

GCMS  **2022**

**GOVERNMENT
CONTRACT
MANAGEMENT
SYMPOSIUM**

**DECEMBER 5-6
BETHESDA, MD**

GET IT DONE: **SOLUTIONS FROM THE FRONT LINE**

WELCOME!



GOVERNMENT
CONTRACT
MANAGEMENT
SYMPOSIUM

DECEMBER 5-6
BETHESDA, MD



NCMA Disclaimer

Please note that session content does not represent the views or positions of NCMA, and may include presenter perspectives outside of the NCMA Contract Management Standard (CMS) and body of knowledge (CMBOK)®.

Presenters are responsible for obtaining permission to use any copyrighted images.

GET IT SOLUTIONS
DONE: FROM THE
FRONT LINE



**GOVERNMENT
CONTRACT
MANAGEMENT
SYMPOSIUM**

DECEMBER 5-6
BETHESDA, MD



Commercial Solutions Openings: Buying What's New at Shark-Tank Speed

Breakout Session F02

Keith Gibson, CFCM, Managing Partner, Runyara LLC

December 6, 2022

1100-1200ET

**GET IT
DONE:** SOLUTIONS
FROM THE
FRONT LINE



GOVERNMENT
CONTRACT
MANAGEMENT
SYMPOSIUM

DECEMBER 5-6
BETHESDA, MD



Session Information

- **Learning Level:** Intermediate
- **Credits:** 1.2
- ***CMBOK*® Competencies:** 4.1 Plan Solicitation

GET IT SOLUTIONS
DONE: FROM THE
FRONT LINE



**GOVERNMENT
CONTRACT
MANAGEMENT
SYMPOSIUM**

**DECEMBER 5-6
BETHESDA, MD**



Make The System Work for You

Flex the System



**GET IT
DONE:** SOLUTIONS
FROM THE
FRONT LINE



**GOVERNMENT
CONTRACT
MANAGEMENT
SYMPOSIUM**

**DECEMBER 5-6
BETHESDA, MD**



Is There Anything We Cannot Do?

- FAR
- OTA
- CSO
- TSA
- PIA
- PPP



GET IT DONE: SOLUTIONS FROM THE FRONT LINE



GOVERNMENT
CONTRACT
MANAGEMENT
SYMPOSIUM

DECEMBER 5-6
BETHESDA, MD



The Problem We're Trying to Solve

- Stop buying unproven software capabilities
- Find a *low-cost* way to provide demonstrations of capabilities
- Find a *fast* way to provide demonstrations of capabilities
- Find ways to maintain *competitive leverage* through demonstrations
- Find ways to *fail fast*
- Find ways to *fast follow*

GET IT SOLUTIONS
DONE: FROM THE
FRONT LINE

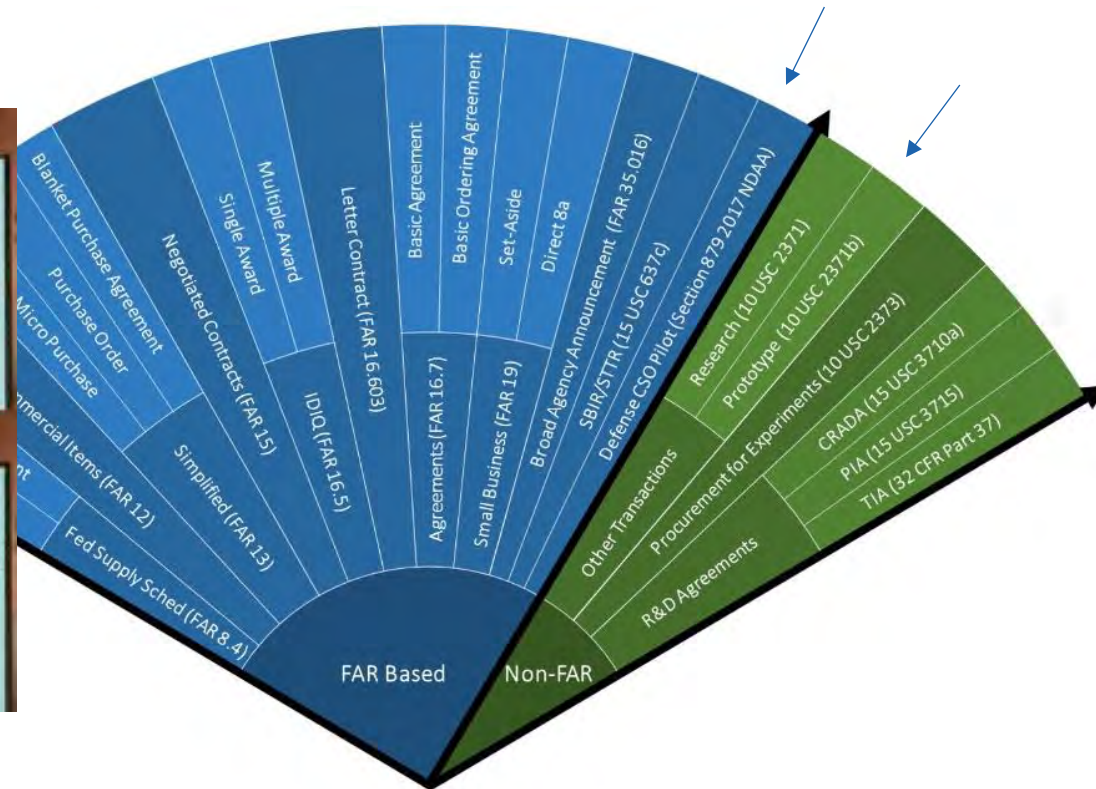


**GOVERNMENT
CONTRACT
MANAGEMENT
SYMPOSIUM**

DECEMBER 5-6
BETHESDA, MD



CSO + OTA



GET IT DONE: SOLUTIONS FROM THE FRONT LINE

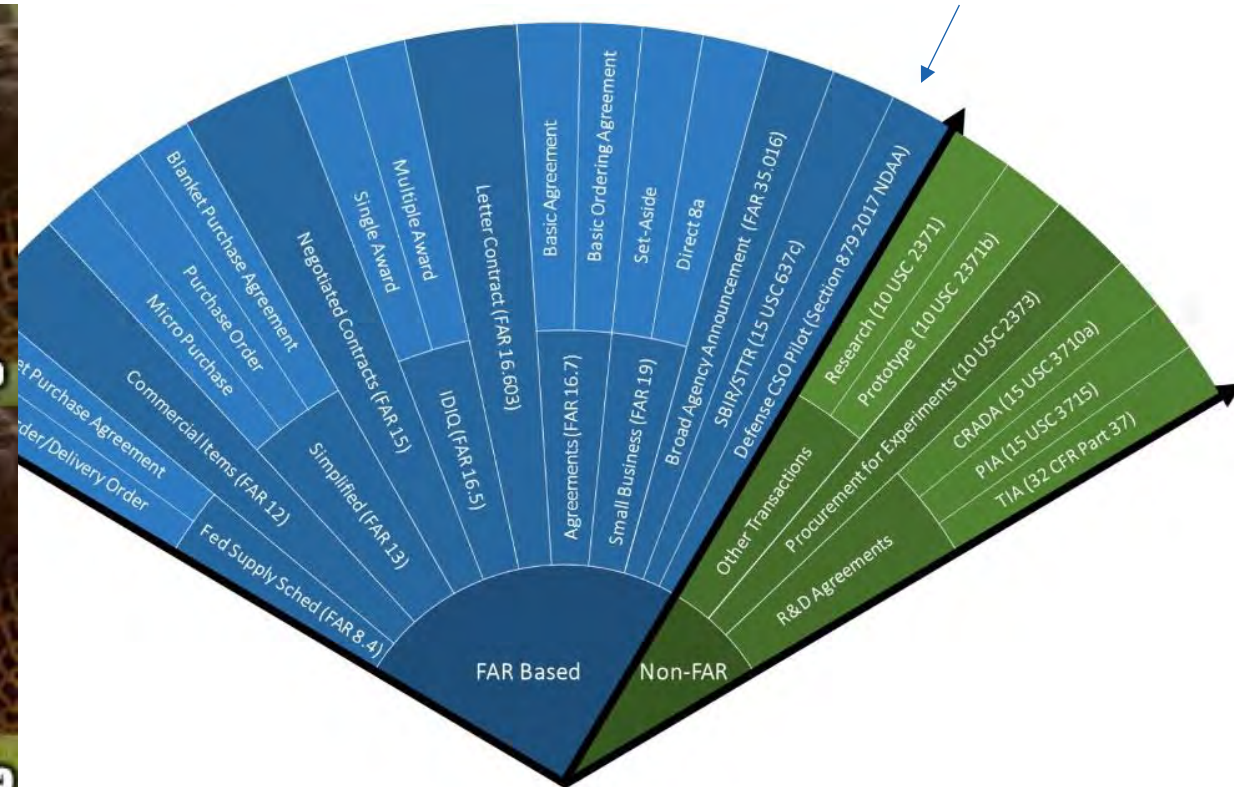


**GOVERNMENT
CONTRACT
MANAGEMENT
SYMPOSIUM**

**DECEMBER 5-6
BETHESDA, MD**



Commercial Solutions Opening



GET IT DONE: SOLUTIONS FROM THE FRONT LINE



**GOVERNMENT
CONTRACT
MANAGEMENT
SYMPOSIUM**

**DECEMBER 5-6
BETHESDA, MD**



General Solicitation

1. First Name *
2. Last Name *
3. If the applicant is a minor, name of the applicant's parent or other legal guardian submitting on the applicant's behalf:
4. Phone Number *
5. Email *
6. City *
7. State *
8. Pronouns *

Shark Tank Application

Description [View Changes](#)

Please see the attached updated CSO Announcement - Demos of Innovative Commercial AI Solutions_26 Oct 2021 which is extending the CSO Announcement until 30 September 2023.

Attachments/Links

[Download All Attachments/Links](#)

Attachments

Document	File Size	Access	Updated Date
 CSO Announcement - Demos of Innovative Commercial AI Solutions_30 Sept 2022.pdf	158 KB	 Public	Sep 30, 2022
 CSO Announcement - Demos of Innovative Commercial AI Solutions_26 Oct 2021.pdf	489 KB	 Public	Sep 30, 2022

CSO Application

GET IT DONE: SOLUTIONS FROM THE FRONT LINE



**GOVERNMENT
CONTRACT
MANAGEMENT
SYMPOSIUM**

**DECEMBER 5-6
BETHESDA, MD**



General Solicitation

§3458. Authority to acquire innovative commercial products and commercial services using **general solicitation** competitive procedures

(a) **AUTHORITY.**-The Secretary of Defense and the Secretaries of the military departments may acquire innovative commercial products and commercial services through a competitive selection of proposals resulting from a **general solicitation** and the peer review of such proposals.

(b) **TREATMENT AS COMPETITIVE PROCEDURES.**-Use of **general solicitation** competitive procedures under subsection (a) shall be considered to be use of competitive procedures for purposes of chapter 221 of this title.

(c) **LIMITATIONS.**-(1) The Secretary may not enter into a contract or agreement in excess of \$100,000,000 using the authority under subsection (a) without a written determination from the Under Secretary of Defense for Acquisition and Sustainment or the relevant service acquisition executive of the efficacy of the effort to meet mission needs of the Department of Defense or the relevant military department.

(2) Contracts or agreements entered into using the authority under subsection (a) shall be fixed-price, including fixed-price incentive fee contracts.

(3) Notwithstanding section 3451(1) of this title, products and services acquired using the authority under subsection (a) shall be treated as commercial products and commercial services.

(d) **CONGRESSIONAL NOTIFICATION REQUIRED.**-(1) Not later than 45 days after the award of a contract for an amount exceeding \$100,000,000 using the authority in subsection (a), the Secretary shall notify the congressional defense committees of such award.

(2) Notice of an award under paragraph (1) shall include the following:

(A) Description of the innovative commercial product or commercial service acquired.

(B) Description of the requirement, capability gap, or potential technological advancement with respect to which the innovative commercial product or commercial service acquired provides a solution or a potential new capability.

(C) Amount of the contract awarded.

(D) Identification of the contractor awarded the contract.

(e) **INNOVATIVE DEFINED.**-In this section, the term "innovative" means-

(1) any technology, process, or method, including research and development, that is new as of the date of submission of a proposal; or

(2) any application that is new as of the date of submission of a proposal of a technology, process, or method existing as of such date.

**GET IT
DONE:** SOLUTIONS
FROM THE
FRONT LINE

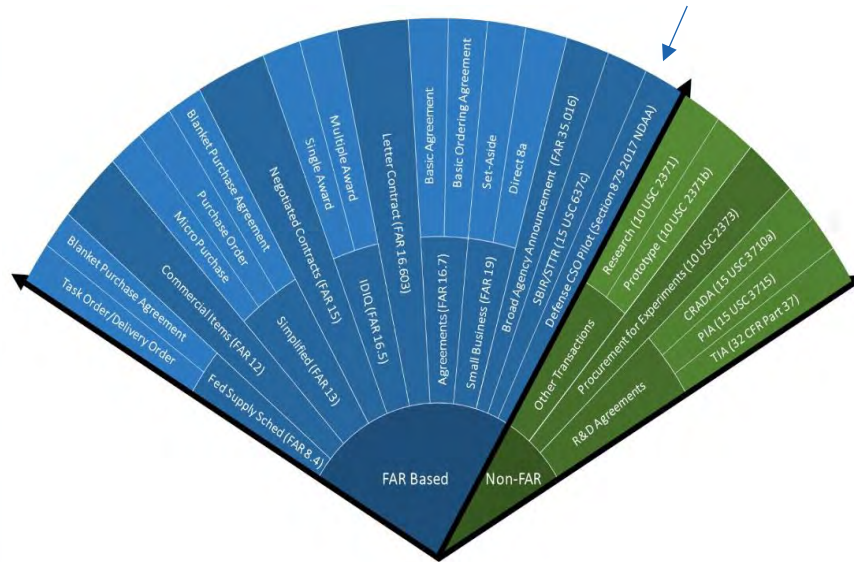


**GOVERNMENT
CONTRACT
MANAGEMENT
SYMPOSIUM**

**DECEMBER 5-6
BETHESDA, MD**



Merit Based Review



Is This a Good Investment For Us?

Does the Market Want/Need the Product?

How Do I structure the Deal to Hedge My Risk?

Merit is wholly defined by the Investor and the Market.

Novel, Commercial, Innovative

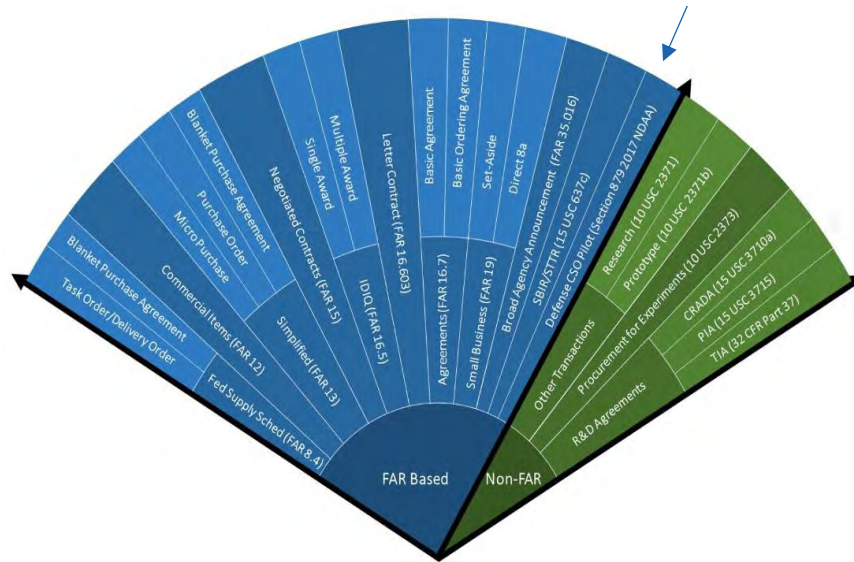


GOVERNMENT
CONTRACT
MANAGEMENT
SYMPOSIUM

DECEMBER 5-6
BETHESDA, MD



Merit Based Review/Evaluation



Does the **Warfighter** Want/Need the Product?
Is This a Good Investment for the **Taxpayer**?
How Do I Structure the Deal to Hedge My Risk?

Merit is wholly defined by the organization.

Use of a CSO is considered to be a competitive procedure.

(10 U.S.C. chapter 127 and FAR 6.102).

32 CFR § 22.315 - Merit-based, competitive procedures



**GOVERNMENT
CONTRACT
MANAGEMENT
SYMPOSIUM**

**DECEMBER 5-6
BETHESDA, MD**



Merit Based Review/Evaluation

[Company Name & Submission Title]
AI Area of Focus [Enter Area of Focus Here]

Technology / Capability Overview

- Provide an overview of the technology and application

Place photos, illustrations, and/or graphics
HERE

Demo Recommendations / ROM Cost / Schedule

- Describe your recommendation for a DEMO, what you want from the Government, what you will provide the government what if any costs, and how long you propose for a demo.

Technology / Capability Overview

- TRL: (Times New Roman/14 Font)
 - Supporting Data Regarding TRL: (Times New Roman/14 Font)
- MRL: (Times New Roman/14 Font)
 - Supporting Data Regarding MRL : (Times New Roman/12 Font)
- Is it currently being produced? (Times New Roman/14 Font)
- Is it currently under contract with another government agency? (Times New Roman/14 Font)
- Has a cybersecurity assessment been performed? (Times New Roman/14 Font)
- If the above questions are applicable, and it is <TRL 7, what is the schedule ROM to get the capability to TRL 7?: (Times New Roman/14 Font)



What is it?

Why is it better?

Who are you to say so?

What could it deliver if successful?

GET IT DONE: SOLUTIONS FROM THE FRONT LINE

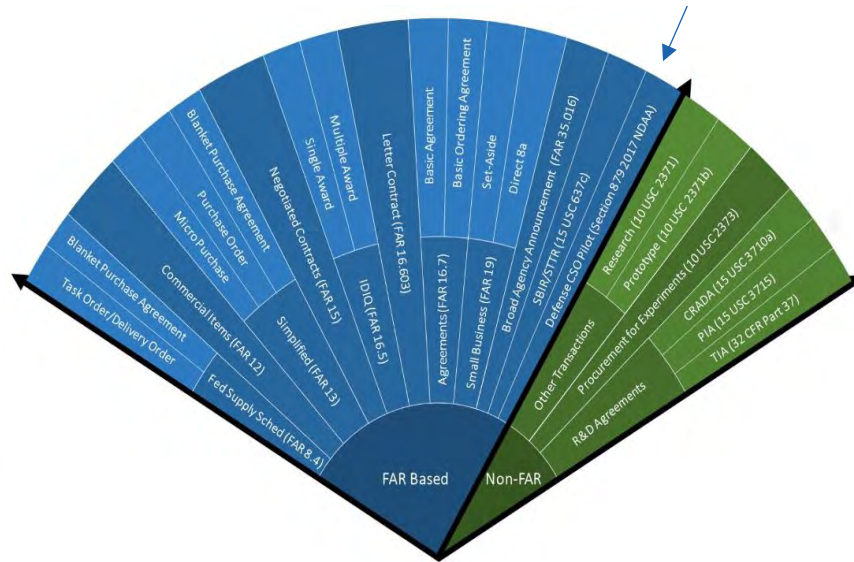


**GOVERNMENT
CONTRACT
MANAGEMENT
SYMPOSIUM**

**DECEMBER 5-6
BETHESDA, MD**



Does the Warfighter Want/Need the Product?



Collaboration/ Experiment Plan

Talk to the Vendor

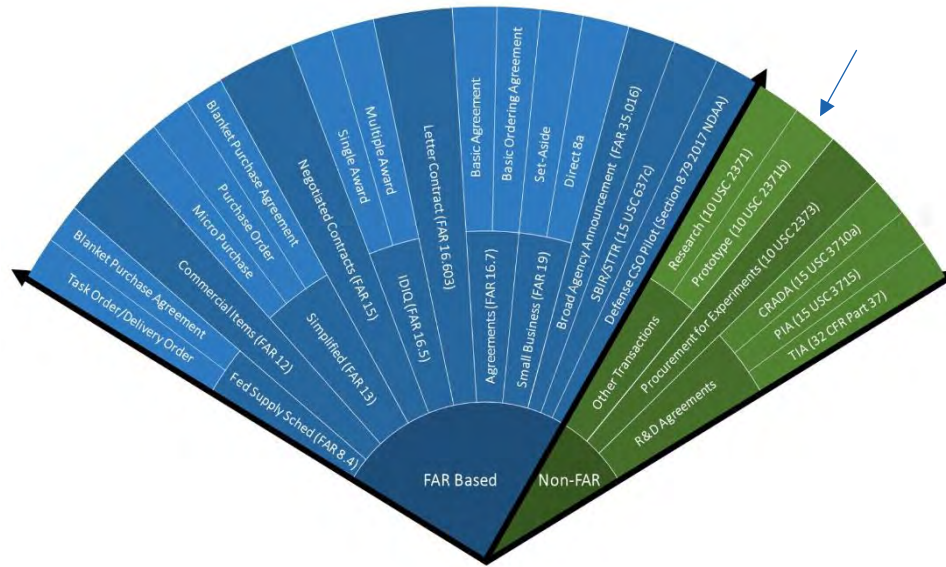
Talk to The Warfighter

Here is What We Are Thinking....Does That Make Sense To You?

Does This Demonstration Set You Up To Succeed?

GET IT DONE: SOLUTIONS FROM THE FRONT LINE

How Do I Structure the Deal to Hedge My Risk?



Negotiation/ Agreement

- Sharks hedge risk with additional compensation
- Government hedges risk for shorter periods of performance



**GOVERNMENT
CONTRACT
MANAGEMENT
SYMPOSIUM**

**DECEMBER 5-6
BETHESDA, MD**



Negotiation/Agreement



Insert Agreement Pic

- We will give you \$50,000 and 90 days
- If our tech folks are convinced; we will discuss a follow-on agreement
- If our tech folks are not convinced; we will part ways

GET IT DONE: SOLUTIONS FROM THE FRONT LINE



**GOVERNMENT
CONTRACT
MANAGEMENT
SYMPOSIUM**

**DECEMBER 5-6
BETHESDA, MD**



How Do I Structure the Deal to Hedge My Risk?



Unilateral Rights

- We will give you \$50,000 and 90 days
- If our tech folks are convinced; we will discuss a follow-on agreement
- If our tech folks are not convinced; we will part ways

GET IT DONE: SOLUTIONS FROM THE FRONT LINE



**GOVERNMENT
CONTRACT
MANAGEMENT
SYMPOSIUM**

**DECEMBER 5-6
BETHESDA, MD**



How Do I Structure the Deal to Hedge My Risk?



Aligning Interests

- Both parties are providing resources
- Both parties have said “we think this can work” and taken ownership
- Both parties stand to gain if the project succeeds
- Both parties have nowhere to hide if it does not succeed



**GOVERNMENT
CONTRACT
MANAGEMENT
SYMPOSIUM**

**DECEMBER 5-6
BETHESDA, MD**



How Do I Structure the Deal to Hedge My Risk?



Failing Fast

- Both parties moved forward in earnest and results did not meet expectations OR needs changed
- Both parties learned from the experience
- Neither party can say they didn't get a fair chance
- Nether party can ask for resources for a potentially needless project

GET IT DONE: SOLUTIONS FROM THE FRONT LINE



**GOVERNMENT
CONTRACT
MANAGEMENT
SYMPOSIUM**

DECEMBER 5-6
BETHESDA, MD



What Happens When you Fail?



Stay In Touch

- Adjust the product or approach
- Find an investor/requirement owner that is a better fit

GET IT DONE: SOLUTIONS FROM THE FRONT LINE

What Happens When you Fail?



- **Find an investor/requirement owner that is a better fit**



**GOVERNMENT
CONTRACT
MANAGEMENT
SYMPOSIUM**

**DECEMBER 5-6
BETHESDA, MD**



What Happens When You Do Not Fail?



Collaboration

Talk to the Vendor

Talk to The Warfighter

Here is What We Are Thinking....Does That Make Sense To You?

Does This Demonstration Set You Up To Succeed?

**GET IT
DONE:** SOLUTIONS
FROM THE
FRONT LINE



GOVERNMENT
CONTRACT
MANAGEMENT
SYMPOSIUM

DECEMBER 5-6
BETHESDA, MD



#1 10 USC 3458 is Your NorthStar.

- It will guide you, but your path depends on where your journey begins, and with whom you are traveling.
- CDAO is a young organization of forward-thinking professionals trying to solve real problems. Even with the wind at our backs (metaphorically speaking), our CSO almost never saw the light of day. Expect challenges and use your NorthStar, and grit, to overcome.



GET IT DONE: SOLUTIONS FROM THE FRONT LINE



**GOVERNMENT
CONTRACT
MANAGEMENT
SYMPOSIUM**

DECEMBER 5-6
BETHESDA, MD



#2 Lead With Technology

- If your brainiac data scientist is saying “holy crap, I’ve never seen anything like this!” You should pay attention.
- Merit-based decision making is the backbone of the CSO. If you don’t understand brute force mathematics or capabilities of accelerated GPU’s, that’s fine; your technical folks do. So, listen to them. Work with them. Enable their efforts to support the mission. Stay consistent and provide good counsel.



GET IT DONE: SOLUTIONS FROM THE FRONT LINE



GOVERNMENT
CONTRACT
MANAGEMENT
SYMPOSIUM

DECEMBER 5-6
BETHESDA, MD

#3 Enable Smart People to do Smart Things



- If smart people are comfortable with the risks, you should be too.
- Have the technical lead sign a technical evaluation stating the following;
 - Here is why I'm putting my reputation on the line.
 - Here is what I think this technology may be able to do.
 - Here is why it's worth our time and effort.
- When technical leads sign the evaluation, they own the project. The level of accountability increases and this leads to better results.



GET IT DONE: SOLUTIONS FROM THE FRONT LINE



**GOVERNMENT
CONTRACT
MANAGEMENT
SYMPOSIUM**

DECEMBER 5-6
BETHESDA, MD



#4 Ditch the Downselects

- There aren't 40 great ideas; there are 1 or 2. Go straight to demonstrations of those great ideas.
- Downselects have benefits related to fair and reasonable acquisition, but they're not the right fit for everything.
- Ever try to get your sharpest technical leads to evaluate 30 proposals? Not exactly an expeditious process. No fault of the folks involved...just not always a practical way to do business.



GET IT DONE: SOLUTIONS FROM THE FRONT LINE



GOVERNMENT
CONTRACT
MANAGEMENT
SYMPOSIUM

DECEMBER 5-6
BETHESDA, MD

#5 Simple Acquisition Solves Hard Problems

- Stop preparing for that IP legal battle that may never happen (at least for now).
- For high-tech products/platform, I'll take a low cost, short-term, "pedal to the metal" demonstration over another contracting strategy. It's the ultimate Source Selection. Merit-based, competitive, direct awards are the first step in true modular contracting.
- If the demonstration is garbage, the company goes away; plain and simple.
- If the demonstration is a success (however that is defined), we can then prepare for the second inning of the democracy versus autocracy World Series. There will be plenty of time to fight over IP Rights...I promise.



GET IT DONE: SOLUTIONS FROM THE FRONT LINE



GOVERNMENT
CONTRACT
MANAGEMENT
SYMPOSIUM

DECEMBER 5-6
BETHESDA, MD



Academic Recommendations



Center for
Government Contracting
School of Business

Execution Flexibility and Bridging the Valley of Death

AN ACQUISITION NEXT REPORT

The first recommendation...A merit-based selection process such as **commercial solutions opening** should be used by chief technology officers to allocate component-specific funds of roughly \$100 million each.

GET IT DONE: SOLUTIONS FROM THE FRONT LINE



**GOVERNMENT
CONTRACT
MANAGEMENT
SYMPOSIUM**

DECEMBER 5-6
BETHESDA, MD



Future of the CSO

- Every CTO will have a CSO
 - Control
 - Speed
 - Commanders Intent
 - Funding
- Mandatory AI/ML Training Leads to More CSO Training
- Focus on Getting to Production

GET IT DONE: SOLUTIONS FROM THE FRONT LINE



GOVERNMENT
CONTRACT
MANAGEMENT
SYMPOSIUM

DECEMBER 5-6
BETHESDA, MD



Getting Smart

- GMU Center for Government Contracting
- National Contract Management Association
- Tradewind
- Acquisition Talks Podcast
- DARPA OT Training (Diane Sidebottom)

GET IT SOLUTIONS
DONE: FROM THE
FRONT LINE
