

SECURING FEDERAL CONTRACTS — WHAT CHANGES DURING A CRISIS

There are more than \$500 billion in federal contracts awarded each fiscal year. Each agency has its cadre of contractors pursuing these dollars to maintain and grow their business. Many firms support multiple agencies in their effort to diversify their business base. The business of pursuing federal contracts has matured to a science, with business development executives working pipelines, aggressively chasing critical intel on requirements and timelines, and employing acquisition strategies in order to increase their probability of a win. These firms employ [consultants](#), [subject matter experts](#), and [former agency executives](#) to enhance their understanding of an agency's mission and needs, and to make invaluable connections within the various agencies with opportunities in which they are interested.

Many factors affect the pipeline of federal contracts, such as administration and leadership changes, budget constraints, continuing resolutions, changing mission requirements and priorities. These factors are present during what has become the new normal state of play in federal contracting.

As if this were not a sufficiently challenging environment, the landscape changes dramatically during a crisis. Let's examine what changes occur during a crisis.

First, agency priorities shift to address the crisis. For different agencies, this takes on different forms. For the agencies tasked with addressing the crisis, their mission needs and requirements shift to those supplies and services necessary to support the crisis mitigation. For other agencies, their needs might shift to address their own agency's response to the crisis as it affects their operations and employees.

Second, funding may shift to provide the resources necessary to procure the supplies and services needed to address the crisis. This may affect funding anticipated for other less critical activities due to the urgency created by the crisis. Funding for crisis-related activities may be delayed in arriving as it works its way through the congressional approval process. This situation leaves agencies with urgent needs and, temporarily, with no funds with which to execute.

Third, communication with agency personnel may be drastically affected. Shifting priorities result in a different Op Tempo (Operational Tempo) than would normally be expected. Normal check-in conversations may not be available

during the crisis, to discuss impending requirements or current contract issues.

Here are some guidelines to consider during a crisis:

- Become aware of your target agency's role in the crisis and learn its specific needs now and during the crisis.
- Match your firm's capabilities to those shifting needs where possible.
- Seek out the agency's solicitations for information. Often the agency will open a website to collect responses from the industry for crisis-related offerings. This allows for faster communications related to crisis response supplies and services.
- Be aware of government contracting emergency procedures and waivers. During a crisis, purchase card and simplified acquisition thresholds are usually increased to allow expedited procurement activity. Firms need to be aware of how these policy changes can affect the procurement of the supplies and services they seek to offer the agency.
- If you are new to federal contracts, remember that they come with significant requirements that don't apply to commercial contracts, such as domestic sourcing and nondiscrimination clauses, as well as restrictions on lobbying and a host of other mandated clauses.

Following these guidelines during a crisis can be helpful for firms as they navigate an agency's rapidly shifting landscape during a crisis. Most importantly, be patient but proactive. Do not let your firm appear to be capitalizing on the crisis. It is much better to approach any crisis with a genuine desire to assist the agency in achieving its mission.