



NATIONAL SCIENCE FOUNDATION

▪ Alexandria, VA 22314

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Annually, the U.S. National Science Foundation (NSF or Foundation) spends approximately \$700 million through FAR-based and non-FAR-based procurement contracts. Access to current market information is critical for the Foundation program officials as they define requirements and for contracting officers as they develop acquisition strategies, seek opportunities for small businesses, and negotiate contract terms. NSF encourages productive interactions between industry and NSF staff to ensure a solid understanding of the marketplace and to allow for the award of contracts for effective solutions at a reasonable price.

Understanding the marketplace through effective market research—supported by early, frequent, and constructive engagement with industry—is particularly critical for complex, high-risk procurements, including large information technology (IT) investments and research and development contracts. Strengthening communication and improving acquisition outcomes remain central principles reflected in the Office of Federal Procurement Policy's (OFPP) "Myth-Busting" memoranda and reinforced by Executive Order 14240, *Eliminating Waste and Saving Taxpayer Dollars by Consolidating Procurement*, as well as OMB Memorandum M-25-31, *Consolidating Federal Procurement Activities*. These directives emphasize strategic consolidation, disciplined use of common contract solutions, and enhanced vendor engagement to promote efficiency, reduce duplication, and strengthen acquisition planning. The OFPP memoranda further clarify both the myths and realities surrounding communication with industry, outline practical strategies for removing barriers to engagement, and establish criteria for effective agency vendor communication plans.

This Vendor Communication Plan is shared with stakeholders both inside and outside the Foundation. The Plan will be a living document and we encourage all stakeholders to visit NSF [Contracting with the U.S. National Science Foundation](#) website for updated information and to share feedback and suggestions for improvement.

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Enclosure

National Science Foundation (NSF) Vendor Communication Plan (updated February 10, 2026)

A. Background:

The Office of Federal Procurement Policy (OFPP) issued a memorandum on February 2, 2011 entitled “Myth-Busting”: Addressing Misconceptions to Improve Communication with Industry during the Acquisition Process, which addresses both the myths and the facts about communicating with industry; provides strategies for removing barriers to communication and expanding agency-industry engagement; and sets the criteria for agencies’ vendor communication plans. Additional “Myth-Busting” memoranda and OMB’s M-25-31 dated July 18, 2025, titled Consolidating Federal Procurement Activities, further clarify industry engagement and vendor management encompassing both pre-award and post-award strategies.

The “Myth-Busting” memoranda require Chief Financial Officer (CFO) Act agencies to develop vendor communication plans and make them available to their workforce and the public, as appropriate. The objective of the communication plan is to improve communication between government and industry by educating the workforce on communication opportunities, encouraging more communication, and taking advantage of existing authorities. Strengthened communication between the Foundation and industry partners will improve market research, leading to more clearly understood and defined requirements, and help new entrants to the federal technology market better understand how to do business with the government, help the Government recognize how companies can support mission needs, and deliver the best results at the best price for the American public.

Early, frequent, and constructive engagement with industry is especially important for complex, high-risk procurements. Therefore, increasing communication and educating stakeholders is the key to a successful “Myth-Busting” effort for the NSF. This document will be updated annually, as appropriate, to include the most current information available.

B. Purpose of Plan:

The purpose of this Vendor Communication Plan is to provide clear and consistent direction to NSF’s workforce and industry partners about how the NSF will engage with industry during both pre-award and post-award phases of the procurement cycle, including task and delivery orders under the Federal Supply Schedule, government wide acquisition contracts, and other indefinite delivery/indefinite quantity contracts.

Further, this plan is intended to dispel misperceptions concerning acceptable conversations between the NSF workforce (e.g., contracting officers, program managers) and industry partners during the various phases of the acquisition process. Additionally, this plan seeks to improve and streamline communications with industry partners for consistency of messaging.

C. Process and Practice:

It is the practice of the Foundation to promote fair, frequent, and constructive dialogue with the vendor community on matters of mutual interest, as appropriate, and in a manner which protects sensitive information, operation, sources, methods, and technologies. Matters of mutual interest may include but are not limited to: NSF and industry business practices and processes; removal of barriers to competition; technology trends and development objectives; security challenges; promotion of small business goals to include socioeconomic goals and small business and sustainability; and the performance of organizations, contracts, projects and programs.

D. Statement of Agency Commitment:

In implementing this Vendor Communication Plan, The NSF is committed to a) Communicate early, frequently, and constructively with industry; b) Include small businesses and subgroups of small businesses in communications with industry; c) Include vendors that the agency has not worked with in the past; and d) Protect non-public information including vendors' confidential information and the agency's source selection information.

E. Roles and Responsibilities:

The full list of roles and responsibilities of NSF staff can be found in Attachment A.

F. Efforts to Reduce Barriers and Promote Engagement:

1. NSF engages in outreach to industry as part of its acquisition process, and this will continue. NSF provides opportunities for vendors to participate in pre-award conferences, to ask questions and network with other attendees who may be potential teaming partners. The NSF's Office of the Chief Financial Officer (OCFO), Office of Small Business Programs (OSBP), and Contracting Opportunities webpages are excellent places for vendors to learn how to communicate with the NSF. These pages include important links and NSF acquisition contact phone numbers and/or e-mail addresses that vendors can use if they have questions and want to communicate with the NSF.
2. To reduce barriers and promote engagement, NSF has made strides in improving transparency, collaboration, and participation in the acquisition process, and working with industry and internal customers to identify and address contracting and delivery barriers. NSF will continue working collaboratively to increase communication efforts and eliminate unnecessary barriers that otherwise prevent NSF from engaging in meaningful and responsible dialogue with industry. This will entail gradually altering a culture-related barrier that has been taught in the past that it is safer to limit contact with contractors rather than engaging them for fear of a protest or appearance of a conflict of interest. However, NSF officials must always use sound business judgment and adhere to regulatory and statutory requirements when engaging in industry.

3. Efforts Undertaken:

- i. The OCFO has continued a substantial annual planning effort which includes focus on small business participation. OCFO tasks the Program Offices to indicate all of their planned actions, including competitive actions, in a Forecast of Contracting Opportunities. The Forecast of Contracting Opportunities (FCO) of NSF are placed on the GSA public website allowing businesses convenient access to review the document. Such access offers more time for the small businesses to plan and better prepare for NSF competitive acquisitions. The FCO also assists the OCFO, Program Offices and the OSBP in the early acquisition planning stage of competitive acquisitions. OCFO works closely with the OSBP, to ensure that potential procurements are given full consideration for small business participation.
- ii. The FCO for the current Fiscal Year can be found [here](#). For each acquisition listed, the FCO indicates the following: title, and description of the requirement, whether the acquisition is new or follow-on, NAICs code, current contract number (if follow-on), estimated quarter of solicitation release, and general estimated dollar range. The NSF OSBP is listed in the forecast as the contact point for inquiries on the acquisition listed in the Forecast.
- iii. NSF attends nationwide and local small business outreach events each year to speak about opportunities for small and disadvantaged businesses. Questions on which events will be attended can be addressed to the NSF OSBP. At these events, the NSF OSBP meets one-on-one with Socioeconomically Disadvantaged Groups and other SBs to provide guidance, counsel, and resources on how to do business with the Federal Government and the NSF. When possible, the NSF Senior Procurement Executive or designee will attend these outreach events.

Additionally, NSF meets regularly with vendors interested in doing business with NSF.

- iv. In accordance with the NSF Acquisition Manual, small business concerns may send a notice prior to the award of a contract to the OSBP, where the small business believes that a solicitation, RFP, or RFQ unduly restricts the ability of small businesses to compete for the award. If received, the OSBP will notify the Contracting Officer and the NSF Competition Advocate of the receipt of the concern, along with any recommended revisions to the solicitation, RFP, or RFQ, to increase the opportunity for competition.
- v. In addition to posting requirements to Opportunities section of SAM.gov in accordance with FAR 5.101(a)(1) and 5.102(a)(1), NSF also uses its Contracting Opportunities page to publicize actions in accordance with FAR 5.101(a)(2) and link to Contract Opportunity notices on SAM.gov for certain high-profile programs.
- vi. The Senior Procurement Executive has attached “draft” Rules for Meeting with Industry. (See Attachment B.) These rules are labeled a “draft” because they set forth general ground rules that may be tailored by NSF’s cognizant Contracting Officer

before being issued to Industry, depending on the nature of the prospective meeting.

4. Efforts Planned:

- i. NSF's Acquisition Career Manager (ACM) organizes training opportunities for Contracting Officer Representatives (CORs). The training includes sessions on topics such as: Market Research, Small Business, and Acquisition Planning.
- ii. Increase small business awards at NSF through:
 - a. Greater use of market research techniques (e.g. "sources sought synopsis" to identify potential small business sources, allowing for increased use of Set-Asides)
 - b. Renewed emphasis on innovative contracting methods from senior management, to include early and frequent exchanges with industry
 - c. Continued outreach to stress importance of small business support (e.g., Staff Memorandum, Statement of Support for NSF Small Business Program)
 - d. Adding targeted industry days for specific socioeconomic programs
 - e. Networking forums for small businesses and NSF staff and for large business prime contractors and small businesses interested in doing business with NSF.

G. Criteria for identifying which acquisitions must include vendor input in the pre-award phase and the extent of the required engagement as a condition of approval by the agency's investment review board (or similar body):

To maintain maximum flexibility in our acquisitions, the NSF vendor engagement strategy will highly recommend inclusion of robust market research of vendor input and engagement in the pre-award phase acquisitions involving high-risk, high-profile, large dollar (over \$10M), and complex programs, such as those for major IT systems and for re-competitions that need to attract new entrants to ensure adequate competition. A high-risk acquisition is considered one in which the approved Acquisition Plan, required in accordance with the FAR and the NSF Acquisition Manual, indicates high overall risk for technical, cost and schedule in the plan. In particular, high-risk, high-profile, large-dollar, and complex acquisitions should fully consider:

1. including at least one industry day or a pre-solicitation or pre-proposal conference; and
2. allowing for a reasonable amount of one-on-one engagement; and
3. allowing time for discussions, as needed and in accordance with FAR Part 15, during the proposal evaluation process; or
4. including a written justification as to why those steps are unnecessary.

The NSF Policy, Oversight, and Category Management (POC) branch has an oversight program in place to ensure program/contracts management, contracts policy, OSBP(including Procurement Center Representative (PCR) coordination), and legal review is conducted at different stages of a procurement to ensure the appropriate level of vendor engagement is being sought depending on the individual acquisition situation. NSF's oversight program is detailed in Section 2570 of the NSF Acquisition Manual.

H. Publication of engagement events:

Engagement events to include industry days, small business outreach sessions, pre-solicitation conferences, RFP question and answer sessions, etc. shall be posted and updated regularly, as required, using the existing “special notices” function in the Opportunities section of [SAM.gov](#). NSF will provide notice of these events on Opportunities section of [SAM.gov](#) as a single portal of information for interested firms.

I. Roles and responsibilities

Roles and responsibilities of those involved in vendor communications can be found in Attachment B.

J. Training and awareness efforts for employees and contractors:

1. NSF plans to promote and encourage acquisition personnel attendance at future Acquisition Learning Seminars on the topic of vendor communication hosted by FAI.
2. NSF acquisition personnel plan to regularly access the Federal Chief Acquisitions Council and Federal Chief Information Officer Council websites to participate and monitor online dialogues to help identify misconceptions, concerns, perceived conflicts of policies and success stories that will help improve communications between government and industry. Information determined to be beneficial to the agency will be shared to the NSF acquisition community through e-mails bulletins and/or through articles published in the NSF Weekly Wire.
3. The NSF ACM and/or acquisition policy provided NSF-specific acquisition training to CORs. Topics included an overview of the acquisition process, market research, and Coordination with OSBP.
4. In accordance with the OFPP “Myth Busting” February 2, 2011, memorandum, the NSF Vendor Communication Plan and subsequent updates will be made available to the NSF workforce and the public, as appropriate, and will update the plan annually.
5. The NSF OSBP plans to present training to acquisition personnel on the small business program rule changes and the benefits of the use of small business programs.
6. The NSF OSBP plans to coordinate with the Small Business Administration (SBA) Procurement Center Representative (PCR) to present training to NSF acquisition personnel on the PCR duties, responsibilities and how acquisition personnel can use them to engage small businesses.
7. On a regular basis, the NSF OSBP conducts one-on-one meetings with small businesses who want to do business with the NSF as well as meet and greets with small businesses who are doing business with NSF.
8. The NSF OSBP plans to continue to use outreach events to increase awareness of the small business vendor community on how to do business with NSF.
9. NSF'S OCFO regularly provides guidance to staff regarding source selection procedures to design a source selection process that is simple, efficient, and fast, stripping from it all unnecessary and unproductive steps, and using innovative labor-saving and time-saving techniques.

K. Links to existing policies:

1. Division of Acquisition and Cooperative Support
<https://new.nsf.gov/about/contracting>
2. NSF Office of Small Business Programs
<https://new.nsf.gov/osdbu>

3. NSF Task and Delivery Order Ombudsman
<https://new.nsf.gov/about/contracting>
4. SBA Office of the National Ombudsman
<http://www.sba.gov/ombudsman>
5. NSF Freedom of Information Act and Privacy Act
<https://www.nsf.gov/policies/foia.jsp>
6. NSF Forecast of Contracting Opportunities.
[https://GSA Acquisition Forecast Tool](https://GSA%20Acquisition%20Forecast%20Tool).
7. Guide to the NSF Contracting Process for Contractors
<https://new.nsf.gov/about/contracting>
8. Guide to Registering a New Organization to begin using Fastlane and Research.gov
https://www.research.gov/common/attachment/Desktop/Single_ID_Help.pdf#page=11
9. OMB Myth-Busting Memorandums:

[Myth-Busting: Addressing Misconceptions to Improve Communication with Industry during the Acquisition Process \(February 2, 2011\)](#)

[Myth-Busting #2: Addressing Misconceptions and Further Improving Communication during the Acquisition Process \(May 7, 2012\)](#)

[Myth-Busting #3: Further Improving Industry Communication with Effective Debriefings \(January 5, 2017\)](#)

[M-19-13, Category Management: Making Smarter Use of Common Contract Solutions and Practices. \(March 20, 2019\)](#)

[Myth-Busting #4: Strengthening Engagement with Industry Partners through Innovative Business Practices \(April 30, 2019\)](#)

L. Implementation of Innovative Business Practices:

Efforts undertaken: Between FY 2020-2025, NSF experimented with using innovative source selection methods such as down-selection and reduction of evaluation factors with positive results. NSF also promoted the increased use of oral proposals to reduce acquisition lead time and increase direct engagement with contractors. NSF hosted industry days, market research, one-on-one sessions with vendors and oral proposals virtually. This allowed NSF to successfully continue to meet the needs of the agency in the face of the COVID 19 pandemic. It also facilitated more frequent conversation with vendors, and reduced time and costs associated with travel for both the NSF and vendors. The procurements involved resulted in shorter acquisition lead times with satisfactory or better contractor performance.

M. Plans to Follow with Employees and Vendors:

Determining the success of the Vendor Communication Plan will be measured by assessing feedback from employees and vendor representatives. NSF will use feedback and suggestions to further refine the Plan and improved communications as necessary.

Attachment A – Vendor Communication Plan Roles and Responsibilities

Attachment B – Rules for Meeting with Industry

Attachment A – Vendor Communication Plan Roles and Responsibilities

Official	Vendor Communication Plan Roles and Responsibilities
Senior Procurement Executive (SPE)	<ul style="list-style-type: none"> • Promoting vendor engagement to improve communication with large and small businesses • Increasing awareness of the need to communicate with industry • Seeking feedback on vendor engagements to improve outreach effort on a regular basis • Issuing and revising acquisition policy as required to implement vendor communication plan • Maintaining internal communication with program offices to identify and ensure a portfolio-based perspective of planned acquisitions • Ensuring Contracting Officers (CO) employ vendor communication as appropriate • Ensuring Program Officials are entering all planned acquisition forecasts above the Simplified Acquisition Threshold (SAT) into the Advanced Acquisition Planning System • Ensuring COs and Contract Specialists understand what is in the Advanced Acquisition Planning System in cases where they receive inquiries
Contracting Officer (CO)	<ul style="list-style-type: none"> • <u>Determine the plan</u> - For each appropriate acquisition (especially high-risk, high profile, or complex acquisitions), establish the timing, frequency, and degree of vendor engagement necessary to appropriately develop requirements, acquisition strategy, and performance metrics. • <u>Identify means</u> - Recommend appropriate means of communication (one-on-one meetings, vendor days, draft RFPs, teleconferences, or combination of these methods). <ul style="list-style-type: none"> ○ Consider methods that would generate new entrants to the market to increase competition ○ Work with OSBP to identify the best ways to reach out to small businesses. • <u>Communicate to the agency team</u> - Set expectations with the Program Official (and COR if appropriate) about who will conduct vendor engagement efforts and how these sessions will be conducted <ul style="list-style-type: none"> ○ Encourage the Program Official and COR to communicate appropriately for pre-solicitation efforts ○ Be the focal point for vendor communication after the solicitation is issued • <u>Document</u> - Document the file as appropriate • <u>Know the agency procurement forecast</u> – The forecast is used by many small businesses to determine where to invest bid and proposal costs so be as knowledgeable as possible about the content of the document

Program Official	<ul style="list-style-type: none"> • <u>Confer with the CO early</u> – As soon as a need is identified, inform the CO about the level of vendor engagement needed to help the Program Official and others conduct effective market research. • <u>Evaluate expected level of competition</u> - Assess the need for introducing new entrants to the market and recommend to the CO ways to do this • <u>Notify the CO</u> - Discuss vendor engagements activities with the CO prior to the meetings – the CO may or may not attend but should be aware of all communications • <u>Know the agency procurement forecast</u> – the forecast is used by many small businesses to determine where to invest bid and proposal costs so be as knowledgeable as possible about the content of the document
Contracting Officer Representative (COR)	<ul style="list-style-type: none"> • <u>Focus on post-award opportunities</u> - Identify ways to improve communication after awards, such as award kick-off events, vendor boards (for multiple award contracts) • <u>Notify the CO</u> – Keep the CO informed and document as appropriate • <u>Be cautious</u> – Refrain from communications with the contractor that may evolve into constructive changes to the contract, which could cost money and time.
General Counsel & Ethics Officer	<ul style="list-style-type: none"> • OGC is the legal advisor and advocate for the Foundation, providing legal advice and assistance on all aspects of the Foundation's programs, policies, and operations, including advice to cognizant contracting officials relating to this Vendor Communication Plan.
Acquisition Innovation Advocate	<ul style="list-style-type: none"> • Encourages testing of new ideas and better ways of executing existing practices and working with OMB and other agencies to share best practices and lessons learned. <p>The NSF Acquisition Innovation Advocate is Raymond McCollum (rmccollu@nsf.gov).</p>
Industry Liaison	<ul style="list-style-type: none"> • Serves as a conduit among acquisition stakeholders and promotes strong agency vendor communication practices during both market surveillance and market investigation phases of market research. • Serves as the focal point for material designed to acquaint the Government with a prospective contractor's present products, services, or potential capabilities, or designed to stimulate the Government's interest in buying such products or services, as defined at FAR 15. • Serves as the point of contact for vendors that are seeking to provide gratuitous services to NSF (e.g., a free product demonstration, free training, etc.) and consults with OGC prior to accepting those services.

	<ul style="list-style-type: none"> At a minimum, the liaison should: <ul style="list-style-type: none"> promote timely responses to general vendor requests where appropriate, including from new entrants and small businesses; help NSF personnel develop strategies for engaging potential vendors; review and update, as appropriate, the vendor communication plan to improve interaction throughout the acquisition lifecycle; work with the agency's AIA and OSBP to drive practices that improve communication with vendors; and share stories on the Innovation Hub to promote adoption of good communication practices <p>The NSF Industry Liaison is Patrick Breen (pkbreen@nsf.gov).</p>
Acquisition Career Manager (ACM)	<ul style="list-style-type: none"> <u>Keep everyone informed of training or related opportunities</u> - Provide COs, Program Officials, CORs, and others with information on training or awareness activities to improve vendor engagement
OSDBU	<ul style="list-style-type: none"> <u>Focus on the agency procurement forecast</u> - Ensure that the CO and the contract specialist understand what is in the agency's procurement forecast. <u>Provide assistance to small business concerns and NSF acquisition personnel</u> – Find resources for educational and training purposes <u>Develop and implement appropriate outreach programs</u> – Heighten awareness of small business community to the contracting opportunities available at NSF. <u>Review Market Research and SOW sufficiency</u> - Ensure optimal small business participation <u>Maintain OSBP website</u> - Ensure website contains current information <u>Agency awareness</u> – Create internal NSF awareness of the benefits of working with small business through marketing and training <u>Subcontracting Opportunities</u> – Coordinate with NSF contracting and program staff to identify subcontracting opportunities for large procurements
Task Order/Delivery Order Ombudsman	<ul style="list-style-type: none"> Experienced senior official who is independent of the contracting officer and program officer – Review complaints from contractors related to task-orders and delivery-orders executed under procedures set forth in FAR 16. <p>NSFAcquisitionOmbuds@nsf.gov</p>
Office of Legislative and Public Affairs, CIOs, and CTOs	<ul style="list-style-type: none"> <u>Keep up with technology</u> - Should offer new innovative ideas for increasing outreach (social media, new technologies, etc.) and assist the team in developing rules and record keeping

Contract Policy Personnel	<ul style="list-style-type: none">• <u>Assist Industry Liaison</u> - Seek information and provide best practices to COs and the acquisition community concerning vendor engagement. Leverage tools such as the OFPP and E-Gov Community of Practice, Federal Chief Acquisitions Council and the Federal Chief Information Officer Council websites.• Provide updates to the acquisition community concerning vendor engagement including vendor engagement related systems.
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Attachment B – DRAFT Vendor Communication Rules

NSF program officials and other staff are encouraged to talk with vendor representatives of both large and small business so that NSF procurements reflect an understanding of the commercial marketplace and the business environment of the vendors that support NSF programs. This exchange of information must take place within a framework that treats all current and potential vendors fairly and impartially. This attachment provides NSF program officials and other staff members with what they need to know before they meet with vendor representatives. These general ground rules may be tailored by NSF's cognizant Contracting Officer before being issued to Industry, depending on the nature of the prospective meeting.

Before accepting a meeting with a vendor, NSF employees should notify the Contracting Officer. The Contracting Officer may be able to provide information about the vendor, their current contracts with NSF, or if the vendor is an offeror on a current NSF solicitation. If the vendor seeks to meet with staff involved in an ongoing acquisition or to discuss the status of an ongoing acquisition, no communication can occur without the permission and presence of the Contracting Officer.

Common rules for these meetings include the following:

- When meeting with vendors, prepare and follow an agenda. This allows NSF to identify specific information for vendors to address or discuss. The NSF may limit the number of attendees and specify the mix of vendor staff allowed to attend (e.g., business development or technical staff).
- When communicating with vendors, NSF employees should treat all vendors and potential vendors fairly and impartially. To the extent practicable, provide a standard information package to all vendors that provide accurate information about the mission and requirements. Provide vendors with information that could be posted publicly to the NSF website or SAM.gov. You should not provide other than public information without prior approval of the Contracting Officer, in consultation with the OGC.
- NSF must conduct its business with integrity, fairness, and openness. Not only must the acquisition process have integrity, but the action of each NSF employee must reflect integrity, fairness, and openness. NSF employees should avoid Organizational Conflicts of Interest or even the appearance of a conflict.
- If an NSF employee has concerns related to procurement integrity or ethical conduct, they should consult with their contracting officer. NSF employees should not accept preferential treatment from any party. Also, NSF employees should avoid discussions about a vendor's business relationship with NSF.
- Permissible Topics of Discussion
 - NSF employees can emphasize that the primary purpose of the meeting is for the NSF to learn about the industry and marketplace. NSF employees should ask

questions to get an understanding of the advantages or issues associated with a particular approach or business practice.

- As NSF would with any similarly situated vendor, NSF is open to understanding the types of supplies or services that the vendor provides and can provide general information about NSF's general mission needs.
- NSF can provide information on how the vendor can be made aware of upcoming procurement actions through NSF's Advance Acquisition Plan or through monitoring synopses or other announcements made through SAM.gov

- Impermissible Topics of Discussion

- No Discussion Regarding Contract Formation Matters. NSF will not discuss specific information associated with any NSF or other federal agency procurement action that is active (e.g., active solicitation, undergoing proposal evaluation).
- No Discussion Regarding Contract Administration Matters. NSF will not discuss matters involving the administration of any current NSF contract. Nothing should be in the meeting should be construed to authorize the contractor to work or bill for work. Changes to contracts should be coordinated with the contracting office and only made by contracting officers.
- No Discussion Regarding the Cost or Price of Supplies or Services.
- No Discussion Regarding Potential Claims or Litigation. NSF will not discuss any matter involving pending or threatened litigation, including protests, claims, potential claims, audits, or similar matters.
- No Exchange of Items or Acceptance of Gifts or Unsolicited Proposals. NSF shall not accept any unsolicited proposal, article of equipment, gift, material or written information during the one-on-one meeting.
- No Disclosure or Discussion of Sensitive Classes of Information. NSF shall not discuss or disclose sensitive classes of information, including the following:
 - Sensitive procurement information, including contractor bid or proposal information and source selection information;
 - Trade secrets or other proprietary information;
 - Information about a procurement before solicitation is issued;
 - Information relating to pending procurement processes;
 - Release of any information that would create an unfair competitive advantage, or the appearance of preferential treatment;
 - Information otherwise requiring protection under FOIA or the Privacy Act;
 - Other controlled, unclassified information.

- NSF employees should avoid unauthorized commitments. An unauthorized agreement is an agreement that is not binding because the Government representative making the agreement lacks the property authority to enter into an agreement on behalf of the Government. Only a contracting officer can commit the Government. A best practice is to set clear ground rules for the communication including a statement similar to the following: "Nothing in this meeting authorizes any vendor to work, start work, or bill

for work.”

- Clarifying questions can be asked to vendors, but NSF staff should avoid expressing opinions or preferences.
- The results of the meeting should be documented by the NSF employee as part of the market research effort. The document should include the date, place, and the names, affiliations, and contact information of meeting participants.

PLEASE NOTE: Market research generally consists of two phases: (1) market surveillance; and (2) market investigation. Market surveillance is not tied to a specific acquisition (and not discussed in the FAR) but generally consists of an on-going process used by the Government to surveil and keep up with advances in services, technology, product development, and/or other areas.

By contrast, market investigation involves more specific and comprehensive research in response to definite Government requirements, triggered by the initial description of the Government’s needs in terms that are sufficient to allow procurement officials to conduct market research. As a matter of procurement policy, once this occurs, no communication with industry and potential vendors shall occur after coordination with the cognizant Contracting Officer.

After the release of a solicitation, the Contracting Officer is the focal point of any exchange with potential offerors. No information shall be released after the issuance of the solicitation, except by the Contracting Officer