BAA W56KGU-23-R-RTID
ATTACHMENT 02
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PROCUREMENT CONTRACT PROPOSAL PREPARATION, SUBMISSION, AND EVALUATION

The following instructions pertain to preparing a proposal for a **FAR-Based Procurement Contract ONLY**.

(1) Preparation

(i) **Proposals are requested by invitation only.** Invitation to submit a full proposal will be made by the Army Contracting Command (ACC) via Request for Full Proposal (RFFP) e-mail message. The anticipated due date and time for proposals will be included in the RFFP.

(ii) The Government will extend an RFFP for submission of proposals for those white papers submissions that merit further consideration. Proposals shall expand on the white paper submission.

(iii) The Government reserves the right to fund all, some, one, or none of the proposals received under this BAA. Not all proposals requested and received will result in a contract award.

(iv) When preparing proposals, it is important that the Offeror keep in mind the characteristics of a suitable proposal acceptable for formal evaluation, including the focus on scientific study and experimentation directed toward advancing the state-of-the-art or increasing knowledge or understanding. It should include all the information specified in this announcement in order to avoid delays in evaluation. Offerors are advised that the quality of the information presented in the proposal is significantly more important than the quantity.

(v) Proposals must reference the topic number for the specific research area and should be valid for at least 180 days.

(vi) The technical and cost aspects of an Offeror's submission will be evaluated at the same time. Proposals shall be provided in two volumes, Volume I – Technical and Volume II – Cost. The proposal package shall also include a transmittal letter and a summary/Statement of Work section. Offerors are requested to limit Volume I to 60 pages, with 12-size font. Volume II has no page limit.

(vii) The cover page, table of contents, subcontracting plan, and an acronym list do not count towards the total page count/limitation. Both technical and cost information must be provided for the proposal to be considered.

(viii) The proposal is the primary vehicle available to the Offeror for receiving

consideration for award. The Offeror's proposal must stand on its own merit, as the information provided within each submitted proposal will be used in the technical evaluation process, leading to an award; as well as outside demonstration(s) and test results, as applicable to the specific topic.

(ix) Proposals should be prepared simply and economically, providing a straightforward and concise delineation of the Offeror's scientific and technical merit, necessary capabilities, and overall ability to adequately support the technological challenges identified per topic, and achieve the Offeror's proposed objective(s).

Format: The proposal should include a (i) Transmittal Letter, (ii) Summary/Statement of Work, (iii) Volume I – Technical, and (iv) Volume II – Cost.

(i) Transmittal Letter: On your organization's letterhead stationery, provide the following:

- Legal Name and Address of the Organization;
- Cage Code;
- Type of Organization (e.g., large business, small business, small disadvantage business, etc.);
- Applicable BAA Topic No.;
- Title of the Proposed Research;
- Proposal Reference No.;
- Place of Performance;
- Period of Performance (PoP);
- Estimated Cost (base and options);
- Type of contract proposed (e.g., Firm Fixed Price (FFP), Cost Plus Fixed Fee (CPFF), etc.);
- Name and title of the Principal Investigator or Project Director; and name, title and Signature of an Official authorized to legally bind the Organization
- Statement whether or not foreign nationals/non US Citizens are proposed to be working on this project, and provide reasoning and criticality for non US Citizen participation.

(ii) Summary and Statement of Work (SOW): All proposals shall contain a brief summary describing the proposed research. It shall include a concise statement of work (SOW) and a basic approach to be utilized in the effort. This shall be unclassified and non-proprietary in nature.

The SOW shall provide a detailed task breakdown, citing specific tasks and its connection to the interim milestones and program metrics. A definition of all deliverables (e.g., data, reports, software) to be provided to the Government in support of the proposed tasks/subtasks. At the minimum, the SOW shall include the following sections:

SOW Format/Sections

1. Introduction

2. Background information
3. Performance objective and standards
4. Applicable documents
5. Special requirements/constraints
6. Deliverables

Breakdown all research tasks, subtasks, and indicate the proposed classification for each task and subtask.

(iii) Volume I – Technical: The technical portion shall include, but is not limited to details regarding:

(A) Detailed background, discussions, and/or descriptions relative to the work proposed. An indication that the Offeror understands the topical area should be exhibited.
(B) Clear, concise definition of the program objectives and the approach(es) to meet them.
(C) Complete discussion which details the feasibility and the methodology of the proposed approach(es) and identifies the level of effort to be employed. Technical uncertainties shall be identified.
(D) Proposed innovative approaches, unique capabilities, and/or specialized experience should be identified.
(E) Additionally, the following sections shall be included in the technical portion of the proposal:

(1) Program Management:

The program management portion shall include the following:

(i) <u>Offeror Capabilities</u>: Proposal shall address the areas of personnel, facilities, management, and structure of the organization proposed.

(ii) <u>Key Personnel</u>: Resumes of key personnel shall be included in this section, including the name and resume of the Principal Investigator. If, after award of a contract, the Principal Investigator or other key personnel sever their connection with the organization or become unable to continue active participation, the KO must be immediately notified, and the Government has the option to terminate the contract.

(iii) <u>Project Management Approach</u>: The approach to managing and integrating the various aspects of the required work shall be described in sufficient detail so that the U.S. Government may assess associated risks. The Offeror shall identify significant milestones, decision points, and the processes that will be used to evaluate program status and progress. The Offeror shall include a description of any functional oversight. The Offeror shall present mechanisms for interactions/communications between Program

Management and the U.S. Government, to include how processes will be updated (e.g., managing and interfacing with key subcontractors and the U.S. Government). The Offeror shall include a description of management relationships or techniques that will be used to supplement day-to-day processes and procedures.

(iv) Milestone Schedule: Proposal shall address schedule, milestones, and deliverables. The following format is a sample and should be updated accordingly:

Category	FY20				FY21				FY22				FY23				FY24			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
(Task 1/Sub-Product 1)																				
(Task 2/Sub-Product 2)																				
(Task x/Sub-Product x)																				
Deliverables																				

Legend:

Technology Readiness Level

Meetings (Meeting Title)

Work performs vendor

Demo = Demonstration (Demo#)

(v) Conflict of Interest: Identify any potential organizational conflicts of interest, including any prior federal employment of research personnel within two years from the date of proposal submission. If there are no such potential conflicts of interest, this should be so noted in the proposal. In the event organizational or personal conflicts of interest are identified, a conflict of interest mitigation plan shall be submitted as part of the Offeror's proposal.

(2) Government Furnished Property (GFP): The FAR specifically regulates the provision of Government Furnished Property (GFP) to Contractors, which includes facilities and equipment. Offerors must therefore provide supporting rationale for all requests of GFP in the proposal. Should GFP be sought to perform the research, the Offeror shall provide a list of said GFP. When possible, the description or title and known or estimated unit and total costs of each item should be shown. When such information is not available, the items should be grouped by class and estimated values indicated.

(3) Subcontracting Plan: If the amount of the proposal exceeds $750,000.00 and the Offeror is other than a small business concern, the Offeror must agree to prepare, submit, and negotiate for incorporation into the contract, a plan for subcontracting to small business(es) and small disadvantage business(es) for participation in the effort. For purpose of small business size determination for this BAA, North American Industry Classification System (NAICS) Code 541715 is being used. The small business size standard for NAICS Code 541715 is 1000 employees.

The subcontracting plan must be submitted IAW FAR 52.219-9 and DFARS 252.219-7003 (or DFARS 252.219-7004 if the Offeror has a comprehensive subcontracting plan).

(4) Past Performance: The Offeror shall provide past performance information for the same or similar work, as referenced above. Each referenced contract for the past performance section will contain contract numbers and Government POCs, dollar amounts, PoP, and services provided.

(5) Intellectual Property (IP): The following IP requirements shall be addressed/provided within the Offeror's proposal, as applicable:

(i) Non-commercial Items (Technical Data and Computer Software): Offeror shall deliver all software developed under this effort, including but not limited to waveform code, VHSIC Hardware Description Language (VHDL) code, M&S basis, and test software, including both source and executable codes.

(ii) Offerors responding to this BAA requesting a procurement contract to be issued under the FAR/DFARS, shall identify all non-commercial technical data, and noncommercial computer software that it plans to generate, develop, and/or deliver under any proposed award instrument in which the Government will acquire less than unlimited rights, and to assert specific restrictions on those deliverables. Offerors shall follow the format under DFARS 252.227-7017 for this stated purpose. In the event that Offerors do not submit the list, the Government will assume that it automatically has "unlimited rights" to all non-commercial technical data and non-commercial computer software generated, developed, and/or delivered under any award instrument. If mixed funding is anticipated in the development of non-commercial technical data, and noncommercial computer software generated, developed, and/or delivered under any award instrument, then Offerors should identify the data and software in question, as subject to Government Purpose Rights (GPR).

IAW DFARS 252.227-7013, "Rights in Technical Data – Non-commercial Items", and DFARS 252.227-7014, "Rights in Non-commercial Computer Software and Non-commercial Computer Software Documentation", the Government will automatically assume that any such GPR restriction is limited to a period of five years IAW the applicable DFARS clauses, after which time the Government will acquire "unlimited rights" unless the parties agree otherwise. Offerors are advised that the Government will use the list during the source selection evaluation process to evaluate the impact of any identified restrictions and may request additional information from the Offeror, as may be necessary, to evaluate the Offeror's assertions. If no restrictions are intended, then the Offeror should state "NONE."

A sample list for complying with this request is as follows:

NON-COMMERICAL			
Technical data computer software to be furnished with restrictions	Basis for assertion	Asserted rights category	Name of person asserting restrictions
(LIST)	(LIST)	(LIST)	(LIST)

(iii) Commercial software license agreements must be furnished to the Government prior to award and the Government will negotiate such Software License Agreements (SLAs) if they do not comply with federal procurement law or meet the Government's needs.

(iv) Items (Technical Data and Computer Software): Offerors responding to this BAA requesting a procurement contract to be issued under the FAR/DFARS shall identify all commercial technical data and commercial computer software that may be embedded in any non-commercial deliverables contemplated under the research effort, along with any applicable restrictions on the Government's use of such commercial technical data and/or commercial computer software. In the event that Offerors do not submit the list, the Government will assume that there are no restrictions on the Government's use of such commercial items. The Government may use the list during the source selection evaluation process to evaluate the impact of any identified restrictions, and may request additional information from the Offeror, as may be necessary, to evaluate the Offeror assertions. If no restrictions are intended, then the Offeror should state "NONE."

A sample list for complying with this request is as follows:

COMMERICAL			
Technical data computer software to be furnished with restrictions	Basis for assertion	Asserted rights category	Name of person asserting restrictions
(LIST)	(LIST)	(LIST)	(LIST)

(v) Patents: Include documentation proving ownership of or possession of appropriate licensing rights to all patented inventions (or inventions for which a patent application has been filed) that will be utilized under the proposal. If a patent application has been filed for an invention that the proposal utilizes, but the application has not yet been made publicly available and contains proprietary information, provide only the patent number, inventor name(s), assignee names (if any), filing date, filing date of any related provisional application, and a summary of the patent title, together with either: 1) a representation that Offeror owns the invention, or 2) proof of possession of appropriate licensing rights in the invention.

(vi) Intellectual Property (IP) Representations: Provide a good faith representation that Offeror either owns or possesses appropriate licensing rights to all other intellectual property that will be utilized under the proposal.
Offerors shall further provide a short summary for each item asserted with less than unlimited rights that describes the nature of the restriction and the intended use of the

intellectual property in the conduct of the proposed research.

Note - All proposed software licenses, even if possessed by the Government, must be explicitly priced in the cost volume.

(iv) Volume II – Cost:

The Offeror's cost proposal shall be prepared in a clear and concise manner that accurately reflects the Offeror's cost estimate for accomplishing the proposed technical effort. Cost data shall include all costs expected during the performance of the contract. All details, broken down by cost element, shall be prepared for each major task and labor category (LCAT) along with supporting rationale. Supporting rationale/documentation is as follows:

(A) Supporting Documentation

(1) Direct labor rates and indirect rates:

All Offerors shall provide the supporting documentation employed in developing the proposed rates used in estimating the proposal. Supporting documentation may include but is not limited to:

(i) Copies of current Forward Pricing Rate Agreement (FPRA), Forward Pricing Rate Recommendation (FPRR)Copies of recent Defense Contract Audit Agency (DCAA) reports;

(ii) Copies of recent Defense Contract Management Agency (DCMA) reports;

(iii) Narrative on any changes of ownership, significant expansion or contraction of business base, extraordinary events, etc., that have occurred within the past year, or are anticipated to occur prior to award or within the contract PoP;

(iv) Copies of paystubs to support direct labor rates;

(v) Additional information on the selection or activities of subcontractor(s);

(vi) For services that will be subcontracted, Offeror shall provide the method of subcontracting (i.e., fixed price, cost reimbursement, time and materials). The Offeror shall state if it subcontracted on a competitive or sole source basis. Proposals for subcontract arrangements that are to be procured on a cost reimbursement basis shall include a statement (and documentation) that the subcontractor's accounting system has been examined by DCAA or DCMA and found adequate to support the proposed subcontract arrangement. Subcontractors shall be identified at all tiers;

(vii) All subcontractors must provide the same level of detail as the prime, including those awarded on a fixed price or time and materials (T&M) basis.

(viii) Offerors shall comply with the applicable provisions of FAR 15.404-3 regarding submission of certified cost or pricing data; and,

(ix) Provide last three to five years of expense pools (by expense account) and base/rate information if an FPRA and FPRR are not provided in the proposal for indirect rates. The rates reflected in the FPRA, FPRR, Forward Pricing Rate Proposal (FPRP), DCAA/DCMA audit or review, or other statement of current rates should directly match the proposed rates as detailed in the proposal. Offeror and/or its subcontractor(s) shall provide sufficient detail explaining how the proposed rates are realistic.

(2) Supporting Documentation for Subcontractors/Consultants:

(i) For all service vendors proposed as subcontractors: provide a breakout of costs as detailed below, and in the same level of detail required for the prime offeror listed above.

(ii) All hours/LCATs/materials/Other Direct Costs (ODCs) shall be clearly identified for FFP and T&M vendor/subcontractor. Service vendors/subcontractors shall be identified at all tiers. Failure to fully comply with this instruction may result in Offeror's response being deemed unacceptable and ineligible for further consideration for award.

(iii) A subcontractor proposal for cost reimbursement subcontractor/consultant effort must include the same level of detail as required of the prime contractor, IAW the cost/price proposal submission instructions identified, herein.

(iv) A statement that the subcontractor has an adequate accounting system, as determined by the Government IAW DFARS 242.75, under a cost-type contract or subcontract.

(v) State whether the subcontractor efforts were competed. If subcontractor efforts were competed, provide supporting documentation (e.g., bids) reflecting such competition.

(vi) For all non-competitive subcontractor efforts, provide the sole source justification and price reasonableness determination made by the prime, or higher level subcontractor offeror. Subcontractor service vendors may submit information that is proprietary directly to the Government via e-mail.

(vii) Note: The prime Offeror should ensure that the total cost/price for each proposed subcontractor submitted should match the subcontractor's proprietary proposal.

(viii) All cost data is subject to Government evaluation and verification. Cost proposal submissions are recommended to be structured IAW the Government approved format (template available upon request). Any Excel workbooks

that are provided SHALL show all calculations and formulas. The cost proposal should include the following cost elements for the proposed effort:

(3) Direct Labor:

The LCAT, number of hours, direct labor rate per hour for each category and totals for each category of the effort. Direct labor shall be broken out for each proposed PoP (base year and option years if applicable).

Offerors shall list all applicable LCATs and provide the base labor rate (without any indirect labor loadings), labor rate per option year, if applicable, and per Contractor fiscal year (FY).

(4) Materials:

An itemized listing of material requirements for the effort should be provided. Unless otherwise specified, all materials purchased for performance of the effort are to be delivered to the Government upon completion/termination of the contract. Material list must include, but is not limited to, item name, brand or source, quantity, unit price, burdened cost, total cost, and basis of estimate. Materials must be broken out per option period, if applicable.

(5) Travel:

Contemplated expenditures for travel which support the effort. Travel breakout must include, but is not limited to, the trip origin and destination, number of trips, number of days per trip, and number of Contractor personnel per trip. Travel must be broken out per option period, if applicable.

(6) Other Direct Costs (ODCs):

Costs associated with laboratory usage, computer usage, reproduction, software licenses and/or any cost associated with IP and data rights.

(7) Costs for Consultants:

The number of hours and total costs should be indicated as well as the nature and scope of the service furnished by any consultant. State the reason(s) why a consultant was required to complete the effort.

(8) Cost for Subcontractors:

A breakdown of the subcontract amount by cost element and fee must be shown to fully evaluate the proposal.

(9) Indirect Labor Cost:

Overhead and general administrative rates. Indirect cost shall indicate whether the rates used are fixed or provisional. Also indicate the timeframes to which the rates are applicable.

(10) Fee:

Proposed fee for cost-plus type contracts shall not exceed the statutory limitations.

(11) Funding Profile:

Since contracts awarded under this BAA may be incrementally funded, the Offeror shall include its desired funding profile indicating planned expenditures by calendar quarters.

(12) Total Price:

Total proposed price of all cost elements (a) – (i), referenced above.

(2) Submission

(i) Proposals shall be submitted via e-mail to the requesting ACC KO. Additional or detailed submission instructions may be included within the RFFP.

(ii) If the submission will be classified, Offerors should contact the RTI Acquisition Team and KO for instructions on how to submit the proposal via appropriate methods/channels. The KO shall be informed, in writing, that a classified proposal has been submitted, its title and to whom it was submitted.

(iii) Offerors shall ensure: (1) correct e-mail addresses are provided at the time of submission, (2) e-mail notifications reach the intended recipient(s), and (3) the e-mail is not blocked by the use of 'spam blocker' software or other means that the recipient's Internet Service Provider may have implemented as a means to block the receipt of certain e-mail messages.

(3) Evaluation

(i) Proposals will be evaluated by a process of peer and/or scientific and technical review.

(ii) After a preliminary review of the proposal, if it is determined that the proposed cost volume is outside the constraints of the RTI Directorate funding profile, <u>no further evaluation will be completed</u>.

(iii) The awards will be made based on the proposals that are determined to be most beneficial to the Government with appropriate consideration given to the evaluation factors and order of importance.

(iv) The following criteria in descending order of importance are:

Factor A - Overall Scientific and Technical Merits
Factor B - Potential Contributions and Relevance to DoD Mission
Factor C - IP and Data Rights
Factor D - Program Management
Factor E - Past Performance
Factor F - Cost/Price

Proposals will not be evaluated against other proposals in the same general research area. Awards will be made on the merit and relevance of the specific research proposal as it relates to overall RTI Directorate program needs.

(v) Each Contracting Officer will determine if negotiations or discussions are required.

(vi) Offerors are advised that only properly warranted Government Contracting Officers are legally authorized to contractually bind or otherwise commit the Government. The Government reserves the right to request any additional, necessary documentation once it makes the award instrument determination. Offerors may be removed from award consideration should the parties fail to reach agreement on award terms, conditions, and cost/price within a reasonable time, or if the Offeror fails to timely provide requested additional information.

(vii) Non-Government Advisors:

The Government may utilize Non-Government advisors in the evaluation process when necessary. These individuals will be authorized access only to those portions of the proposal data and discussions that are necessary to enable them to perform their respective duties. The Non-Government advisors will not have access to the non-sanitized cost/price volumes of the proposals. Such firms are expressly prohibited from competing on the subject acquisition.

Companies will be identified with each individual data call that is released through SAM.gov. If the Government decides to utilize a Non-Government Advisor to evaluate a white paper submitted outside of a call, the individual offeror will be notified and approvals completed prior to evaluation commencing.

In accomplishing their duties related to the evaluation process, the aforementioned firms serving as Non-Government Advisors may require access to proprietary information contained in the Offerors proposals. Therefore, pursuant to FAR 9.505- 4, these Non-Government Advisor firms must execute an agreement with each Offeror that states that they will (1) protect the Offerors information and (2) refrain from using the information for any purpose other than that for which it was furnished. To expedite the evaluation process, each Offeror must contact the above companies to effect execution of such an agreement prior to submissions of proposals. Each Offeror shall submit copies of the agreement with their proposal.

The companies identified above in paragraph (i) are prohibited from submitting

proposals, either as a Prime Contractor or Subcontractor, at any tier or partner, and from entering into contractual arrangements as Subcontractors at any tier or as Consultants or partners in response to the topics listed in Section 0, herein.

(4) Evaluation Factors:

Proposals submitted in response to this BAA will be evaluated as received, using the following factors:

Factor A: Overall Scientific and Technical Merits

The proposal will be evaluated to determine the extent the offeror has demonstrated the scientific and/or technical merits of the proposal and its relevance to the area of interest addressed, including how the proposal meets the FAR requirements for scientific study and experimentation directed toward advancing the state-of-the-art or increasing knowledge or understanding, rather than focusing on a specific system or hardware solution. This includes the approach proposed to accomplish the scientific and technical objective or the merit of the ideas or concepts proposed, and pertinent novel ideas in the specific branch of science and technology involved. Proposal should demonstrate the Offeror's understanding of the scope and research requirements identified herein for the specific topic being proposed, and/or specifications addressed IAW the applicable data call. The proposal will be scored as having high confidence, satisfactory confidence, or low confidence in the proposed scientific and/or technical merits and relevance to the area of interest. This factor is more important than factors (B), (C), (D), (E), and (F).

Factor B: Potential Contributions and Relevance to DoD Mission

The potential contributions of the effort to the mission of the RTI Directorate and the extent to which the research effort will contribute to the overall goals of the RTI Directorate's technology base programs. This factor is more important than factors (C), (D), (E), and (F). The proposal will be scored as highly likely, likely, or not likely to contribute to the mission of the RTI Directorate's technology base program,

Factor C: IP and Data Rights

The proposed IP and Data Rights assertions will be evaluated based on compliance with DFARS 252.227-7017, as well as based on the Government's ability to competitively re-procure the proposed deliverables using third parties. This factor is more important than factors (D), (E), and (F).

Factor D: Program Management

Offeror Capabilities: The Offeror's capabilities, related experience, facilities (research, test, laboratories, or shop facilities), techniques, or unique combinations of these which are integral factors for achieving the proposal objective. The proposal will be scored as exceedingly demonstrating, satisfactorily demonstrating, or not demonstrating the capabilities to achieve the proposal objective.

Key Personnel: The proposal will be evaluated to determine if the qualifications, experience, and availability of the proposed principal investigator, team leader and

other key personnel who are critical to achievement of the proposed objectives are acceptable and appropriate.

Project Management Approach: Proposed management approach will be evaluated as acceptable or not acceptable.

Milestones: Proposed milestones will be evaluated to determine reasonableness and effectiveness of overall contract success.

This factor is more important than factors (E), and (F).

Factor E: Past Performance

An Offeror's past performance will be used to evaluate the likelihood of success on this BAA. The Government reserves the right to use self-submitted past performance data, questionnaires, or the CPARS systems to properly evaluate an Offeror's past performance information. The evaluators will also consider a record of accomplishment in specific topic areas, including patents and publications. This factor is more important than factor (F). The Government will assign the following past performance confidence assessment rating for the factor:

Past Performance Rating	
Substantial Confidence	Based on the Offeror's performance records, the Government has a high expectation that the Offeror will successfully perform the required effort.
Satisfactory Confidence	Based on the Offeror's performance records, the Government has a reasonable expectation that the Offeror will successfully perform the required effort.
Neutral Confidence	No performance records are available, or the Offeror's performance record is so sparse that no meaningful confidence assessment rating can be reasonably assigned. The Offeror may not be evaluated favorably or unfavorably on the factor of past performance.
Limited Confidence	Based on the Offeror's performance records, the Government has a low expectation that the Offeror will successfully perform the required effort.
No Confidence	Based on the Offeror's performance record, the Government has no expectation that the Offeror will be able to successfully perform the required effort.

Factor F: Cost/Price

The proposed contract costs will be considered in the overall cost evaluation. Cost will not be rated or scored; rather, the Government will analyze each Offeror's cost and pricing information in terms of completeness, reasonableness, realism, magnitude, and affordability. The Government will determine if the proposed Labor Category(ies) and Labor Mix for Direct Labor provides sufficient detail and justification to adequately identify the total number of hours per Labor Category (LCAT), and the labor rate of each referenced LCAT. The evaluation will determine what the Government can

reasonably expect to pay for the proposed effort, the Offeror's understanding of the work, and the Offeror's ability to perform the contract. Included in this evaluation will be the impact of the Intellectual Property rights asserted in the proposal to the total cost to the Government.