract it receives. The SBA HUBZone Program is designed to promote economic development and employment growth in distressed areas by providing access to more federal contracting opportunities. See the HUBZone Map to identify HUBZone locations at the [SBA HUBZone Maps](#) landing page.

**HUBZone Business** is a qualified small business located in an SBA HUBZone.

**Integrated Project or Product Team (IPT)** is a cross disciplinary team composed of representatives from all appropriate functional disciplines working together to build successful and balanced programs, identify and resolve issues, and make sound and timely

## VA Market Research Guide for Acquisition Teams

---

decisions based on timely input from the entire team, when appropriate. An Acquisition Team may be a subset of an IPT.

**Life-Cycle Cost** is the total cost to the Government of acquiring, operating, supporting, and (if applicable) disposing of the items being acquired.

**Market Prices** are current prices that are established in the course of ordinary trade between buyers and sellers free to bargain and that can be substantiated through competition or from sources independent of the offerors.

**Market Research** is a collection and analysis of product or service market information to determine the best approach for acquiring goods and services to satisfy the Government's acquisition needs. Within the context of market research, acquisitions begin with development of a description of the Government's needs stated in terms sufficient to allow conduct of market research.

**Market Research Report** is a formal report prepared by the Acquisition Team and approved by the Contracting Officer that details market research findings, the applicability of the findings to meeting the current requirement and serves as the basis for the acquisition strategy and procurement request package(s).

**Micro-purchase threshold.** See [FAR 2.101](#) Definitions.

**Non-developmental Item** is any previously developed item of supply used exclusively for governmental purposes by a Federal agency, a State or local government. It also includes any of these items that require only minor modification or modifications of a type customarily available in the commercial marketplace to meet the requirements of the procuring department or agency. Any item of supply being produced that does not meet these requirements solely because the item is not yet in use.

**Offeror** is a vendor or contractor who responds to a solicitation that, if accepted, would bind the contractor to perform the resultant contract.

**Order** is an order placed under a Federal Supply Schedule (FSS) contract; or task-order contract or delivery-order contract awarded by another agency, (i.e., Government wide acquisition contract or multi-agency contract).

**Organizational Conflict of Interest** means that because of other activities or relationships with other persons, a person is unable or potentially unable to render impartial assistance or advice to the Government, or the person's objectivity in performing the contract work is or might be otherwise impaired, or a person has a unfair competitive advantage.

**Past performance** means an offeror's or contractor's performance on active and physically completed contracts (see [FAR 4.804-4](#)).

**Performance-Based Acquisition (PBA)** means an acquisition structured around the results to be achieved as opposed to the manner by which the work is to be performed.

## VA Market Research Guide for Acquisition Teams

---

**Performance Work Statement (PWS)** means a statement of work for performance-based acquisitions that describes the required results in clear, specific and objective terms with measurable outcomes.

**Preaward Survey** means an evaluation of a prospective contractor's capability to perform a proposed contract.

**Program Office** refers to the VA organization that will be the end user of a contracting requirement. A program office:

- (1) Is staffed by one or more federal employees either dedicated exclusively to the program or as a collateral duty;
- (2) Is managed by at least one decision maker who is able to commit to a course of action on behalf of the office; and
- (3) Has a funding source that can obligate its funds to support a contracting requirement.

A contracting office cannot be a program office except when it is acquiring supplies and/or services for its own use.

**Planner** is the designated person or office responsible for developing and maintaining a written plan, or for the planning function in those acquisitions not requiring a written plan.

**Request for Information (RFI)** is a request for information used when the Government does not presently intend to award a contract, but needs to obtain price, delivery, and other market information, or capabilities for planning purposes. Responses to these notices are not offers and cannot be accepted by the Government to form a binding contract.

**Senior Procurement Executive (SPE)** means the individual appointed pursuant to 41 U.S.C. 1702(c) who is responsible for management direction of the acquisition system of the executive agency, including implementation of the unique acquisition policies, regulations, and standards of the executive agency.

**Service-Disabled Veteran-Owned Small Business (SDVOSB)** has the same meaning as service-disabled veteran-owned small business concern defined in [FAR subpart 2.101](#), except that for acquisitions authorized by 38 U.S.C. 8127 and 8128 for the Veterans First Contracting Program, these businesses must be listed as verified in the VIP database. In some instances, an SDVOSB listed in the VIP database may be owned and controlled by a surviving spouse. See definition of *surviving spouse* in 802.101.

**Simplified Acquisition Threshold (SAT)** - See [FAR 2.101 Definitions](#).

**Small Business Set-Aside** is an acquisition exclusively or partially reserved for the participation of small business concerns pursuant to the Small Business Act.

## VA Market Research Guide for Acquisition Teams

---

**Sole Source Acquisition** means a contract for the purchase of supplies or services that is entered into or proposed to be entered into by an agency after soliciting and negotiating with only one source.

**Specification** is a description of the minimum technical characteristics of materials, products or services to be acquired. The Government's description should detail the type of product or service to be acquired and explain how the Government intends to use it in terms of functions to be performed, performance requirements or essential physical characteristics. For a commercial item procurement, the Government's requirement must be sufficiently detailed to permit offerors to know which of its products or services may be appropriate to propose.

**VA Rule of Two** is the process in 38 U.S.C. 8127(d) whereby a contracting officer of the Department "shall award contracts on the basis of competition restricted to small business concerns owned and controlled by veterans, if the contracting officer has a reasonable expectation that two or more small business concerns owned and controlled by veterans will submit offerors, and that the award can be made at a fair and reasonable price that offers the best value to the United States." For purposes of this VA specific rule, a service-disabled veteran-owned small business (SDVOSB) or a veteran-owned small business (VOSB), must meet the eligibility requirements in 38 U.S.C. 8127(e), (f) and VAAR subpart 819.7003 and be listed as verified in the Vendor Information Pages (VIP) database.

**Vendor Information Pages (VIP) Database** is the Department of Veterans Affairs Office of Small and Disadvantaged Business Utilization (OSDBU) VIP database at <https://www.vip.vetbiz.va.gov>. The site's database lists businesses that the VA Center for Verification and Evaluation (CVE) has determined eligible for the Veterans First Contracting Program.

**Veterans First Contracting Program** is the program authorized by 38 U.S.C. 8127 and 8128 (Pub. L. 109-461 as amended) implemented under VAAR subpart 819.70. This program applies to all VA contracts (see [FAR 2.101](#) for definition of contracts) including Blanket Purchase Agreements (BPAs) and orders against the Federal Supply Schedules (FSS), unless otherwise excluded by law.

**Veteran-Owned Small Business (VOSB)** has the same meaning as veteran-owned small business concern defined in [FAR 2.101](#), except that for acquisitions authorized by 38 U.S.C. 8127 and 8128 for the Veterans First Contracting Program, these businesses must be listed as verified in the VIP database. A VIP-listed SDVOSB, shall also be considered a VOSB.

**Women-Owned Small Business** is a business that is owned and controlled 51% or more by a woman or women at <https://www.sba.gov/wosb> .

**Women-Owned Small Business (WOSB) Program** is a program that authorizes contracting officers to limit competition to—(1) eligible EDWOSBs and (2) eligible WOSBs, for Federal contracts assigned a North American Industry Classification System (NAICS) code in an industry in which the SBA has determined that WOSB concerns are

## VA Market Research Guide for Acquisition Teams

---

“underrepresented” in Federal procurement (EDWOSB) or “substantially underrepresented” in the case of WOSBs.

**8(a) Business Development Program** is a business assistance program for small disadvantaged businesses. The 8(a) Program offers a broad scope of assistance to firms that are owned and controlled at least 51% by socially and economically disadvantaged individuals.

# VA Market Research Guide for Acquisition Teams

---

## ATTACHMENT 1

### TEMPLATE

#### Streamlined Market Research Report

Requirement Title:

1. Objective: [Per FAR 10.001\(a\)\(2\)](#) and VAAR 810.001-70, this report is in support of (check as many as apply):

- A new requirement
- An acquisition with an estimated value in excess of the simplified acquisition threshold (see [FAR subpart 2.1](#) for current threshold)
- An acquisition with an estimated value less than the simplified acquisition threshold where adequate information is not available to develop the requirements package and the circumstances justify the cost of performing the market research;
- An acquisition that could lead to a bundled contract (15 U.S.C. 644(e)(2)(A)) (see [FAR subpart 2.1](#) for bundled contract definition);
- A requirement less than the micro-purchase threshold (see [FAR 2.1](#) for current threshold) that is not being purchased using the Governmentwide Purchase Card (GPC)
- Other:

2. Background:

- a. Title:
- b. Product or Service Code:
- c. NAICS Code:
- d. SIC code:
- e. Estimated contract value: \$

## VA Market Research Guide for Acquisition Teams

---

3. Market Research Sources: In accordance with [FAR Part 10](#), VAAR 810 and VAAM M810, market research has been conducted for this acquisition. The following techniques were used (check as many as apply):

- Used VA's VIP database to identify verified capable SDVOSBs and VOSBs. - All results must be attached to this report.
- Applying personal knowledge in procuring supplies/services of this type.
- Contacting knowledgeable individuals in Government and industry regarding market capabilities to meet requirements.
- Reviewing the results of recent market research undertaken to meet similar or identical requirements.
- Publishing formal requests for information in appropriate technical or scientific journals or business publications.
- Querying the Government-wide database of contracts and other procurement instruments intended for use by multiple agencies available at [www.contractdirectory.gov](http://www.contractdirectory.gov) and other Government and commercial databases that provide information relevant to agency acquisitions.
- Participating in interactive, on-line communication among industry, acquisition personnel, and customers.
- Obtaining source lists of similar items from other contracting activities or agencies, trade associations or other sources.
- Reviewing catalogs and other generally available product literature published by manufacturers, distributors, and dealers or available on-line
- Conducting interchange meetings or holding presolicitation conferences to involve potential offerors early in the acquisition process.
- Conducting market survey:
- Other:

4. Market Research Findings:

## VA Market Research Guide for Acquisition Teams

---

5. Customary Commercial Terms and Conditions:
6. Market Price: \$
7. Acquisition History:
8. Other pertinent information:
9. Recommendations:
10. Based on the above information, the basic clauses and provisions prescribed in [FAR Part 12](#):

Are sufficient for use in this acquisition and do not require any tailoring to be consistent with industry's commercial practices.

Require tailoring to be consistent with industry's commercial practices as noted below. All such tailoring will be included in the solicitation issued for the required supplies/services.

- Identify affected clause/provision paragraph and your recommended change(s).

Based on the above information, the following sources (minimum of three)([See FAR subpart 8.4 requirements for three; different than a VA Rule of Two set-aside analysis](#)) appear qualified and interested to fulfill this requirement:

Firm 1:

Firm 2:

Firm 3:

PREPARED BY:

NAME:

DATE:

APPROVED

DISAPPROVED:

NAME:

DATE:

# VA Market Research Guide for Acquisition Teams

---

## ATTACHMENT 2

### TEMPLATE

#### MARKET RESEARCH REPORT

*A Market Research Report documents market research in a manner appropriate to the size, complexity, and urgency of an acquisition. In consultation with the Contracting Officer, the following template can be tailored to a requirement's market research needs. Use only those sections applicable to your requirement. If a section is not applicable, it should be so identified and supported by a brief explanation.*

**Title of Program/Project/Requirement:** Include name of project here

**REMINDER:** *\*\*Remove all guidance language shown in red (or blue above) in the final document.\*\**

#### **PART I – TO BE COMPLETED BY PROGRAM/PROJECT MANAGER/PLANNER**

##### **I. Authority.**

**Market research is required in accordance with:**

- [FAR 7.102](#), Acquisition Planning Policy
- [FAR 7.103\(u\)\(1\) and \(2\)](#), Agency-Head Responsibilities
- [FAR 10.001](#), Market Research Policy and VAAR 810.001-70 (Class Deviation)
- VAAR 813.003-70(c), Policy (Class Deviation)
- [FAR 19.202-2](#), Locating Small Business Sources and VAAR 819.202 (Class Deviation)

##### **II. Procurement Information.**

###### **A. Procurement History. (Please remove all language labeled guidance in the final document)**

**Click here to enter text.**

**Guidance: Provide a short narrative addressing the following:**

1. Was the requirement previously procured? If so, identify the contractor and Small Business size status of the entity. Is this a follow-on acquisition? Identify any changes in the market place since previous procurement(s) (suppliers, trends, technologies).
2. Is this a bundled ([FAR 2.101](#)) requirement? If so, consult [FAR 10.001\(c\)](#).
3. Are there any applicable Organizational Conflicts of Interest?

## VA Market Research Guide for Acquisition Teams

---

**B. Procurement Background.** *Guidance: Describe the background of the procurement and circumstances/events leading up to the requirement. Include:*

- Program Office & Other Key Stakeholders
- Program Office Point of Contact

Click here to enter text.

Name	Title	Office	Telephone	E-mail Address

- Type of acquisition (service or supply)
- Expected dollar value of requirement
- Suggested NAICS code(s)
- Time frame in which the market research was conducted

### III. Initial Requirements

- Describe the Government's requirement in terms of:
  - Functions to be performed
  - Services or Performance required and/or
  - Essential physical characteristics
- Describe schedule requirements, e.g., performance periods and/or delivery due dates.
- Discuss any cost effectiveness issues associated with the requirements

### IV. Participants in Market Research

Describe the involvement of the individual Acquisition Team members and any other participants in the market research effort. **(The titles listed in the table below are examples.)**

NAME	TITLE	OFFICE	TELEPHONE	E-MAIL ADDRESS	MARKET RESEARCH ROLE
	Program Official				
	Contracting Officer				
	Contract Specialist				

## VA Market Research Guide for Acquisition Teams

---

	Contracting Officer's Representative (COR)				
	Small Business Liaison				
	Other				

### V. Market Research Techniques and Sources

**A. Market Research Techniques** Describe techniques and sources used during market research. The following table may help structure and summarize the techniques used in the market research effort.

The above general areas start driving the discussion of the different kinds of market research techniques that may be available to consider and begin to frame how in-depth your market research might go. It starts the planning process for your market research.

Check <b>X</b> IF USED	SOURCES USED IN MARKET RESEARCH	DETAILS OF RESEARCH/COMMENTS
	RESEARCH SOURCES	(INCLUDE REFERENCES TO ATTACHMENTS TO REPORT) (e.g., List of Journals and Literature Reviewed included as Attachment 4 to this report)
	Acquisition history reviewed	
	Other recent market research reviewed	
	VA Vendor Information Pages (VIP) <a href="https://www.vip.vetbiz.va.gov/">https://www.vip.vetbiz.va.gov/</a>	
	Interviewed knowledgeable individuals in industry/Government	
	Participated/Attended Tradeshows and Industry Conferences	
	Professional Journals, Catalog and/or Product Literature reviewed	
	Participated in Small Business Vendor Outreach Sessions	

## VA Market Research Guide for Acquisition Teams

---

**B. Market Research Sources.** In accordance with [FAR part 10](#) and VAAR part 810, market research has been conducted for this acquisition. The following additional collaborative Contracting Officer-led techniques were used: **(if necessary, work with your Contract Specialist and/or Contracting Officer to assist with filling this section out)**

	SOURCES REVIEWED (IAW FAR 8.002, VAAR 808.002, FAR 8.003, FAR 8.004, and VAAR 808.004-70)	
	<b>MARKET RESEARCH FOR SUPPLIES</b>	
Insert <b>X</b> if Checked		Details of Research/Comments (Include N/A if not applicable)
	<b>MANDATORY GOVERNMENT SOURCES IN PRIORITY ORDER</b>	(Include References to Report Attachments)
	1. VA Inventories including the VA supply stock program (41 CFR 101-26.704) and VA excess.	
	2. Excess from other agencies (See <a href="#">FAR subpart 8.1</a> )	
	See VAAR 808.002 for further requirements on other mandatory Government sources	

Insert <b>X</b> if Checked	VETERANS FIRST CONTRACTING PROGRAM (VAAR subpart 819.70) REFERENCES/SOURCES CHECKED (IDENTIFYING VIP-LISTED SDVOSBs/VOSBs)	Details of Research/Comments (Include References to Report Attachments)
	VA Office of Small and Disadvantaged Business Utilization (OSDBU), Center for Verification and Evaluation (CVE) Vendor Information Pages (VIP) Database found at <a href="https://www.vip.vetbiz.va.gov/">https://www.vip.vetbiz.va.gov/</a>	
	System for Award Management (SAM) search for entity records at: <a href="https://www.sam.gov/SAM/pages/public/index.jsf">https://www.sam.gov/SAM/pages/public/index.jsf</a>	

## VA Market Research Guide for Acquisition Teams

Check <b>X</b> if Part of Research	<p style="text-align: center;"><b>PRIORITY CONSIDERATION OF VA EXISTING CONTRACTS</b></p>	
	<p>1. See VAAR 808.002 and 808.004, concerning consideration of existing VA contracts and VA strategic sourcing regarding supplies in FSC Groups 65 and 66.</p>	
	<p>2. Other VA Existing Contracts (non-mandatory but their potential availability, scope, contract type, etc., should be documented in the market research report) (<b>Note:</b> These may be priority sources, and should be considered when developing alternatives for the acquisition strategy. Review and document in a written acquisition plan, if required, or in the acquisition file regarding rationale for use or non-use.)</p>	
Check <b>X</b> if Part of Research	<p style="text-align: center;"><b>CONSIDERATION OF NON-VA EXISTING CONTRACTS</b></p> <p style="text-align: center;"><b>Federal Strategic Sourcing Initiatives or OMB Category Management contracts/sources</b></p> <p style="text-align: center;"><b>(Non-Mandatory except where OMB or Agency policy states otherwise)</b></p>	
	<p>1. <b>Non-VA Contracts:</b> (Includes NASA-SEWP and BPAs under FSS Strategic Sourcing Initiative (FSSI) non-mandatory Federal Supply Schedules (other than for FSC Group 65 and 66) (<a href="#">FAR 8.004(a)(1)</a> and VAAR 808.004-70).</p> <p><b>(See Note Below:</b> These should be considered, as applicable, when developing alternatives for the acquisition strategy.</p> <p><b>Note 1:</b> Some select contract vehicles may require use based on OMB or agency guidance including OIT issued Standard Operating Procedures such as:</p> <ul style="list-style-type: none"> <li>• OMB Memorandum M-17-29, “Best-in-Class Mandatory Solution – Package Delivery Services,” July 27, 2017.</li> <li>• OMB Memorandum M-16-02, “Category Management Policy 15-1: Improving the Acquisition and Management of Common Information Technology: Laptops and Desktops,” October 15, 2015</li> </ul>	

## VA Market Research Guide for Acquisition Teams

---

	<ul style="list-style-type: none"> <li>• VA Deputy Secretary Memorandum, “Waiver Revision to the Mandatory Use of Solutions for Enterprise-Wide Procurement (SEWP) IV Contract” (VAIQ 7343830), May 16, 2013, and Principle Executive Director, Office of Acquisition, Logistics, and Construction and Chief Acquisition Officer Memorandum, “Implementation of Information Technology (IT) Hardware (HW) Commodity Procurement, March 7, 2014</li> <li>• OMB Memorandum M-16-12, “Category Management Policy 16-1: Improving the Acquisition and Management of Common Information Technology: Software Licensing, June 2, 2016</li> <li>• OMB Memorandum M-16-14, “Category Management Policy 16-2: Providing Comprehensive Identity Protection Services, Identity Monitoring, and Data Breach Response, July 1, 2016</li> <li>• OMB Memorandum M-16-20, “Category Management Policy 16-3: Improving the Acquisition and Management of Common Information Technology: Mobile Devices and Services, August 4, 2016</li> </ul>	
	<p><b>2. Non-mandatory Federal Supply Schedules (non VA) (See <a href="#">FAR 8.004(a)(1)</a> and VAAR 808.004-70, Use of non-mandatory sources by VA (Class Deviation).</b></p> <p>These are general FSS (non-VA FSS). Use is <b><u>not mandatory</u></b> although acquisition planners are encouraged to consider and document the availability of this acquisition methodology in their market research as a potential acquisition strategy. Many factors should be considered including meeting small business requirements, whether this is the best procurement approach, whether better terms and conditions specific to the acquisition requirement may be obtained conducting a procurement through the open market, access to more verified SDVOSBs/VOSBs are available via the open market; whether the VA avoids fees and other costs of using other agency’s multiple award vehicles and can better oversee the necessary contract administration, etc., including meeting the VA Rule of Two and specific agency requirements.</p>	

## VA Market Research Guide for Acquisition Teams

	Also, see FAR 8.404(b)(2), VAAR part 817, VAAM part M817 (when issued); and PPMs 2016-05 and 2017-04.	
	<b>Use of Other Sources</b>	
	<b>Commercial sources (includes educational and non-profit institutions) in the open market.</b> This is permissible IAW <a href="#">FAR 8.004</a> and VAAR 808.004-70.	
<b>Check X if Part of Research</b>	<b>Sources for services to consider, as applicable and as required</b>	<b>Details of Research/Comments (Include References to Report Attachments)</b>
	<b>MARKET RESEARCH FOR SERVICES</b>	
	1. <b>Services that are on the Procurement List maintained by the Committee for Purchase from People who are Blind or Severely Disabled (AbilityOne) (See <a href="#">FAR subpart 8.7</a>). See VAAR 808.002, Priorities for use of mandatory Government sources, paragraph (a)(2) pertaining to Services.</b>	
	2. <b>Services: Federal Prison Industries (See <a href="#">FAR subpart 8.6</a>) <a href="http://www.unicor.gov/">http://www.unicor.gov/</a> (Except if two or more SDVOSB or VOSB are identified, see VAAR 808.002 and 808.603)</b>	
	3. <b>Also see--VA Federal Supply Schedules (FSS) in FSC Group 62I.</b>	
	4. <b>And see--mandatory sources reviewed, if applicable, for:</b> 4a. <b>Public Utility Services (see <a href="#">FAR part 41</a>);</b> 4b. <b>Printing &amp; Related Supplies (see <a href="#">FAR subpart 8.8</a>);</b> 4c. <b>Leased Motor Vehicles (see <a href="#">FAR subpart 8.11</a>);</b> 4d. <b>Helium (see <a href="#">FAR subpart 8.5</a>)</b>	
	5. <b>Services: Commercial sources (includes educational and non-profit institutions) in the open market.</b>  See <a href="#">FAR 8.004</a> and VAAR 808.004-70—use of open market is a viable acquisition method/strategy and may be considered after conducting the appropriate market research and in consideration of the mandatory Government sources above, and the priority of VA existing contracts (medical) above. See <a href="#">FAR 8.004(a)-(b)</a>	

## VA Market Research Guide for Acquisition Teams

---

	and VAAR 808.004-70—open market is a viable acquisition methodology/source after consideration of VA mandatory FSC 65 and 66 VA FSS, and mandatory strategic sourcing vehicles.	
--	---	--

	<b>VETERANS FIRST CONTRACTING PROGRAM (VAAR subpart 819.70)—REFERENCES/SOURCES CHECKED</b>	
	<b>Sources Sought Notices: Requests for Information (RFI) <a href="https://www.fbo.gov/">https://www.fbo.gov/</a></b>	
	<b>System for Award Management (SAM) search for entity records at: <a href="https://www.sam.gov">https://www.sam.gov</a></b>	

	<b>OTHER REFERENCES/SOURCES CHECKED (Other ways to conduct or confirm market research)</b>	
	<b>Sources Sought Notices: Requests for Information (RFI) <a href="https://www.fbo.gov/">https://www.fbo.gov/</a></b>	
	<b>Pre-solicitation and/or Pre-Proposal Conferences</b>	
	<b>Existing intra-/inter-agency contract vehicles, e.g. Interagency Contract Directory (ICD) at: <a href="https://www.contractdirectory.gov/contractdirectory">https://www.contractdirectory.gov/contractdirectory</a></b>	
	<b>System for Award Management (SAM) search for entity records at: <a href="https://www.sam.gov/SAM/pages/public/index.jsf">https://www.sam.gov/SAM/pages/public/index.jsf</a></b>	
	<b>SBA Dynamic Small Business Database at: <a href="http://dsbs.sba.gov/dsbs/search/dsp_dsbs.cfm">http://dsbs.sba.gov/dsbs/search/dsp_dsbs.cfm</a></b>	
	<b>Department of Labor (DoL) Service Contract Labor Standards (Service Contract Act (SCA)) and Wage Rate Requirements (Davis-Bacon Act (DBA)) wage determination information online at: <a href="http://www.wdol.gov/">http://www.wdol.gov/</a> (SERVICES ONLY)</b>	

## VA Market Research Guide for Acquisition Teams

### VI. Identify Product/Services and Sources Able to Meet the Requirement (**DO NOT RANK**)

- Identify or describe:
  - Product/Service, include any brand name product information
  - Product/Service characteristics and/or capabilities
  - Company information (e.g., name, POCs, address, telephone number, e-mail address, website)
  - Company characteristics, past performance, and business size category
  - If sole source, describe efforts to locate additional sources

Business Category	Name of Potential Source(s)/Other POC Information
VIP-listed Service-Disabled, Veteran-Owned (SDVOSB)	
VIP-listed Veteran-Owned Small Business (VOSB)	
Women-Owned Small Business (WOSB)	
Economically Disadvantaged Woman-Owned Small Business (EDWOSB)	
HUBZone Small Business	
Section 8(a) Small Business	
Small/Disadvantaged Business (SDB)	
Small Business	
Large Business	

### VI. Description of the Commercial Marketplace and Prevalent Business Practices

- Describe the marketplace
- Identify availability of commercial or non-developmental items that satisfy requirements (value or shortcomings of each) and sub-components
- Identify standard/customary terms and conditions and industry business practices that differ from the standard Government practices (include information on payment, freight delivery, acceptance, and warranties)
- Discuss if contract financing is applicable. If so, ensure compliance with [FAR 32.202-3](#), Conducting Market Research About Financing Terms
- Discuss any regulations unique to the requirement, if known

### VIII. Pricing and Market Issues

- Identify price sources (e.g., market price, catalog, GSA, etc.), price ranges, and price variations
- Describe market trends for product or service, e.g., technical, business, and pricing

### IX. Other Considerations

## VA Market Research Guide for Acquisition Teams

---

- Identify other considerations gathered from market research, e.g., opportunities for small business participation
- Discuss qualifying factors, including such issues as past performance, references, product testing or evaluation, customer satisfaction, warranties, and quality problems
- Describe consideration of green (sustainable products and services <https://sftool.gov/greenprocurement> <http://www.gsa.gov/portal/content/105365>). Include discussion of energy efficiency standards of market products, if applicable

### X. Market Analysis Summary *(DO NOT RANK)*

- Provide market research conclusions and recommendations
- Document the decision and rationale to satisfy the agency's need with a commercial item/service, if market research so warrants
- Document the decision and rationale if the agency's need cannot be satisfied with a commercial item/service
- Provide supporting documents, as appropriate

**XI. DETERMINATION:** *(Based on your market research describe if the market research would support if the acquisition can be set aside for SDVOSB/VOSBs and the other small business categories and if not, why it cannot be set aside for small business.)* [NOTE: The Contracting Officer makes the final determination concerning all set-aside decisions and compliance with the VA Rule of Two. The program/project management office's market research report will help inform the contracting officer's own research and determination of set-aside requirements.]

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Program Manager/Project Manager/COR

## VA Market Research Guide for Acquisition Teams

---

### PART II – TO BE COMPLETED BY CONTRACTING OFFICER

#### I. Contracting Officer Responsibilities:

**Guidance:** Requirements personnel and contracting officers must jointly gather market research data needed to make decisions. The contracting officer's responsibilities typically include conducting market research activities to specifically evaluate contract terms and conditions, commercial item determinations, warranty options, pricing arrangements, and prevalent market sector business practices. The contracting officer ensures this information is included in the market research report.

Contract actions awarded above the simplified acquisition threshold shall include documentation that market research was conducted. The contracting officer is the determining authority in deciding the quality and thoroughness of the market research activities conducted by the acquisition team. The contracting officer shall file the Market Research report in the contract file and forward a copy with all VA Form 2268 submitted for OSDBU review.

**I. Background.** The codes identified below will be used when advertising this requirement, if applicable. **It is important to verify the accuracy of these codes as they are revised over time.**

- Title \_\_\_\_\_  
Provide a brief description of the requirement to include any relevant history.
- Product or Service Code \_\_\_\_\_  
([https://www.acquisition.gov/?q=PSC Manual](https://www.acquisition.gov/?q=PSC_Manual))
- North American Industry Classification System (NAICS)  
\_\_\_\_\_ (<http://www.census.gov/eos/www/naics/>)
- Estimated Contract Value (including options): \$ \_\_\_\_\_

#### II. Market Research

##### 1. Techniques Used in Conducting Market Research:

**Guidance:** Identify the techniques used in conducting Market Research for this requirement and explain results. The following Market Research techniques are identified in [FAR 10.002\(b\)\(2\)](#) and include but are not limited to: publishing formal requests for information in appropriate technical or scientific journals or business publications; querying Government-wide databases of contracts and other procurement instruments or commercial databases; reviewing catalogs or other generally available literature published by manufacturers, distributors and dealers or available online; and conducting interchange meetings or holding pre-solicitation conferences with potential offerors. See [Market Research Techniques in Section J of the Guide](#).

## VA Market Research Guide for Acquisition Teams

---

### 2. Results of Market Research:

**Click here to enter text.**

**Guidance:** List potential vendors and known sources of supply that could provide the product or service required. Include location, point of contact information and an assessment of their potential capabilities to meet our requirements. Identify the number of sources contacted; identify whether they were VIP-listed SDVOSB or VOSBs, also indicate woman-owned small business, Section 8(a) business, HUBZone small business, small business, small/disadvantaged business, large business, government/non-government, etc. If sole source, describe efforts to locate additional sources. Explain the rationale used to exclude sources and identify as appropriate any past experience or related experience relative to the product or service which may be used to identify potential acquisition risks. **Remember: In awarding contracts, VA VIP-listed SDVOSB firms are the highest priority, followed by VA VIP-listed VOSB firms.**

### III. Consideration of Small Business Opportunities

**Guidance:** All acquisitions for supplies and services with an anticipated value above the micro-purchase and the simplified acquisition threshold (SAT) thresholds (see [FAR 2.101](#) definitions) are reserved exclusively for small businesses and shall be set aside. (see [FAR 19.502-2\(a\)](#)). If the anticipated acquisition value exceeds the SAT, the requirement must be set aside for Small Businesses if (1) there is a reasonable expectation of receipt of offers from two or more responsible Small Businesses, and (2) award will be made at a fair market price. [FAR 19.502-2\(b\)](#).

**The VA's contracting order of priority is set forth in [VAAR 819.7004](#): Contracting officers shall consider, in the following order of priority, contracting preferences that ensure contracts will be awarded—**

- To SDVOSBs
- To VOSB, including but not limited to SDVOSBs,
- To small business concerns using the priorities and preferences in 819.203-70 and VAAR subpart 819.70—

Note: The Small Business Jobs Act of 2010 created parity among small business socioeconomic contracting programs. As a result of this amendment to the Small Business Act, there is no order of precedence among the 8(a), HUBZone, SDVOSB or WOSB programs in FAR (see 819.203).

## VA Market Research Guide for Acquisition Teams

---

**38 U.S.C. 8127 (i) Priority for Contracting Preferences.** Provides that preferences for awarding contracts to small business concerns shall be applied in the following order of priority: (1) SDVSOBs, followed by (2) VOSBs, including SDVOSBs, then (3) 8(a) and HUBZone firms and (4) any other small business. The order of priority was established in 2006 by Public Law 109-461, as per the policy in the Small Business Act at that time. Since then, as a result of legislative amendments to the Small Business Act, the FAR has been amended to create a woman-owned small business set-aside and to provide parity among the various small business socio-economic programs. Therefore, VA has adopted the current parity policy in [FAR 19.203](#) for procurements involving other than SDVOSBs/VOSBs.

Based on above Market Research, identify each Small Business (including its eligibility for specific socioeconomic category status) capable of performing or providing the requirement. Discuss and explain the potential for Small Business participation in this acquisition.

**Click here to enter text.**

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Contracting Officer

#### IV. Conclusions and Recommendations

A. Query of the VIP Database at <https://www.vip.vetbiz.va.gov/> resulted in:

Total of \_\_\_\_\_ small business concerns in each of the individual socio-economic group in NAICS \_\_\_\_\_:

SDVOSB  
VOSB

Identify the number and types of small businesses contacted.

Identify which, if any of the small business has the necessary technical capability.

B. Query of the SBA Dynamic Small Business Search (DSBS) tool at [http://dsbs.sba.gov/dsbs/search/dsp\\_dsbs.cfm](http://dsbs.sba.gov/dsbs/search/dsp_dsbs.cfm), resulted in:

Total of \_\_\_\_\_ small business concerns in each of the individual socio-economic group:

## VA Market Research Guide for Acquisition Teams

---

**SDVOSB  
VOSB  
Women-Owned Small Business (WOSB)  
8(a)  
HUBZone  
SB**

**Identify the number and types of small businesses contacted.**

**Identify which, if any of the small business has the necessary technical capability.**

- C. For acquisitions above the SAT, describe considerations for a set-aside or sole source award under the following small business program set-asides:**

**SDVOSB  
VOSB  
WOSB  
8(a)  
HUBZone**

**Identify the number and types of small businesses contacted.**

**Identify which, if any of the small business has the necessary technical capability.**

- D. When a total small business set-aside seems appropriate, describe why a set-aside is not appropriate for:**

**Service-Disabled Veteran-Owned Small Business (SDVOSB)  
Veteran-Owned Small Business (VOSB)  
or  
WOSB  
8(a)  
HUBZone**

**Detailed results of market research related to capabilities and other information on commercial practices, warranties, etc.:**

## VA Market Research Guide for Acquisition Teams

---

### IV. PROPOSED PROCUREMENT METHOD

Based upon the market research conducted and the resulting analysis, adequate sources of supply for small business concerns were obtained and after reviewing VA's VIP database to identify listed and capable SDVOSBs and VOSBs, the data supports setting aside the procurement to (*insert the socio-economic small business and related authority*). This recommendation will be provided in the formal acquisition plan or will stand alone as the sole acquisition strategy document for small business determination for informal acquisition planning. This market research information is not more than 12 months old.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Contracting Officer

*Or*

Based on the market research conducted, no two or more VIP-listed and capable SDVOSBs or VOSBs were identified and appeared capable of performing the requirement. In addition, no small business in any of the other targeted socio-economic groups appeared to qualify for a set-aside or sole source procurement. Therefore, it is anticipated that all sources (large and small businesses) will be solicited for this requirement using competitive procedures. This market research information is not more than 12 months old.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Contracting Officer

# VA Market Research Guide for Acquisition Teams

---

## ATTACHMENT 3

### OSDBU Market Research Checklist

This small business focused resource is designed to supplement the existing market research checklist or report you utilized to capture and analyze vendor research results. This checklist will assist the user in ensuring Small Business, including Service-Disabled Veteran-Owned Business (SDVOB), Veteran-Owned Small Business (VOSB) and other socio-economic categories were properly and adequately considered in accordance with [FAR part 19](#) and VAAR part 819.

#### ❖ Acquisition Planning (Attach Comments/Responses)

1. **Provide a brief summary of the Statement of Need:**
2. **Determine the North American Industry Classification System (NAICS) and Product Service Code (PSC) that is most appropriate for this procurement:**  
(Please list the NAICS and PCS codes below)

NAICS Code: \_\_\_\_\_ PSC: \_\_\_\_\_

#### Questions:

3. **Commercial?**
4. **Non-Commercial?**
5. **New Procurement?**
6. **Existing Procurement?**
7. **Scope of Work has increased?** YES  NO
8. **Scope of Work has decreased?** YES  NO

## VA Market Research Guide for Acquisition Teams

---

### ❖ Market Survey (Attach Comments/Responses)

1. **Procurement History** (if applicable) - List any known barriers to restricting competition for a set-aside, synopsise small business participation in previous proposal:
2. **Lessons- Learned** - List any challenges or problems with previous procurement strategy (if applicable):
3. List any unique characteristics of this requirement (example: Industry Standards, Licenses and Certifications, Bonding); List all Salient Characteristics for products; and identify and list all Specialized Standards, Expertise and or Experience requirements that are important in the determination of a contractor's capability to provide the Products or Services:

*(Use the answers to the questions above to help you with the expectations, methodology, and analysis from your market research)*

### ❖ Sources Used to Gather Market Research

➤ Indicate all databases searched:

- |  |  |
|--|--|
| 1. <a href="https://www.vip.vetbiz.va.gov/">https://www.vip.vetbiz.va.gov/</a> (VIP)?                          | 1. <input type="checkbox"/> (Mandatory)                  |
| 2. <a href="https://www.sam.gov/SAM/pages/public/index.jsf">https://www.sam.gov/SAM/pages/public/index.jsf</a> | <input type="checkbox"/> (Mandatory)                     |
| 3. Dynamic Small Business Search (DSBS)?   | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| 4. <a href="#">GSA Advantage?</a>  | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| 5. <a href="#">FBO?</a>  | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| 6. <a href="#">FPDS?</a>   | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| 7. <a href="#">USASpending.gov?</a>  | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| 8. FEDMINE? (OSDBU commercial source used)   | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| 9. <a href="#">Trade Associations?</a>   | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| 10. <a href="#">ThomasNet</a> Supplier Search?   | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| 11. eCMS   | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| 12. <a href="#">PCR /SBA District Office?</a>  | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| 13. <a href="#">OSDBU Market Research?</a>   | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| 14. Other Sources? (please describe below):<br>(Other): _____  |  |

## VA Market Research Guide for Acquisition Teams

---

❖ **If this is a commodity purchase over the SAT,** (See the **Non-Manufacturer Rule 13 CFR 121.406**):

- Is there a **class waiver of the Non-Manufacturer Rule**? YES  or NO
- Are there small business manufacturers or small business distributors of products that can fulfill requirements? YES  or NO

If not, will you consider **waiver of the Non-Manufacturer Rule**? If not, why?

Comments: \_\_\_\_\_

❖ **Exchanges with Industry**

**FAR 15.201** states that early exchanges of information with industry for future acquisitions are encouraged; a list of techniques to promote early exchanges of information are listed below:

*(Check all types used)*

1.  Sources Sought
2.  Request for Information (RFIs)
3.  Industry Day (small business conferences)
4.  Direct Connect/Industry Showcase event
5.  One-on-One meetings with potential offerors
6.  Pre-solicitation notices
7.  Draft RFPs
8.  Pre-solicitation or pre-proposals conferences
9.  General Phone calls/emails to small business

❖ **Market Research Analysis (Attach Comments/Responses):**

1. Clearly define the past performance and/or experience required to perform this procurement (Similar/Same in Scope). Describe how you did/will determine a contractor's capability to provide product(s) or services.
2. Determine the issues that are a constraint(s) on the number of capable contractors for this procurement (if any).
3. How will you ensure that maximum practicable opportunities for set-asides are considered?

# VA Market Research Guide for Acquisition Teams

---

## OSDBU Market Research Checklist Companion

Market Research (MR) is the process of systematic gathering, recording and analyzing of data. The analysis of market research should enable the government to determine the appropriate acquisition strategy for acquiring the products or services being purchased. The OSDBU Checklist will assist you in identifying Small Business, including Service-Disabled Veteran-Owned and Veteran-Owned Small Business as for consideration as required by statute.

Key elements for achieving the best possible Market Research results include:

### **EARLY ENGAGEMENT WITH OSDBU**

Utilize the [OSDBU's Acquisition Support Team](#) to reach the maximum number of potential small businesses for your procurement!

Use OSDBU's Vendor Research on our [Intranet page](#) as a source to identify potential small businesses in the focus area NAICS codes.

### **ADEQUATELY SEARCH DATABASE SOURCES**

Use limited search fields for best results (try to limit search criteria to one or two fields, e.g. NAICS Code and a keyword).

Try more than one search (alternate NAICS or Keywords).

Contact the small businesses from your search results directly.

Recommended minimum databases: [VIP](#) (mandatory) and [DSBS](#)

### **OVERCOME THE CONSTRAINTS OF SETTING ASIDE PROCUREMENTS FOR SMALL BUSINESSES**

Exchanges with Industry will improve the understanding of the Government's requirement and Industries capabilities (See the MR checklist for a list of types of Exchanges with Industry that are recommended)

## VA Market Research Guide for Acquisition Teams

---

Steps to completing the Market Research:

### **Use Quantitative analysis of Market Research results**

Quantitative: The numbers and or statistical data for market research

Example of quantitative analysis would be how many firms were contacted; how many responded; the number breakdown of small businesses and their socio-economic status and the number of large business.

In situations where the market research returns a significant number of results, identify any sampling methodology utilized (e.g. reviewed or contacted only 5% or 10% of the total number of companies).

### **Use Qualitative analysis of Market Research results**

Qualitative: Subjective analyses of market research findings – gathered through a wide variety of sources and /or on a deeper informational level. Open minded and inclusive approach to determining capabilities of businesses to meet the needs of the Government.

Example of Qualitative analysis – Industry Day or Direct Connect events, individual communication with firms, consideration of similar (not exact) past performance, avoiding assumptions regarding interest, ability to self-perform, manage, hire, etc.

### **COMPILE THE MARKET RESEARCH RESULTS**

Record all market research data results from historical data, database searches and exchanges with industry in chronological order using both quantitative and qualitative analysis methods.

Capture all Quantitative Market Research. Provide narrative summarizing qualitative results. Name firms when referencing capabilities or lack thereof (i.e. instead of, “One firm had bonding capability but no past performance with work in this range”, state “Company ABC had bonding...”)

Submit an analysis to support your proposed acquisition strategy. If an unrestricted strategy is selected clearly indicate why a SDVOSB, VOSB, other socio-economic set-aside, or small business set-aside was by-passed.

## VA Market Research Guide for Acquisition Teams

(Example) Market Research Table of Results:

Market Research Sources Results: (√)	Socio-Economic Category						Salient Characteristic 1 or Specific Capability 1	Salient Characteristic 2 or Specific Capability 2	Specialized Experience Level	Comments  (see report for analysis)
	S D V O S B	V O S B	8 A	W O S B	H U B Z O N E	S B				
Company A	X				X		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Company B	X						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Company C	X			X			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Company D				X			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Company E	X						<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Company F						X	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Company G							<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Company H							<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Summary Comments	Of the four SDVOSBs identified, two appear likely to be able to fulfill the requirement based on research and responses to sources sought notice. There were two WOSBs (one an SDVOSB) and one HUBZone/SDVOSB firm that responded. The two other than small businesses also appeared likely to have the capability to perform. Based on these results, in accordance with the Veterans First Contracting Program, a SDVOSB set-aside is recommended.									
Overall Quantitative Data Results:	Received a total of 8 responses to the sources sought of those, 4 firms were SDVOSB, (1 also HUBZone and 1 WOSB). A total of one HUBZone firm and two WOSB; six of the respondents were small business. Database search of VIP in NAICS XXXX and keyword: XXXXX produced a total of 158 results (spreadsheet attached).									

**ATTACHMENTS/NOTES:**

## ATTACHMENT 4

### RULES FOR MEETING WITH INDUSTRY REPRESENTATIVES

*(What Program Managers, CORs, planners and other staff members need to know before they meet with vendors and industry representatives)*

Program Managers and other staff are encouraged to talk with industry representatives of both large and small businesses so that VA procurements reflect an understanding the commercial marketplace and the business environment of the vendors that support VA programs. This exchange of information, however, must take place within a framework that treats all vendors (and potential vendors) fairly and impartially. Your Contracting Officer is your best resource in preparing you for a vendor meeting; always inform your Contracting Officer before meeting with a vendor. The following guidelines will help a VA Program Manager and other VA staff members to develop a framework and set of sound business practices when meeting with vendors.

**THE RULE:** After the agency needs are established and the requirements to satisfy those needs are developed, no exchange with industry and potential vendors shall occur without the permission and without the presence of the Contracting Officer. A procurement begins at the point when the agency needs are established and the description of the requirements to satisfy agency need is developed. In meetings with vendors or industry representatives, do not disclose “procurement sensitive” or “source selection sensitive” information; do not disclose the proposal evaluation process or the specifics of an on-going procurement; and do not discuss litigation or pending litigation. *No information shall be released after agency needs are established and the requirements to satisfy those needs are developed, except by the Contracting Officer.*

**1. AVOID UNAUTHORIZED COMMITMENTS** (i.e., an agreement that is not binding because the Government representative making the agreement lacks the proper authority to enter into that agreement on behalf of the Government). Only a Contracting Officer can commit the Government. A good practice is to end each vendor meeting with the statement: “Nothing discussed in this meeting authorizes you to work, start work, or bill for work. Any such authorization will be in writing from a duly authorized contracting officer and will be in writing.”

**2. TREAT ALL VENDORS AND POTENTIAL VENDORS FAIRLY AND IMPARTIALLY.** The FAR encourages communication with the commercial sector as early as possible in the acquisition cycle to help the Government determine the capabilities available in the commercial marketplace. (See [FAR 1.102-2\(a\)\(4\)](#)) Fairness and openness require open communication among team members (including the contractor community as members of the Acquisition Team as set forth in the FAR Guiding Principles), internal and external customers, and the public.

## VA Market Research Guide for Acquisition Teams

---

**3. CONDUCT BUSINESS WITH INTEGRITY, FAIRNESS, AND OPENNESS.** Not only must the acquisition process have integrity, but the actions of each VA employee must reflect integrity, fairness, and openness. Avoid Organizational Conflicts of Interest and the appearance of a conflict.

**4. UNDERSTAND YOUR ETHICS RESPONSIBILITIES.** Consult your Contracting Officer or your Ethics Officer in the Office of General Counsel (OGC) if you have questions or concerns related to ethical conduct or procurement integrity. Guidelines are available on the VA Ethics Office website.

**5. NOTIFY YOUR CONTRACTING OFFICER BEFORE ACCEPTING A MEETING.** Your Contracting Officer may provide you with information about the vendor, their current contracts with VA, or if they are active in proposing to a specific procurement. After agency needs are established and requirements to satisfy those needs are developed, no exchange with industry and potential vendors shall occur without the permission and without the presence of the Contracting Officer. (See “The Rule” above.)

**6. CONTROL THE MEETING AND ITS AGENDA.** Always prepare and follow a meeting agenda. Before the meeting, identify specific information that you want the vendor to address. You may limit the number of attendees and specify the mix of the vendor’s business development and technical staff to attend.

**7. EMPHASIZE THAT THE PRIMARY PURPOSE OF THE MEETING IS FOR THE GOVERNMENT TO LEARN ABOUT THE INDUSTRY AND MARKETPLACE.** Ask questions and get an understanding of the advantages and issues associated with a particular approach or business practice. Ask the vendor clarifying questions but avoid expressing opinions or preferences. The meeting should not be the basis for further action and should not unintentionally solicit a proposal.

**8. ALWAYS PROVIDE THE SAME INFORMATION TO ALL VENDORS.** Provide a standard information package to all vendors that provide up-to-date and accurate information about the mission and requirements. Good Practice: Provide vendors with information that could properly be published on the VA public website. You should not provide *other-than-public information* without prior written approval of your Contracting Officer and General Counsel.

**9. PROTECT AND ENSURE NON-DISCLOSURE OF CONTRACTOR’S PROPRIETARY BUSINESS INFORMATION.** (See [FAR 3.104-4](#)) Also, avoid private discussions about a vendor’s business, past performance and its relationship with VA.

**10. DOCUMENT THE RESULTS OF THE MEETING.** Documenting the results and findings of the meeting is a critical part of your market research effort. Be sure to record the date; place; and meeting participants, including their company affiliation and contact telephone numbers/emails. Mark this document “Confidential Business Information” and limit its distribution if it contains proprietary data.