Self-Propelled Howitzer Systems (SPHS) Commercial Solutions Opening (CSO)
Solicitation: W912CH-25-S-C002

1. General Information

1.1 Authority

The 2014 Quadrennial Defense Review established innovation as a central line of effort in the national defense strategy of the United States. The decisive military advantage of the United States over its adversaries and peer competitors is steadily eroding. Consequently, under 10 U.S.C. 3458, Contracting Officers may acquire innovative commercial items, technologies, or services using a competitive procedure called a Commercial Solutions Opening (CSO). Under a CSO, the Department of Defense may competitively select proposals received in response to a general solicitation, similar to a broad agency announcement, based on a review of proposals by scientific, technological, or other subject-matter expert peers. Use of a CSO in accordance with Defense Federal Acquisition Regulation Supplement Subpart 212.70 is considered to be a competitive procedure for the purposes of 10 U.S.C. 221 and Federal Acquisition Regulation (FAR) 6.102. Finally, Contracting Officers shall treat items, technologies, and services acquired using a CSO as commercial products and commercial services. Contracts or agreements under this authority shall be fixed-price, including fixed-price incentive fee contracts.

1.2 Background:

Self-Propelled Howitzer Systems (SPHS), located in Detroit Arsenal, Michigan, is the project management office responsible for developing, producing, and sustaining the field artillery SPHS to ensure the King of Battle remains dominant on the battlefield.

The mission of units equipped with the M109A7/M992A3 system is to destroy, neutralize, or suppress the enemy by indirect fire. The M109A7 howitzer and M992A3 ammunition carrier will enable the Army Armored Brigade Combat Teams and Fire Brigades to accomplish their relevant tasks in support of command and control, force application battle space awareness, protection and net-centric environment Joint Fighting Capabilities. The M109A7/M992A3 program is designed to provide the following operational outcomes: maintain battlefield mobility, enhance supportability and sustainability; and improve force protection and vehicle survivability.

1.3 CSO Procedure:

SPHS seeks to award the following, but is not limited to: FAR contracts under FAR Part 12, Commercial Procedures; or non-FAR agreements such as transaction agreements under 10 U.S.C 4022; and Cooperative Agreements under 31 U.S.C. 6305 for SPHS that are directly relevant to enhancing the effectiveness of development, integration, demonstration, and sustainment of ground vehicle systems capabilities to support Army modernization priorities and improve readiness.

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This CSO may result in awards to proposals for innovative, commercial technologies through multi-phased, competitive processes through August 2026. The Government reserves the right to extend this CSO beyond the open until date by amendment if the authority is extended. This CSO may include awards for but are not limited to commercially available technologies immediately available, commercially available technologies fueled by commercial or strategic investment, concept demonstrations, pilots, and agile development activities that can incrementally improve commercial technologies, existing government- owned capabilities, or concepts for broad defense application.

The CSO solicitation process may include a multi-phased solicitation and evaluation approach that is dependent upon specific Areas of Interest (AoIs). The AoIs are focused topic(s)/categories specified in Section 6. The following phases may be used:

Phase 1 – Submission of written solution brief,
Phase 2 – Presentation (if applicable), and
Phase 3 – Request for Commercial Solution Proposal (CSP)

The Government may add AoIs against this CSO at any time throughout its duration. Interested companies are encouraged to frequently check www.SAM.gov for new AoI postings.

The CSO outlines the procedures that are available for utilization by the Government for AoIs to ensure a competitive process is followed. The competitive process under this CSO may result in a two or three phase approach (written solution brief, presentation (if applicable), and a request for a CSP):

Phase 1 Solution Briefs: A solution brief must be submitted as specified in Sections 3.2 of this CSO. The Government will evaluate solution briefs against the criteria stated in this CSO. The Government will not pay companies for the costs associated with solution brief submissions.

Phase 2 Presentations (if applicable): Companies whose solution briefs are evaluated to be of merit may be invited to provide a Presentation following the instructions provided in Section 3.3 of this CSO. If the Government requires a Demonstration in addition to a Presentation, additional information will be provided in the specific AoI highlighting those procedures; otherwise, Phase 2 will be comprised solely of the Presentation. The Government reserves the right to request additional technical information to determine if a company has a viable solution for the Government's specific AoI. The Government will not pay companies for costs associated with Presentations, unless otherwise stipulated.

Phase 3 Request for Commercial Solution Proposal (CSP): Those companies that are evaluated to be of merit through Phase 1 or Phase 2 or a combination of both, may be invited to submit a full written proposal following the instructions provided in Section 3.4 of this CSO. Requests for a CSP under this CSO are subject to the availability of Government funds. The Government will not pay companies for costs associated with developing submissions in regard to this CSO or resulting AoI, unless otherwise stipulated

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within the AoI.

NOTE: The Government reserves the right to forgo Phase 2 based on the individual merits. The Government also reserves the right to move expeditiously through the phases based on the merit of submissions if urgent requirements arise.

NOTE: During any step of the CSO, the Government may send written questions or comments for the offerors to address via email, or other suitable communication methods as determined by the Government.

2. Definitions

1. "Area of Interest" (AoI) means an announcement posted on the Government Point of Entry (GPE) website, which may result in the award of various types of contracts that will be dependent on the specific AoI requirement.

2. "Commercial Solutions Opening" (CSO) is a competitive procedure contracting officers may use to acquire innovative commercial items, technologies, or services.

3. "Commercial Solution Proposal" (CSP) is a commercial proposal that is submitted in response to an AoI that is governed by a CSO. CSPs may be requested as a result of solution briefs and/or presentations/presentations.

4. "Nontraditional Defense Contractor" is defined in 10 U.S.C. § 3014 as an entity that is not currently performing and has not performed, for a least the one-year period preceding the solicitation of sources by the DoD for the procurement or transaction, any contract or subcontract for the DoD that is subject to full coverage under the cost accounting standards prescribed pursuant to 41 U.S.C. § 1502 and the regulations implementing such section. This includes all small business concerns under the criteria and size standards in 13 C.F.R. § 121.

5. "Nonprofit Institution" is defined in 15 U.S.C. § 3703 as an organization owned and operated exclusively for scientific or educational purposes, no part of the net earnings of which ensures to the benefit of any private shareholder or individual.

6. "Small Business Concerns" is defined in the Small Business Act (15 U.S.C 632).

7. "Innovative" means —

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

   b. 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.

3. Guidelines for Solution Briefs, Presentations, and Proposals

3.1 General Guidelines

Unnecessarily elaborate brochures or proposals are not desired.

When applicable, use of a diagram(s) or figure(s) to depict to the essence of the proposed solution is strongly encouraged.

Companies may submit multiple solution briefs in response to any single AoI if each submission represents a separate and distinct concept. Individual solution briefs may only address one concept based on the stated AoI.

The period of performance for any solution brief or CSP submitted under this CSO should generally be no greater than 12 months (unless otherwise specified in the AoI).

Technical data with military application may require approval, authorization, or license for lawful exportation.

All solution briefs, presentations, and proposals must be Unclassified. Do NOT mark any documents as “CONFIDENTIAL”. Solution briefs, presentations, and proposals containing data that is not to be disclosed to the public for any purpose or use by the Government except for evaluation purposes shall include the following general disclaimer on the cover page:

> “This [select one: solution brief, Presentation, or Proposal] includes data that shall not be disclosed outside the Government, except to non-government personnel for evaluation purposes, and shall not be duplicated, used, or disclosed - in whole or in part - for any purpose other than to evaluate this submission. If, however, an agreement is awarded to this company as a result of - or in connection with - the submission of this data, the Government shall have the right to duplicate, use, or disclose the data to the extent agreed upon by both parties in the resulting agreement. This restriction does not limit the Government's right to use information contained in this data if it is obtained from another source without restriction. The data subject to this restriction are contained in sheets [insert numbers or other identification of sheets]”

Recommend marking (header or footer) for portions of business plans and/or technical information that are to be protected for a period of five years from Freedom of Information Act (FOIA) disclosure. Codified at 5 U.S.C. §552, FOIA provides that disclosure of certain types of information (i.e. trade secrets and commercial or financial information) is not required, and may not be compelled, for five years after the date on which the information is received by the Department of Defense.

NOTE: Foreign-Owned businesses may independently submit a solution or do so as part of a teaming arrangement with one or more United States-owned businesses. However, the ability to obtain an agreement based upon a submission may depend upon the ability

of the Foreign-Owned business to obtain necessary clearances and approvals to obtain prescribed information.

Questions regarding the objectives or preparation of the solution brief should be addressed to the Points of Contact (POC) listed in the respective AoI.

Submissions must be submitted electronically.

Entities submitting solution briefs that are not chosen for the presentation phase or the CSP phase will be notified in writing as soon as practicable. Further verbal feedback may be provided, upon request, at the Contracting/Agreements Officer's discretion.

3.2 Phase 1 Solution Brief:

3.2.1 Phase 1 Solution Brief Content:

Unless otherwise stated on the subject AoI, solution briefs shall not exceed five single-sided written pages using 12-point font or, alternatively, solution briefs may take the form of briefing slides which shall not exceed fifteen slides.

Solution briefs must include the following:

1. Company Name, Title, Date, Point of Contact Name, E-Mail Address, Phone, and Address. Specifically identify the AoI for which the solution brief is submitted.

2. Executive Summary: Provide an executive summary of the technology or service. (This is included in the 5 written pages limit).

3. Technology Concept: Show and/or describe how your proposed solution or potential new capabilities represent an application of innovative commercial products, innovative commercial technologies and services or adaptations/modifications of existing commercial product technologies and services to the AoI. Describe the unique aspects of your technology and the proposed work as it relates to the AoI. Identify whether the effort includes the pilot or demonstration of existing commercial technology (identified as commercially ready and viable technology), or the development of technology for potential defense application. If development or adaptation is proposed, identify a suggested path to mature the technology. Identify aspects of your proposal, to include data and software, which may be considered proprietary.

4. Price: Provide a Rough Order of Magnitude (ROM) price for the proposed solution and include desired payment terms.

NOTE: The title page does not count against page limit, however, the executive summary does.

3.2.2 Phase 1 Solution Brief Basis of Evaluation:

Solution brief evaluation criteria are listed in order of importance. Individual solution briefs

will be evaluated against the evaluation criteria described below:

1. Responsiveness of the solution brief in addressing the AoI with a commercially available product and/or process readily available to meet the immediate needs;

2. The technical merit of the proposed solution, including the extent to which the proposed solution is unique, and/or innovative to government application; and

3. The extent to which funding is available for the proposed effort.

Solution briefs will be evaluated based on the evaluation criteria listed above, not against other solution briefs submitted in response to the same AoI. Additional technical evaluation criteria specific to a particular project may be used. In these instances, the additional criteria will be posted within or as an attachment to the AoI on the GPE website. Based on the results of the Phase I evaluation, the Government may elect to invite “all, some or none” of the proposed solutions into Phase 2 Presentations or directly into Phase 3 by requesting a CSP.

3.3 Phase 2 Presentation (if applicable):

3.3.1 Phase 2 Presentation Content:

If invited into Phase 2, companies must provide a Presentation to demonstrate and provide further details on the technical and business viability of their proposed solution. In addition to the Presentation, the Government may request an additional written submission to supplement or clarify the information provided in the Phase 1 solution brief. Depending on the specific requirement, the Government may request an in-person, virtual, or paper demonstration. If the Government requires a demonstration, additional information will be provided in the specific AoI highlighting those procedures. During the Phase 2 Presentation, the company shall address the following in detail:

1. A description or demonstration of how the proposed solution represents an innovative application of commercial technology to the AoI.

2. A ROM price and notional schedule.

3. Any Intellectual Property (IP) involved in the effort and associated restrictions on the Government’s use of that IP.

4. Additional information/detail from the company’s Phase 1 solution brief, as specified in the Government’s invitation to Phase 2.

3.3.2 Phase 2 Presentation Basis of Evaluation:

Individual presentations will be evaluated against the evaluation criteria below and not against any other presentations held under the same AoI. Presentation submissions will be valid for 90 calendar days after presentation evaluation.

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After completing the evaluation of presentation submissions, the Government will notify the company of one of the following:

1. Request a CSP for evaluation in Phase 3;

2. The proposed solution is not of continued interest to the Government and will not be considered for a CSP Phase 3; or

3. The proposed solution is of continued interest to the Government but is not currently eligible for an invitation to Phase 3 CSP submission due to the current lack of Government resources and/or funding.

NOTE: If Government funding or resources are not assigned for a Phase 3 CSP 120 calendar days after completion of the evaluation, the Government will send written notification of non-eligibility and officially close the AoI selection process.

Presentation evaluation criteria are listed in descending order of importance below. Presentations will be evaluated/scored on the following factors, as provided in the AoI:

1. Level of relevancy of the solution in addressing the AoI with a commercially available product or process;

2. The technical merit of the proposed solution adequately addressed the AoI need(s) and demonstrated feasibility for the Government to pursue the proposed solution;

3. Level of uniqueness, or innovative approach to solve the Government's need;

4. Level of technical risk or maturity;

5. Level of risk placed with the proposed ROM;

6. Level of risk in the proposed milestone schedule and its ability to meet the AoI need within a relevant time period;

7. Level of risk in the company's viability and business solution; and

8. Level of potential risk in anticipated IP and data rights assertions.

3.4 Phase 3 Proposal:

The third and final Phase of the CSO process is the CSP. Through Request for CSP, offeror(s) will be invited to submit a CSP based on the defined CSO phased approach that will be utilized. Offerors must ensure that the CSP is valid for at least 120 calendar days from the submission date. If necessary, offerors invited to submit a CSP may be advised to schedule a meeting with the Government to address any feedback contained in the request for CSP. The CSP must be prepared in two separate Volumes as follows: Volume

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I Technical and Volume II Price. Each volume will have its separate related attachments.

3.4.1 Phase 3 Proposal Content

Based upon the results of market research, Phase 1 and/or Phase 2 evaluation(s) above, the Government may Request a CSP. If that occurs, a company, or companies will be invited to develop and submit a written proposal. At this stage, the selected companies may discuss proposal development details during the proposal writing process with their assigned Government expert(s) or Government teaming partner(s).

Submissions shall identify any restrictions on the Government's rights (e.g. data rights) in using/disclosing/reproducing/modifying technical data, computer software, and non-technical data (e.g. business/financial/administrative data) involved in the effort.

Companies should note there are certain terms and conditions the Government may be unable to accept. However, projects awarded through the CSO may provide flexibility to adopt customary industry standards where it is otherwise legal and meets the Government's general public responsibility.

Proposals containing data that is not to be disclosed to the public for any purpose or used by the Government except for evaluation purposes shall include the following sentences on the cover page:

"This proposal includes data that shall not be disclosed outside the Government, except to non-government personnel for evaluation purposes, and shall not be duplicated, used, or disclosed -- in whole or in part -- for any purpose other than to evaluate this proposal. If, however, an agreement is awarded to this Company as a result of -- or in connection with -- the submission of this data, the Government shall have the right to duplicate, use, or disclose the data to the extent agreed upon by both parties in the resulting agreement. This restriction does not limit the Government's right to use information contained in this data if it is obtained from another source without restriction. The data subject to this restriction are contained in sheets [insert numbers or other identification of sheets]"

Each restricted data sheet should be marked as follows:

"Use or disclosure of data contained on this sheet is subject to the restriction on the title page of this proposal."

3.4.1.1 Section 1 Technical Proposal Volume:

The technical volume shall include a detailed work plan indicating how each aspect of the objectives is to be accomplished. The technical volume should be in as much detail as the offeror considers necessary to fully explain its proposed technical approach or method, including all assumptions utilized to develop its proposed solution and associated costs. The technical volume should reflect a clear understanding of the nature of the work being undertaken. The technical volume must include information on how the project will be organized, staffed, and managed. Information should be provided that demonstrates

your understanding and management of important events or tasks. The technical volume must include a list of suggested deliverables and deliverable dates.

NOTE: The Government reserves the right to further define the required technical proposal content based upon the specific AoI requirements.

3.4.1.2 Section 2 Price Proposal Volume:

The price volume must contain sufficient information to allow the Government to perform a basic analysis of the proposed cost or price of the work. The Government reserves the right to request any other price data or supporting cost information the Government deems necessary to determine the total overall price is fair and reasonable. This can include but is not limited to commercial price catalog(s), previous commercial sales receipts, and/or other proprietary information to help the Government determine reasonableness and future budgetary cost estimates.

NOTE: The cost of preparing proposals in response to this CSO is NOT considered a direct charge to any resulting AoI award or any other contract.

NOTE: The Government reserves the right to further define the required price proposal content based upon the specific AoI requirements.

3.4.2 Proposal Basis of Evaluation:

Proposals will be reviewed as received by a Government subject matter expert(s). In all cases, proprietary information shall be protected from competitors. The CSO evaluation criteria is listed in descending order of importance. The Government subject matter expert(s) will first review the proposal for adequacy and eligibility to determine the extent to which the following requirements are met:

1. The merit and risk elements of the proposed technical approach are acceptable and address the priorities outlined in the AoIs;

2. The proposal performance schedule is realistic and/or adequate; and,

3. The proposed price is fair and reasonable.

NOTE: The Government reserves the right to further define the basis for evaluation based upon the specific AoI requirements.

3.4.3 Proposal Evaluation Rating:

1. The Technical Proposal Volume will be evaluated and assigned one of the following ratings:

    a. **Acceptable:** The proposal has been evaluated and deemed appropriate for additional consideration and discussion. An acceptable proposal is generally

considered well-conceived, scientifically or technically sound, and important to program goals and objectives. An acceptable proposal may proceed into negotiations or directly to the award process.

NOTE: An acceptable rating does not guarantee contract award. The following will be taken into consideration: program priorities, outcome of negotiations, and availability of funds.

b. **Unacceptable:** The proposal has been evaluated and deemed inappropriate for additional consideration. An unacceptable proposal is generally considered not well-conceived, scientifically or technically unsound or does not meet program priorities. An unacceptable proposal will be rejected.

2. The Price Proposal Volume will be evaluated as follows:

a. **Fair and Reasonable:** The price proposal has been evaluated and deemed fair and reasonable. A fair and reasonable proposal may proceed to the award process.

NOTE: A fair and reasonable price determination does not guarantee contract award. The following will be taken into consideration: program priorities, outcome of negotiations, and availability of funds.

b. **Not Fair and Reasonable:** The price proposal has been evaluated and deemed to not be fair and reasonable. Proposal submissions given this designation may not proceed to the award process without negotiations that result in a fair and reasonable determination.

4. Awards

4.1 General Guidelines

Upon favorable review and funds availability, the Government may choose to make a fixed price award using FAR Part 12 Acquisition of Commercial Items or other authority such as 10 U.S.C. 4022. The Contracting Officer reserves the right to negotiate directly with the company on the terms and conditions prior to execution of the resulting contract or agreement, including payment terms, and will execute the contract or agreement on behalf of the Government.

In order to receive an award –

1. A company must have a Unique Entity Identification and shall be registered in the System for Award Management (SAM) prior to receiving an award. Companies are advised to commence SAM registration upon pursuing an AoI announcement. Companies are required to maintain registration in SAM throughout the period of performance of any awarded contract or transaction.

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2. A company must also register in the prescribed Government invoicing system (ex. Wide Area Work Flow).

3. A company must be determined to be responsible by the Contracting Officer and must not be suspended or debarred from award by the Federal Government nor be prohibited by Presidential Executive Order and/or law from receiving an award.

Receipt of a request for CSP does not guarantee that a company will receive an award, and the Government reserves the right, at any point prior to award of a contract or agreement, to cancel the Request for CSP. The Government reserves the right to make awards to all, some, or none of the selected solutions.

NOTE: The Government reserves the right to amend this CSO solicitation as necessary amendments for emerging requirements and changes in authority occur. Amendments to this CSO will be posted via SAM.gov.

4.2 Procurement Integrity Act (PIA)

The CSO solicitation process for FAR contracts is covered by the Procurement Integrity Act (PIA). PIA is implemented for FAR contracts through FAR part 3.104. Accordingly, the CSO competitive solicitation process and awards made thereby must adhere to the ethical standards required by the PIA.

5. Contact Information:

SPHS CSO POC: Jeffrey Budd, jeffrey.t.budd6.civ@army.mil, (586) 519-3476
SPHS CSO Contracting Officer: Sarah Teschler, sarah.j.teschler.civ@army.mil, (571) 588-9264

6. Specific Areas of Interest (AoI)

Specific AoIs will be posted as separate documents. All solution briefs received under a specific AoI will be evaluated in accordance with Section 3.2.2 above.

NOTE: If Government funding and/or resources are unavailable for the proposed effort, all Phase 1 Solution Briefs will be retained by SPHS.

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