



# FIRST CALL

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January 2023

## My Road to Success in Government Contracting



While serving in the Army and after 10 years with combat units, I received training and numerous certifications. First to be a Contract Specialist (Commodities focus) and then a Contracting Officer (Construction focus) with an unlimited warrant. Then, being assigned as a Deputy Army Installation Commander, I managed \$30M in ongoing federal government construction contracts and \$15M in service contracts.

After retiring from the Army, I landed my first job at Pfizer, Inc. as a Site General Manager. While managing the contracting and execution of 50

regional vendors for their facility services, I also was the facilities and operations integration lead on four different M&A's or, companies that Pfizer acquired. In this role, I managed the onboarding and integration of the newly acquired companies. After a decade with Pfizer, I decided to become an entrepreneur – a goal I have had from subscribing to numerous business magazines over two decades.

With great excitement to immerse myself with other successful veteran business owners, I attended my 1st National Veteran Small Business Coalition (NVSBC) Conference in 2012. At the conference, I gained valuable insights about: veteran business opportunities, networking with successful veteran business owners, and education on running a high performing veteran business. This proved to be so valuable that I have attended every NVSBC annual conference since. At NVSBC VETS Conferences I established lifelong friendships. I also embedded myself into a tremendous network that has primed me for success and served as a valuable resource. It inspired me to give back to the veteran entrepreneurship community. Assisting other veterans to start and grow their companies has been extremely rewarding.

Leveraging these experiences and utilizing the services of numerous commercial and government organizations, I've been able to vet my business plan, receive advice and guidance on starting and growing my business. These entities included – SBA, SBDC, SCORE, CCCB&I, CCEDC, VBOC, GPVN and others. And, I have attended numerous government procurement conferences over the years and met with OSDBU's from GSA, Army, DOD, VA, DHS, DOT and most recently Air Force.

NVSBC Board of Directors, and I contribute scholarships to veterans that want to attend the national NVSBC conference or join the organization. I mentor numerous veterans that want to start companies or grow their companies in the federal marketplace. One of my biggest motivators to share with other veterans is, "If others can do it, so can I." This philosophy has served me well with the uncertainties yet, tremendous excitement and rewards of becoming a Veteran Entrepreneur. Thank you NVSBC!

William J. Belknap, Sr., MBA  
President of AEONRG, LLC  
NVSBC Board of Directors

## Welcome New Members

### VOSB/SDVOSB

Anderson Engineering of Minnesota, LLC  
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1DigitalSpace.  
Bailey Information Technology Consultants. LLC  
Butler Medical Supplies, Inc.  
Burrow and Son Electric  
Collaborative Healing LLC  
EOS Worldwide - Synthus, Inc.  
Komplete Systems Integrators Inc  
Ingold Aviation  
PLIANT Management Services, LLC

Mindful Solutions St. Augustine LLC  
SteerBridge  
ThinkForm Architects  
The Vocation Depot  
Healthy Builds Inc.  
WPT Corporation  
Thomas & Moore Strategic Ventures  
ADIT Solutions Inc.  
Minerva 6 Group  
RedSec1 LLC

### Federal Contractor

rockITdata

## NVSBC Announces the Appointment of Newest Board Member



The National Veteran Small Business Coalition (NVSBC) announced today the appointment of Scott K. Thompson as the newest member to the NVSBC Board of Directors. The Board unanimously selected Scott to fill a recently vacated position on the NVSBC Board. This brings the number of board members to twelve. Scott's term will go through June 30, 2023, at which time he will be eligible for re-election to a full three (3) year term with consent from the membership.

Scott is the Founder and current President and CEO of DuraBante LLC, a Service-Disabled Veteran-Owned Small Business in Sparks, Maryland that specializes in business management consulting for transformational changes. Scott is an accomplished executive, entrepreneur, Veteran, community leader, and philanthropist with an MBA from Rensselaer Polytechnic Institute. He is also a Retired Army Field Grade Officer who served for 22 years. Since serving, Scott has successfully led numerous Fortune 500 companies through transformational business initiatives and has been a member on multiple community boards of directors. His passion for expanding opportunities and support for Veteran businesses, paired with his background in business transformation, continuous improvement, and strategic planning, will make him an invaluable addition to the NVSBC team as it broadens its offerings to help meet the needs of the 47,000 Veteran businesses involved in government contracting.

"It's an honor to join the NVSBC board in the important work that they do to strengthen, connect, and aid Veteran-owned small businesses," said Scott K. Thompson.

# Key To 2023 Growth: CFO Mindset

If you ask 90% of CFOs about the importance of accounting, they'll tell you it's one of the most fundamental aspects of a business. Even our guys will say that. But there's a difference between relying on traditional financial statements and utilizing the growth know-how of a Growth CFO.

A Growth CFO's role in the modern market has to combat increased costs and supply chain issues, worker displacement, capacity, and malaise, and they must develop financial strategies to drive business revenue and fuel new opportunities. What separates a Growth CFO is not just their skill set but their mindset – it's a philosophy, an approach, it's a way of thinking beyond traditional boundaries.

## Extending Beyond the Traditional CFO Role

In many organizations, CFOs spend their time stewarding assets, ensuring regulatory compliance, managing accounting, and providing budgets. At Foresight, we believe that a Growth CFO extends well beyond those traditional roles to engineer a robust game plan that drives enterprise-wide improvement and influences the future direction of the company. A Growth CFO is a catalyst that provides financial strategies that enable the CEO to meet goals and seek new business opportunities.

## At Foresight, we call it a *“Financial Flight Plan”*.

Take project management as an example. An essential component of any operation, too many times we see companies that have multiple complex project management systems that operate in silos. In and of themselves they work fine, but a Growth CFO with an enterprise mindset would suggest integrating these systems in a way that the whole becomes greater than the sum of the parts. As well, tech-stack decisions such as this can impact the equity of a Company.

When properly linked, these complex project management systems become a force multiplier that helps drive enterprise success and valuation.

Growth CFOs also work with managers to obliterate the obstacles to growth. This includes winning new customers, building people capacity, and proactively gaining access to capital.

## Cross Fertilize Industry Expertise

While industry knowledge and years of experience & success increase a CEO's earning power, a Growth CFO utilizes their mindset and depth of experience across a range of industries to pinpoint the best practices in your arena. The cross-fertilization of ideas often is another force multiplier.

Your unique skill set paired with the perspective of a Growth CFO allows you to obliterate obstacles and catalyze new opportunities.

### **Building Meaningful Relationships**

Despite the name, “*soft skills*” pack a lot of power, especially in the hands of a Growth CFO.

How can you expect a traditional CFO to rally the troops and build toward objectives when they don't know how to speak to a group, let alone team members on a personal, one-on-one basis? You simply can't. A Growth CFO not only possesses the financial skill set but they are also armed with the ability to build effective relationships throughout the organization so that everyone feels part of the greater mission.

Large companies aren't the only ones realizing the importance of relationship-building. Regardless of size, leadership that communicates well and creates buy-in and ownership among the team provides a better culture, fights the symptoms of “quiet quitting,” boosts creativity, and bolsters overall collaboration in the workplace.

### **Getting Down to it**

No matter how well your operations ran until now, things change, and we're experiencing a ton of change in the market right now with more coming. Accountants and CFOs will always need to stay updated on the latest trends, data, and software.

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*KIRK W. MCLAREN MBA, CPA, IFM | CEO Foresight CFO | Georgetown University Lecturer*  
Having built and sold his first company before graduating from high school, Kirk is a natural at building growth companies and helping talented CEOs and their leadership teams exploit opportunities by obliterating obstacles that might get in their way.



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## STRATEGIC INDUSTRY CONVERSATION VIII

### *Mission Success Through Collaboration*

Join DHS leadership and industry in person for a full day of connecting and collaborating on policy, program, and DHS initiatives that drive mission success.

**February 8, 2023**

**9:00 a.m. to 4:30 p.m. ET**

**(Registration opens at 8:00 a.m.)**

**The Washington Hilton**

1919 Connecticut Ave. NW

Washington, DC 20009

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**We look forward to seeing you there!**

## Part 5: : Deconstructing Debriefings

Welcome back, loyal readers! This is part five of our series on common contractor bid protest mistakes. So far we have covered: [the difference between size/status protests and bid protests](#); [deadlines for pre-award protests challenging solicitation terms](#); [when to act in competitive range exclusions](#); and [when/how debriefings \*may\* – but don't always – impact protest deadlines](#). This month, we will be staying on the Debriefings theme, talking about best debriefings practices, and insider tips for making the most of your debriefing.

Debriefings are one of the most powerful tools in government contracting. But to use them effectively, you need to do a number of things. As a threshold matter, you need to recognize the circumstances in which debriefings are required, and get familiar with the deadlines for requesting them. (If you have questions on those topics, check out our [previous installment](#).) You also need to learn what information you can and cannot get out of a debriefing. Once you understand that, you must think strategically about the agency's obligations and limitations with regard to information-sharing, so you can structure and prepare effective questions. Finally, you need to understand the rules surrounding enhanced debriefings, and its effect on protest filing deadlines. Ready? We'll walk through these issues one by one.

### 1. The Information You Will – And Will Not – Get in a Debriefing

The FAR is very specific about what a contractor can and cannot get out of a debriefing, and the information the agency is obligated to provide differs depending on whether the contractor is requesting a debriefing as a result of an award decision, or as a result of being excluded from the competitive range. (For those confused about the competitive range, check out our [earlier piece](#).) Contrary to what many contractors expect, you will not be getting a point by point comparison of your offer and the awardee's offer. Nor will you be able to mine for information relating to your competitor's pricing or past performance. You will, however, be able to obtain critical information necessary to determine whether or not you have a basis for protest. Let's take a look at how it breaks down:



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# Ten Biggest Protest Mistakes

## Pre-Award Debriefings For Offerors Excluded From Competition

### Pre-award debriefings must provide:

- The agency's evaluation of significant elements in the offeror's proposal;
- A summary of the rationale for eliminating the offeror from the competition; and
- Reasonable responses to relevant questions about whether source selection procedures contained in the solicitation, applicable regulations, and other applicable authorities were followed in the process of eliminating the offeror from the competition.

### Pre-award debriefings will not provide:

- The number of offerors;
- The identity of other offerors;
- The content of other offerors' proposals;
- The ranking of other offerors;
- The evaluation of other offerors; or
- Trade secrets; privileged or confidential manufacturing processes and techniques; commercial and financial information that is privileged or confidential, including cost breakdowns, profit, indirect cost rates, and similar information; or the names of individuals providing reference information about an offeror's past performance.

## Post-Award Debriefings

### Post-award debriefings shall provide:

- The Government's evaluation of the significant weaknesses or deficiencies in the offeror's proposal, if applicable;
- The overall evaluated cost or price (including unit prices) and technical rating, if applicable, of the successful offeror and the debriefed offeror, and past performance information on the debriefed offeror;
- The overall ranking of all offerors, when any ranking was developed by the agency during the source selection;
- A summary of the rationale for award;
- For acquisitions of commercial items, the make and model of the item to be delivered by the successful offeror; and
- Reasonable responses to relevant questions about whether source selection procedures contained in the solicitation, applicable regulations, and other applicable authorities were followed.

### Post-award debriefings will not provide:

- Point-by-point comparisons of the debriefed offeror's proposal with those of other offerors;
- Any information prohibited from disclosure by FAR 24.202 or exempt from release under the Freedom of Information Act, including: Trade secrets; privileged or confidential manufacturing processes and techniques; commercial and financial information that is privileged or confidential, including cost breakdowns, profit, indirect cost rates, and similar information; or the names of individuals providing reference information about an offeror's past performance.

# Ten Biggest Protest Mistakes

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Surprised? Well, I wager my opinion on the most important “required” element may surprise you, too!

## 2. “Reasonable Responses to Relevant Questions” and the Preparation of Effective Debriefing Questions

The most important element in each kind of debriefing is that last catch-all bullet point – the “Reasonable responses to relevant questions about whether source selection procedures contained in the solicitation, applicable regulations, and other applicable authorities were followed.” This is your opportunity to delve into any areas where you think something seems ... questionable. What you ask is entirely up to you, and will be extremely fact-specific, depending on your individual concerns and the circumstances surrounding the procurement at issue. This allows you to tailor your questions and drill down on the potential source selection errors that you suspect occurred. For example:

- Have an inkling that your competitor has some bad past performance in its history that the agency might have overlooked? You can’t ask about the competitor’s past performance itself, but you can ask the agency about how it conducted the past performance evaluation, and have the agency walk you through its process to ensure it was consistent with the terms of the solicitation.
- Don’t understand how your competitor could possibly have been awarded the contract at such a low price? Ask for information about the agency’s cost realism analysis.
- Wondering why you were assigned five strengths, no weaknesses, and still got rated as “Acceptable” on the technical factor, when the terms of the solicitation said a no-weakness proposal should be rated as “Good,” if not better? Request a detailed explanation of the reasoning behind your rating! Ask, specifically, why the rating does not match the definition or guidelines in the solicitation.
- Suspect that your competitor relied too heavily on teaming partner’s technical experience in a procurement where that was not permitted? Ask about how the agency weighted the past performance of major subcontractors and teaming partners as opposed to the past performance of the proposed primes.

You get the picture. Your team should work carefully with a legal professional to explore potential problem areas and prepare questions prior to the debriefing. An attorney with experience specific to government contracting can help to draft questions that address your specific concerns, as they relate to applicable law.

All of that said, asking questions and getting agency answers can become a bit more confusing when the agency sends you a written debriefing instead of providing a telephonic or live debriefing. If you receive a written debriefing, you should still have the ability and opportunity to submit questions. The tricky part becomes figuring out whether or not you have more time to file your protest

# Ten Biggest Protest Mistakes

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. Remember that all protests – except pre-award protests (which we dealt with in our [previous installment](#)) – must be filed within 10 days of the date you knew or should have known of the basis for protest or, in a case where a debriefing is required and timely requested, within 10 days from the date of the debriefing. (Note: It's 5 days, not 10, if you are looking for an automatic stay. But we will deal with “the Stay” in a future installment...). We're talking about required debriefings here, so the applicable deadline is going to be 10 days after the debriefing. But, if you asked questions, when is your debriefing really “over”? Does your 10-day deadline start running from the date of your debriefing, or the day you get responses to your questions? Turns out that the answer may turn on whether or not you are dealing with a DoD procurement. Which brings us to our last point...

### 3. Enhanced Debriefing

In March 2018, the DoD issued the Department of Defense (DOD) Class Deviation 2018-O0011 — Enhanced Post Award Debrief Rights, which stated that, for all post-award debriefings under FAR 15.506(d), all DoD agencies had to follow the same procedure with regard to debriefing questions. This was later codified in [DFARS 215.506-70](#). Specifically, unsuccessful offerors requesting and receiving a debriefing must be given two business days after receiving the debriefing to ask any additional questions. The agency should respond within five days from receipt of the questions, and the agency's response should be in writing. Most importantly, though, **“the agency shall not consider the postaward debriefing to be concluded until the agency delivers its written responses to the unsuccessful offeror.”** This. Is. Huge! It means that your 10-day protest deadline clock does not start ticking until you get answers to your questions, even if that is, for example, a week after your debriefing. This gives DoD contractors an opportunity to digest and ruminate on what they learned in a debriefing, come up with any additional questions, and fully investigate all potential avenues regarding potential post-award protests. Take advantage of this opportunity!

Don't get tripped up here, though. Remember that these enhanced debriefing rules do not apply to every procurement. And it can sometimes be complicated to figure out how many rounds of questions you get – especially if you are asked to submit questions prior to your debrief – and if those questions actually toll the protest filing deadline. You want to make sure you take advantage of every chance you get to ask questions, but you also need to always keep an eye on the calendar. To ensure you don't miss a deadline, best practices are to consult a government contracting attorney to assist you with this process as soon as you think you have a potential protest, and definitely before you start preparing for your debriefing.

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*Maria Panichelli is a partner in McCarter & English LLP's Government Contracts & Global Trade group, and she focuses her practice exclusively on federal contracting and small business procurement. McCarter's more than 375 sophisticated and exceptionally skilled lawyers in 11 offices deliver solid results and innovative solutions to our clients nationwide. We are trusted business advisors to our clients, which include an array of Fortune 100, mid-market, and emerging growth companies. Check out the NVSBC's webinar 'Charlie Mike' featuring Maria Panichelli on the ['Top Ten Tips About Protests: Fighting for and Keeping the Contracts You Deserve.'](#)*

## *VetFedAcademy*



### Speaker

J. Bradley Reaves, Esq, ReavesColey PLLC

- Government Contracts Attorney
- SBA Programs, SDVOSB, and Joint Venture Expert

**Presentation: What Every SDVOSB Needs to Know about Joint Venturing!**

**Time: 4-5 PM EST**

## *DC Networking Dinner*

### Keynote Speaker

Laura Stanton, Assistant Commissioner, Office of Information Technology (ITC)

- Federal Category Manager of Information Technology
- Federal Acquisition Service
- U.S. General Services Administration



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