

## **SUGGESTING CHANGES TO GPO SPECS - CAN YOU DO IT?...HOW?**

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What can vendors do if they see a specification which wastes money, is overly restrictive because it excludes a number of methodologies or technologies in the marketplace today, or simply doesn't work? Based on the often incorrect assumption that government specifications are written in stone, most printers simply do not bid the job. With increasing competition for decreasing government volume, printers don't want to pass up an opportunity for a contract they could produce - with some changes in the specifications.

Ask the GPO About the Requirements and Possible Changes. The first thing you need to do when a requirement in the specs excludes you from bidding is to find out whether there is a specific reason for the requirement so you understand how a change would affect the use of the product. The government's needs may be real or perceived. Changing the size of a particular form may mean that it will simply not work. On the other hand, while varying the size of an annual report slightly may not affect the product, the agency may not like the way the new 10 7/8" high 1995 report looks on the bookshelf next to all the 11" reports. However, in a number of situations, there may be no reason not to allow a change. For example: paste on fold process could be added to saddle stitch; linerless label and integrated die cut label could be added to a peel-off label; a fifth PMS color could be replaced by a built color; etc., etc.

Once you have determined what change would be necessary to compete on the contract, and determined that the change should not adversely affect the product usage, you should then contact the appropriate GPO Procurement Division staff member (whose name or initials are on the specs), using drawings, samples, or other visual aids where possible and desirable. The call should be made as soon as possible, and must be made prior to the time the bid opens. Quick action on your part allows the GPO time to issue an amendment, if your suggested change is accepted, so that other vendors are apprised of the situation and everyone is competing on a level playing field. As always, the best sales efforts are those where we can explain how the change will benefit the buyer. For example: reduced price; improved product; faster production; more competition. Most contracting officers are reasonable when considering proposed changes. In fact many amendments are the result of printers suggestions.

Revising Scope and Quantity. Sometimes the GPO requires an unbelievably wide range of production capabilities for a program (year-long term contract); while at other times it may exclude items which you feel should be ordered on that particular program. Printers with a complaint should contact the contracting officer and detail their suggestions prior to issuance of new specs if possible, or at least before bid opening. On a number of occasions such calls have resulted in the GPO rewriting the specs so that they target a product range which will insure that a number of commercial printers might be interested.

On the other hand, if you have a “one-stop shop” and believe you are competitive across a wide range of products, you might be calling to question why several programs aren’t combined into one in order to save the government the cost of administration of multiple contracts, and make ordering easier for the agency.

Requesting More Restrictive Specs. There are occasions where it may be in a printer’s best interest to have very broadly written specifications narrowed. These types of requests have historically only been granted by GPO where the printer can show that certain methodologies or materials allowed under the specifications will either not produce the product the agency wants or needs, or simply won’t work in the manufacturing process.

In cases where there are a number of alternatives allowed, and one or more work, while others do not, the printer has two choices: he can contact the GPO and advise them that certain of the allowed methods will not work, and why (which should then generate an amendment notifying all other bidders of the problems), or he can simply bid the method that works, and let his competitors fend for themselves.

“Just Follow the Specs” On occasion the GPO spec writer or contract officer will answer a question regarding a change or alternate production method by simply saying “No, the agency wants what’s in the specs, you must follow the specs.” Sometimes this is indeed the accurate answer. Sometimes its not. If you believe the latter is the situation, you should be as persistent as possible without becoming antagonistic. If the individual indicates an unfamiliarity with the product and the change or alternate which you are discussing, you can suggest that perhaps it would be better if you spoke directly to a technical expert or request a conference call with the agency customer.

Remember, that if there is no reason for the restriction, and it prevents you from bidding the job, it may be contrary to the rule of government contracting which provides that specifications should be drafted to meet the government’s needs, and not to overly restrict competition. If you have no success with the contracting officer you can consider the last resort or a protest to the award in cases where there is no legitimate reason why a change or alternate should not be permitted.

Filing a Protest. Protests to an award can be filed either with the GPO contracting officer or with the U.S. General Accounting Office. The filing of a protest is not something that should be taken lightly, nor used if your position is questionable. However, if the manufacturing process you want to use produces a product which is completely acceptable and usable for the intended purpose, and you feel the GPO is unreasonably refusing to re-evaluate the specs, a protest may indeed be warranted. A protest complaining about the way in which the specs are written must be filed prior to the time of bid opening. The printer therefore has very little time to waste in making sure that his

proposed change or alternate production method does produce the product which the agency needs, and that his requested change is being unreasonably denied.

Conclusion. Most printers cannot afford to pass up work on which they might otherwise be able to successfully compete because of overly restrictive specifications. The government needs to take advantage of the pool of knowledge that private sector commercial printers have to offer, in order to avoid mistakes, save money, and improve product use and efficiency. Since often both parties have something to gain by a requested change or addition to specifications, printers shouldn't hesitate to contact the GPO with legitimate problems or suggestions.

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