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Input: Comment on Section 882 of the FY19 NDAA by Gartner Inc.

Gartner Inc. (Gartner) welcomes the opportunity provided by the Department of Defense for early comment on provisions of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 that will require regulatory implementation. As a leading provider of information technology research and consulting services to both the public and private sectors, Gartner has had unparalleled opportunity to help many complex organizations realize the full value of their technology investments.

Section 882 requires the Under Secretary of Defense for Acquisition and Sustainment to conduct a review of guidance promulgated by the Defense Federal Acquisition Regulations (DFAR) with respect to commercially available market research including sections 10.001(a)(2)(vi) and 10.002(b), and market research practices. The efficacy of market research in the private sector has been dramatic. While third party research services have been available to the Department of Defense for some time, the section 882 language should be viewed as a tacit acknowledgment that the Department is lagging far behind the private sector in utilization of this potentially invaluable resource.

Third-party commercial research services can add tremendous value to the acquisition process because they allow DoD program managers to leverage knowledge that simply does not exist within government. This knowledge gap is thrown into especially sharp relief when program managers are charged with providing solutions to complex and rapidly-evolving warfighter needs for new technologies. In this regard, DoD is fortunate to have access to a remarkably diverse and prolific defense innovation base. However, this very abundance creates an enormous challenge for program managers who must evaluate competing proposals and vendor-provided data that is inherently biased towards the offeror's solution. High-end commercial market research firms can help solve this problem by offering DoD a ready pool of disinterested technology experts who can assist with defining requirements as well as evaluating proposed solutions and contractor-provided data.

Pursuant to its mandatory review of applicable market research regulations, DoD should amend DFAR section 210.001 by inserting after (a)(ii) the following new paragraph:

“(iii) When conducting market research in accordance with this section and FAR part 10 for the acquisition of information technology good and services, the contracting officers of the Department of Defense shall give preference, when feasible, to commercial independent third-party market research firms for market research services.