

BROAD AGENCY ANNOUNCEMENT (BAA)



DIA INNOVATION

Agency-Wide BAA

DIA-BAA-14-01

Original Posting Date: 27 NOV 2013

Revision 1.0, 23 Dec 2013

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PART I: SUMMARY INFORMATION

FEDERAL AGENCY NAME: Defense Intelligence Agency (DIA), Innovation Office (INO)

OPPORTUNITY TITLE: DIA INNOVATION - Agency Wide BAA

OPPORTUNITY NUMBER: DIA-BAA-14-01

ANNOUNCEMENT TYPE: The purpose of Revision 1.0, dated 23 Dec 2013 is to update web links and e-mail addresses as well as revised language under paragraph D. on page 13 of this BAA.

CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBERS (CFDA):

- 12.910 Research and Technology Development

APPLICABLE DATES:

- BAA POSTING DATE: 27 NOV 2013
- BAA OPEN PERIOD: 27 NOV 2013 -26 NOV 2014
- PROPOSER SUBMISSION AND SELECTION DEADLINES:
 - **STEP 1- “WHITE PAPERS”** - Submissions will be accepted from 1/01/2014 - 8/01/2014*
 - **STEP 2 – “PROPOSALS”** - Upon Government request throughout BAA open period*

*NOTE: SEE BAA INSTRUCTIONS FOR “INITIAL SELECTION” CONSIDERATION, AND FOR “FINAL SUBMISSION” DUE DATES FOR EACH STEP NOTED ABOVE

SUMMARY DESCRIPTION: DIA is interested in the full range and full scope of possible “innovative ideas” from all interested and qualified sources, to include participation by, and potentially with both “*traditional and non-traditional*” members (e.g. large businesses, small businesses, independent consultants, academic institutions, consortium participants, other) that may assist the agency in maximizing operating efficiency and effectiveness in operations, or otherwise provide preeminent technological and/or innovation capability that most capably allows the agency to support its mandated national and international mission related requirements.

ANTICIPATED AWARDS: Multiple awards are possible under this BAA, although no commitments or promises are made in this regard, with a variety of different award types possible, and executed throughout the BAA open period. The BAA open period is addressed above and allows for white papers and any subsequent proposals to be submitted during the specified time frame only.

TOTAL FUNDING AVAILABILITY FOR AWARD(S): *No funding has been specifically reserved for this solicitation.* The number and variety of types of awards possible, including any associated resources made available to support the initiatives under this BAA will depend upon the quality of submissions received and the availability of funds.

TYPES OF INSTRUMENTS THAT MAY BE AWARDED: Procurement contracts, grants, cooperative agreements, technology investment agreements, and other transactions for prototypes.

AGENCY CONTACT INFORMATION:

BAA White Paper Email Address: Ideas2Action@dodis.mil

NOTE: All email submissions to the government must include the name, email address, and telephone number of an authorized company, or other interested party, point of contact.

DIA Innovation Website: <http://www.dia.mil/Business/Innovation.aspx>

PART II: OVERVIEW

I. OPPORTUNITY DESCRIPTION – “INNOVATION”

As a combat support agency and key member of the United States Intelligence Community, DIA principally provides military intelligence related information to defense policymakers and force planners in support of U.S. military planning and operations. DIA also provides other critical support and services as is appropriate. DIA is committed to building agility and creativity into the core of all of its activities to promote maximum efficiency and effectiveness in agency operations. To sustain, foster, and ensure preeminent capability exists in fulfilling multiple agency level roles and responsibilities, DIA is interested in the totality of possible solutions, opportunities, and leading edge technologies that support agency innovation objectives.

II. INFORMATION CONCERNING POTENTIAL AWARDS

A. GOVERNMENT “MAJOR EMPHASIS” CONSIDERATIONS

The DIA is interested in all potential “innovative” concepts/ideas of interest that may fill current gaps, to include effort focused principally on maximizing agency operating efficiency and effectiveness, and access by the DIA to potential or existing state-of-the-art innovations, both technical and otherwise, that may not currently be in use by the agency or that may be in limited use and in need of leveraging across a greater expanse of the collective enterprise. With respect to this emphasis, DIA intends, through publication of this BAA and through other reasonable, available, and appropriate mechanisms, to establish, maintain, and foster continuous opportunity for outreach, potential partnership, and dialogue with all interested and qualified parties that may significantly assist the DIA in achieving its critical and necessary objectives. To promote rapid collaboration between the parties in a fiscally constrained operating environment, parties should note that the DIA places a significantly higher value on ideas, concepts, and proposals that promote quick testing of applications or proof-of-concept in shorter periods of time, without committing the government to potential award scenarios that result in protracted performance periods.

B. FUNDING RESTRICTIONS

No funding has been specifically reserved for this solicitation at this time. However, funding may be provided throughout the open period of this BAA to pursue promising innovation concepts of interest with any and all qualified sources.

C. POSSIBLE “AWARD TYPES” AND BASIS FOR AWARD

Various award types are possible under this BAA to include procurement contracts, grants, cooperative agreements, technology investment agreements, and other transactions for prototypes. An overview description of these various instruments can be found in the GLOSSARY. In all instances, the government reserves the right to select for negotiation all, some, or none of the proposals received in response to this solicitation, and make awards without discussions with proposers. The government, however, reserves the right to conduct discussions with a proposer if the government determines this to be necessary and in the government’s best interests. However, the government need not conduct discussions with all proposers but may hold discussions with only some proposers or only one proposer. In addition, the government

may permit a proposer to submit a proposal revision as part of discussions. However, the government may, at its discretion, provide only some or only one proposer the opportunity to revise its proposal. If multiple proposers are permitted to revise their proposals the government need not give every proposer the same amount of time in which to submit proposal revisions and may establish differing (i.e., uncommon) cut-off dates for receipt of proposal revisions.

The government additionally reserves the right to accept proposals for funding consideration in their entirety, or to select only portions of proposals thereof for funding consideration, and to reshape and re-scope effort into phases or blocks, including short periods of performance with the potential for options, if appropriate, to quickly prototype or otherwise substantiate proof-of-concept, or to assess on a continuing or ongoing basis the validity or feasibility of the effort for greater potential agency use or further adoption as may be appropriate. In the event that only portions of a proposal are considered for possible funding, the government anticipates that discussions may be held between the parties. In all cases, the government shall have sole discretion to select the appropriate award instrument type and to negotiate all appropriate terms and conditions with potential selectees. Likewise, the government will apply publication or other restrictions, as necessary, if the government determines that effort presents a high likelihood of disclosing performance characteristics of military systems or manufacturing technologies that are unique and critical to defense or to the intelligence community. Any award resulting with said restrictions will require advance government permission before any information is openly or publicly disseminated.

Awards under this BAA, if any, will be made to proposers whose proposals are deemed to be the most advantageous to the government on the basis of the evaluation criteria contained herein and on the basis of the availability of funding for the proposed effort. The government reserves the right to request any additional, necessary documentation once it makes the award instrument determination or initial selection decision. Such additional information may include but is not limited to Representations and Certifications. The government reserves the right to remove proposers from award consideration should the parties fail to reach agreement on award terms, conditions or cost/price within a reasonable time or the proposer fails to timely provide requested additional information.

III. PARTICIPANT ELIGIBILITY REQUIREMENTS

A. ELIGIBLE PARTICIPANTS

All responsible sources capable of satisfying the objectives of this solicitation announcement are encouraged to reply in accordance with the instructions specified herein, to include historically *traditional* partners and *non-traditional* potential partners that maybe interested in doing business with the government, but that have infrequently, or perhaps never before, done so.

Historically Black Colleges and Universities (HBCUs), Small Businesses, Small Disadvantaged Businesses and Minority Institutions (MI) are encouraged to submit ideas for funding consideration and to join other parties in doing so. At the present time it is not envisioned that any portion of this solicitation announcement will be specifically reserved or set-aside for exclusive competition among these entities, although where particular government capability/need area more specifically identifies innovation targets of opportunity that might be best fulfilled by this class of participants, the government may maximize engagement opportunity with this list of interested parties, to include targeted engagement with these parties if appropriate to the circumstances.

Federally Funded Research and Development Centers (FFRDCs) and government entities (e.g., Government/National laboratories, military educational institutions, etc.) are subject to applicable direct competition limitations and it is anticipated that they will not propose to this BAA. FFRDCs desirous of proposing anything under this BAA cannot do so unless the following conditions are specifically met: (1) FFRDCs must clearly demonstrate that the proposed work is not otherwise available from the private sector, and (2) FFRDCs must provide a letter on official letterhead from their sponsoring organization citing the specific authority that establishes the FFRDCs eligibility to potentially compete with industry by proposing to Government solicitations, and (3) FFRDCs must include information that substantiates compliance with the FFRDCs associated sponsor agreement terms and conditions. This information is required irrespective of whether the FFRDC proposes as a prime, first-tier subcontractor, or lower-tiered subcontractor at any level. Government entities desirous of proposing anything under this BAA cannot do so unless they clearly demonstrate: (1) the proposed work is not otherwise available from the private sector, and (2) provide official written documentation citing the specific statutory authority and contractual authority, if relevant, establishing their ability to propose to Government solicitations. At the present time, DIA does not consider 15 U.S.C. 3710a to be sufficient legal authority to show eligibility. While 10 U.S.C. 2539b maybe the appropriate statutory starting point for some entities, specific supporting regulatory guidance, together with any associated and required approvals, will be required to fully establish eligibility. DIA will consider eligibility considerations provided by FFRDCs and Government entities on a case-by-case basis, however, the burden of proof to establish eligibility rests with the respondent.

Non-U.S. parties may participate to the extent that such sources comply with applicable statutes and necessary regulations appropriate to the circumstances.

B. PROCUREMENT INTEGRITY, STANDARDS OF CONDUCT, ETHICAL CONSIDERATIONS, AND CONFLICTS OF INTEREST

Current federal employees are prohibited from participating in particular matters involving conflicting financial, employment, and representational interests (18 U.S.C. 203, 205, 208). With respect to any proposals that may ultimately be submitted in response to this BAA, proposers are notified that the government will assess all submissions for the existence or appearance of any potential conflicts of interest. Notwithstanding any government assessment that shall be conducted as a result of receipt of proposal submissions, it is principally incumbent upon the party submitting any proposal to the government for funding consideration to assess all facts relevant to the existence or potential existence or a conflict of interest and disclose such information to the government for appropriate consideration. Conflicts may be either organizational or personal. Because of the significant myriad of potential scenarios and situations that may be prevalent concerning an actual or possible conflict of interest and the time, effort, and expense that may be involved in submitting proposals to the government for funding consideration, proposers are encouraged to contact the government at Ideas2Action@dodiiis.mil in the event a proposer believes a conflict of interest exists or may exist (whether organizational or otherwise), or has questions concerning the particulars of the situation in question. With respect to any interested party that may already be doing business with the DIA and contracted to provide scientific, engineering, technical assistance (SETA) or similar support, such parties are hereby notified that without prior written agency approval and authorization, such entities will not be authorized to simultaneously provide SETA or similar support, and also be a technical performer.

C. COST SHARING/FUNDS MATCHING

Cost sharing is not required, however, it will be carefully considered where there is an applicable statutory condition related to the potential award instrument under consideration. See below for example:

(e.g., for any type of Other Transaction issued pursuant to the authority of 10 U.S.C. 2371, which, for example, would include Technology Investment Agreements (TIAs) that are dual use initiatives (i.e. both military/commercial benefits) that typically require a 50/50 cost share ratio between the parties, and section 845 to the 1994 National Defense Authorization Act (NDAA), as amended, Other Transactions for Prototypes that are military prototype initiatives (i.e. principally military benefit) that typically require 1/3 cost share from the potential awardee if a non-traditional defense contractor is not participating personally, substantially, and significantly in the effort in question. See APPENDIX A for additional information.)

Proposers should also note that in circumstances where not statutorily required, when there is a reasonable probability of a potential commercial application related to any potentially funded research and development initiative under this BAA, that DIA encourages participant cost share.

D. OTHER ELIGIBILITY CRITERIA

Although not required, where it is logical, feasible, and may result in potentially greater efficiencies, leveraged capability, or probability for success, collaborative/teaming arrangements between multiple parties in responding to this BAA is encouraged.

IV. HOW DO I SUBMIT AN “INNOVATIVE” IDEA TO DIA?

A. SECURITY CONSIDERATIONS

Engagement with the DIA on matters pertaining to this BAA may be unclassified or classified. Classified engagements will be conducted in accordance with the appropriate laws and regulations governing such conduct. Given the number of possible scenarios or unique classified situations that may be present or applicable at any one time, specific guidance will not be posted at this time. To the extent interested parties have questions concerning classification, classified information, or other security matters associated with this BAA, respondents are encouraged to submit their questions as follows:

If your question involves UNCLASSIFIED content:
BAA Email: Ideas2Action@dodiis.mil

If your question involves CLASSIFIED content:
BAA Email: Ideas2Action@dodiis.ic.gov

B. PROPRIETARY/INTELLECTUAL PROPERTY CONSIDERATIONS

DIA anticipates that initial engagement with, and submission of information by, interested parties under this BAA will not contain proprietary information. However, to the extent necessary and appropriate, “proprietary” information may be submitted in accordance with the instructions contained herein.

With respect to “proprietary” information considerations associated with this BAA, the following is applicable:

Proposers that include in their white papers or proposals data that they do not want disclosed to the public for any purpose, or used by the Government except for evaluation purposes, shall --

(1) Mark the title page with the following legend inserting the term “white paper” instead of “proposal” when a white paper is being submitted:

“This proposal includes data that shall not be disclosed outside the Government and shall not be duplicated, used, or disclosed -- in whole or in part -- for any purpose other than to evaluate this proposal. If, however, a procurement or assistance instrument is awarded to this proposer 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 provided in the resulting instrument. 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]”; and

(2) Mark each sheet of data it wishes to restrict with the following legend:

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

If an interested party is submitting a white paper or proposal under this BAA for potential funding consideration, they are hereby advised that DIA policy is to treat submissions as source selection information (see FAR 2.101 and 3.104), or to otherwise protect the contents of the information submitted, and to disclose the contents only for purposes of evaluation. With respect to restrictive notices that may have been applied by the party submitting information to the government for possible funding consideration, all parties are hereby notified that submissions may be handled by support contractors for administrative purposes and/or to assist with technical evaluation activities. All DIA support contractors performing this role, however, are bound by appropriate nondisclosure agreements and FAR 9.505-4(b) will be followed if applicable.

C. PHASES/STEPS RECOMMENDED FOR ENGAGEMENT

(1) STEP 1- SUBMISSION OF “WHITE PAPERS”

Parties interested in engaging the DIA with “innovative” topics of interest are asked to **submit a “White Paper” to the DIA for review, prior to submission of any proposal related information**, so that:

- *interested parties can initially engage the DIA in the most expeditious and least costly manner possible, by not otherwise expending unnecessary effort and expense associated with the submission of a proposal as a first step, and*
- *the DIA may quickly gauge its interest in the “innovative” topic of interest, and respond to the proposer regarding DIA’s interest in the submission in question*

NOTE: SEE APPENDIX A FOR "WHITE PAPER" PREPARATION AND SUBMISSION INSTRUCTIONS.

(2) STEP 2 - SUBMISSION OF "PROPOSALS"

Parties interested in engaging the DIA with "innovative" topics of interest are asked to **submit a "White Paper", to the DIA for review, prior to submission of any proposal related information. SEE STEP 1 above.**

In response to a "White Paper" submission or as a result of follow up discussion with an interested party, the DIA may request that an interested party submit a proposal for possible award funding consideration. Interested parties should follow the instructions in this BAA if submitting a proposal to DIA for possible award funding consideration.

NOTE: SEE APPENDIX B FOR "PROPOSAL" PREPARATION AND SUBMISSION INSTRUCTIONS.

D. ADDITIONAL WAYS TO ENGAGE THE DIA

The "JOINT" National-Geospatial Intelligence Agency (NGA)/Defense Intelligence Agency (DIA) Industry Interaction Program (IIP)

The DIA is partnering with the NGA to expand outreach and potential partnership opportunity with a variety of sources that may be in the possession of "innovation" concepts of interest to the DIA. Specific information associated with how interested parties may engage the DIA through the NGA IIP process is located at <http://www.nga.mil/>.

NOTE: The NGA IIP process is a highly fluid and flexible mechanism for "industry" participants to submit information for possible funding consideration by either NGA or DIA. Parties wishing to engage the DIA thru the NGA IIP process are advised of the following unique procedures:

- Proposers are required to submit a 150 word maximum, one page, unclassified abstract, that provides a top level overview of their proposed effort, that may be posted to publicly accessible websites.
- A "Joint" government board typically convenes monthly to review industry submissions, and gauge further consideration interest.
- In response to "industry" submissions against the NGA IIP website, DIA may ask interested parties to follow up as appropriate, to include responding under this DIA Innovation BAA, if appropriate.

APPENDIX A – “WHITE PAPER” SUBMISSION REQUIREMENTS

I. “WHITE PAPER” Submission Requirements

Parties interested in engaging the DIA with “innovative” topics of interest are asked to submit a “White Paper” to the DIA for review, *prior to* submission of any proposal related information, so that 1) the DIA may quickly gauge its interest in the “innovative” topic of interest, and 2) the proposer in question does not expend unnecessary effort and expense associated with the submission of a proposal, prior to using the more expedient, less complicated, and less costly mechanism of a “white paper” submission first.

No information submitted by an interested party in response to this BAA will be returned. In addition, the cost of preparing White Papers in response to this announcement is not considered an allowable direct charge to any resulting procurement or assistance instrument.

A. DUE DATE

“White Papers” may be submitted at any time throughout the open period of this BAA, however for best time and funding considerations it is highly encouraged proposers submit White Papers as follows:

REQUEST “WHITE PAPERS” BE SUBMITTED BY:
NOT LATER THAN 3:00PM (1500), WASHINGTON, DC Local Time, ON 01 AUG 2014

B. FORMAT

The format for submission of “White Papers” is intended to be flexible, but all submissions should adhere to the following general guidelines:

- Maximum of two (2) pages in length (*i.e., either one page with writing on the front and back, or two separate sheets of paper with writing on the front side only with the back side of each page left blank*), to address the following:
 - **PART I: POINT OF CONTACT.**
Note: Identify your organization and an authorized POC (email, phone#, etc.) that the government may interface with.
 - **PART II: EXECUTIVE SUMMARY.**
Note: Executive Summary should address the Heilmeyer questions, which include the following:
 - 1) What are you trying to do?
 - 2) How is it currently done?
 - 3) What’s new?
 - 4) Who cares?
 - 5) What are the risks?
 - 6) What’s your plan?
 - 7) What’s your progress?

○ **PART III: OTHER.**

Note: Provide any additional information pertinent to your “White Paper” submission. Examples include, but are not limited to, the following: you desire classified or proprietary discussions with the government, foreign participants or organizations are involved in the effort, you anticipate subcontracting or partnering with others to accomplish the initiative in question, rough order of magnitude (ROM) for potential funding costs, etc.

○ **PART IV: NEEDIPEDIA Capability/Need Area.**

Note: IN ORDER TO ADDRESS THIS PART, PARTIES MUST FOLLOW THE SPECIFIC INSTRUCTIONS BELOW PRIOR TO THE SUBMISSION OF ANY “WHITE PAPER” TO THE GOVERNMENT.

INSTRUCTIONS FOR COMPLETING PART IV OF THE “WHITE PAPER”:

1. This BAA requires interested parties to separately review <http://www.dia.mil/Business/Needipedia.aspx> prior to completion and submission of any “WHITE PAPERS.”
2. Interested parties are required to review the various individual Needipedia listings posted on the website, and to self-identify in Part IV of their “White Paper” submission, the single most appropriate Needipedia listing that is most closely associated with their white paper concept/idea, or where the preponderance of benefit is most likely to occur, even if their particular concept/idea potentially covers more than one Needipedia listing area in question. Interested parties SHOULD NOT identify more than one Needipedia listing in Part IV of their White Paper submission. Only as a last resort, if after reviewing all of the individual Needipedia listings in question that an interested party concludes that absolutely none of the individual listings posted on the website are in any way associated with their “White Paper” innovation concept/idea, should an interested party state “NONE” in Part IV of their “White Paper” submission.
3. The purpose for the Needipedia listings posted on <http://www.dia.mil/Business/Needipedia.aspx> is principally as follows:
 - a) to provide an efficient and effective mechanism for the government to express individual areas of particular innovation relevance/importance to various members/groups/offices of the defense intelligence enterprise, along with supplemental instruction/guidance that is in addition to the overall stated BAA requirements as appropriate, for the particular Needipedia area in question, and to have the flexibility to rapidly and periodically update/change/modify individual Needipedia thrust areas and associated Needipedia guidance based on changing conditions/requirements, without the need for continuous formal updates/changes to the published BAA itself, and
 - b) to quickly promote the opportunity to rapidly connect potentially interested parties/sources to potential government users of the innovation concept/idea in question, by having interested parties articulate to the government up front and in advance how their concept/idea can potentially best benefit the government, so that “White Paper” submissions can be quickly and efficiently collected and directed/routed to the appropriate government parties for review as necessary.
4. As specific Needipedia innovation interest areas may be updated/changed/modified from time-to-time, and critical information may be conveyed concerning additional supplement instruction/guidance/evaluation criteria in addition to the overall published BAA requirements, interested parties are encouraged to review the website periodically and/or sign up for electronic notification alerts to be apprised of changes published/posted to the webpage, as is appropriate.

- Printed on 8½ by 11 inch paper, and
- Font Type should not be smaller than 12 pt, although smaller font type may be used for figures, tables, and charts, and
- All “White Papers” must be written in English

C. “WHITE PAPER” REVIEWS

DIA will review “white paper” submissions for potential interest and correspond with parties accordingly.

D. ANTICIPATED TIMELINE FOR AGENCY RESPONSE

DIA will review white paper submissions on an ongoing basis throughout the open period of this BAA. Although DIA reserves the right to review white paper submissions at any time after information is submitted to DIA for consideration, for operational efficiency, DIA may choose to gather all responses received over a period of time (e.g., such as every month, or any other time period determined by DIA to be appropriate under the circumstances), and convene groups or panels of experts to gauge interest in any information submitted by any interested party. Although the DIA makes no promises or guarantees with respect to how expeditiously it may respond to a party submitting a white paper for Government consideration, the DIA will attempt to reply to all white paper submissions as soon as is feasible with a target date of not later than within approximately forty-five (45) calendar days of the close date of each category/sub-category as declared on DIA’s Needipedia site. It is the responsibility of interested parties to refer to this website for any update/changes. DIA reserves the right to communicate with any party for purposes of seeking clarification regarding white paper content, and may ask parties submitting white papers if they are available for more in depth follow up oral discussions between the parties, to include a request by the government for the submitting party to provide an oral presentation to the government if the government deems this appropriate, although no obligation or commitment is implied with respect to the government requesting oral presentations or follow up oral discussions after white paper submission. DIA anticipates a follow up written reply to white paper submissions with an expression of interest, or not, such as in the following examples:

1) *DIA appreciates the opportunity to review the White Paper you submitted; subject: XXXXXXXX: Unfortunately, we are not further interested at this time in the innovation concept presented for consideration. Although nothing herein expressly prohibits you from submitting a proposal for possible further government evaluation in accordance with BAA procedures, we advise appropriate deliberation if considering so doing, in light of our White Paper evaluation.*

OR

2) *DIA appreciates the opportunity to review the White Paper you submitted; subject: XXXXXXXX: We are interested in the innovation concept presented for consideration. In accordance with BAA procedures, if so inclined, we encourage submission of a proposal for further government evaluation and possible award consideration, subject to availability of funds.*

OR

3) *DIA appreciates the opportunity to review the White Paper you submitted; subject: XXXXXXXX: We are interested in the innovation concept presented, although we have follow up questions for appropriate consideration. We wish to invite you to provide an Oral Presentation in person to the government so that we can assess in further detail the*

merits of your idea, and prior to you considering expending additional resources on the submission of a proposal in accordance with BAA procedures. Please contact us at Ideas2Action@dodiis.mil so that we may discuss logistics and details with you.

APPENDIX B - PROPOSAL SUBMISSION REQUIREMENTS

I. “PROPOSAL” Submission Requirements

Parties interested in engaging DIA with “innovative” topics of interest are asked to submit a “White Paper” to the DIA for review, *prior to* submission of any proposal related information, so that 1) *the DIA may quickly gauge its interest in the “innovative” topic of interest, and 2) the proposer in question does not expend unnecessary effort and expense associated with the submission of a proposal, prior to using the more expedient, less complicated, and less costly mechanism of a “white paper” submission first.*

A. DUE DATE

Proposals shall be submitted in accordance with any potential Request for Proposal (RFP) that the Government requests resulting from a favorable White Paper.

B. FORMAT

NOTE: ALL PROPOSALS SUBMITTED TO DIA FOR POSSIBLE FUNDING CONSIDERATION MUST BE IN THE FORMAT SPECIFIED BELOW.

NONCONFORMING PROPOSALS OR PROPOSALS RECEIVED AFTER THE DUE DATE AND TIME LISTED IN THE A RFP MAY BE REJECTED WITHOUT FURTHER REVIEW.

ALL PROPOSALS SHALL CONSIST OF TWO SEPARATE VOLUMES (VOLUME I AND VOLUME II, AS INDICATED BELOW), AND SHALL ADDRESS THE MANDATORY POLICY AND OTHER SUBMISSION REQUIREMENTS AS SPECIFIED HEREIN

PROPOSALS SHALL BE FORMATTED SUCH THAT, WHEN PRINTED, ALL PAGES WILL BE PRINTED ON 8½ X 11 INCH PAPER WITH FONT TYPE NOT SMALLER THAN 12 POINT, EXCEPT FOR ANY FIGURES, TABLES, AND/OR CHARTS, WHICH MAY BE SMALLER FONT TYPE. ALL PROPOSAL CONTENT MUST BE WRITTEN IN ENGLISH. VOLUME I SHALL NOT EXCEED A TOTAL OF THIRTY (30) PAGES. THERE IS NO PAGE LIMIT FOR VOLUME II.

C. EVALUATION GUIDELINES

Evaluation of proposals will be accomplished by a review of each proposal using the following criteria listed in descending order of importance. Evaluation Criteria 1 and 2 when combined are more important than Evaluation Criteria 3. In addition, more detailed evaluation criteria may be listed on DIA’s Needipedia website.

1. Overall Innovation Merit

The proposed effort is substantially innovative, addresses existing gaps, the approach is feasible and achievable to clearly demonstrate the merits of the effort in question and is supported by individuals with the requisite expertise and experience to support the BAA objectives. Task descriptions and associated technical elements are complete, understandable, and in a logical sequence, with all proposed deliverables clearly defined such that achieving stated goals is highly likely as a result of award. The proposal identifies major technical risks and clearly defines viable mitigation efforts to address any major or significant obstacles for success. To the extent that the proposed effort addresses a particular Needipedia topic of interest, the proposal submission also clearly and sufficiently addresses such other Needipedia specific evaluation criteria as may be specified for the Needipedia topic area in question.

2. Potential Contribution and Relevance to the DIA Mission

The potential contribution of the proposed effort is relevant to the DIA mission. Specifically, DIA's mission is to principally provide military intelligence related information to defense policymakers and force planners in support of U.S. military planning and operations, and provide other critical support and services in fulfillment of national and international objectives as is appropriate.

3. Realism of Proposed Schedule and Cost

The proposed costs are based on realistic assumptions, reflect a sufficient understanding of the goals and objectives of the BAA, and are consistent with the proposer's technical/management approach (to include the proposed SOW). The costs for the prime and subcontractors are substantiated by the details provided in the proposal (e.g., the type and number of labor hours proposed per task, the types and quantity of materials, equipment and fabrication costs, travel and any other applicable costs). The proposed schedule reflects a realistic basis to rapidly demonstrate or test the innovation concept of interest in an expedited manner of time, without committing the government to potential award scenarios that might result in unnecessarily long or protracted performance periods.

D. ANTICIPATED TIMELINE FOR AGENCY RESPONSE

DIA will conduct assessments of proposal submissions throughout the open period of this BAA to determine compliance with the submission requirements and instructions. Proposals will be evaluated on their own merit and not necessarily against each other, since individual proposal submissions will not be based on a common work statement. In order to accomplish evaluation activities, qualified Government personnel will conduct reviews and, if required, the Government will convene panels of experts to accomplish evaluation activities as is appropriate. Potential awards may be made to those parties and for such effort as determined, by government evaluation, to be most advantageous in accomplishing the stated objectives of this BAA, however any and all awards will be subject to the availability of funding. Restrictive notices notwithstanding, parties are advised that the government may utilize the services of support contractors to assist with administrative duties required in processing BAA submissions, but any such support contractor so utilized will be bound by appropriate non-disclosure requirements

and FAR 9.505-4(b) will be followed if applicable.

No information submitted by an interested party in response to this BAA will be returned. In addition, the cost of preparing proposals in response to this announcement is not considered an allowable direct charge to any resulting procurement or assistance instrument.

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PLEASE SEE BELOW SECTIONS FOR DETAILED PROPOSAL PREPARATION INSTRUCTIONS.

VOLUME I- Technical and Management Proposal
{NOTE: Not to Exceed 30 Pages Total}

Section I. Administrative

- A. Coversheet to include:
- (1) BAA number (DIA-BAA-14-01);
 - (2) Needipedia area;
 - (3) Lead Organization submitting proposal;
 - (4) Type of business, selected among the following categories: "LARGE BUSINESS", "SMALL DISADVANTAGED BUSINESS", "OTHER SMALL BUSINESS", "HBCU", "MI", "EDUCATIONAL", "NON PROFIT" OR "NOT-FOR-PROFIT";
 - (5) Proposer's reference number (if any);
 - (6) Other team members (if applicable) and type of business for each;
 - (7) Proposal title;
 - (8) Interested party authorized point(s) of contact (i.e. Business, Technical, and/or Other, if applicable) to include: salutation, last name, first name, street address, city, state, zip code, telephone, fax, e-mail
 - (9) Total funds requested from DIA, separated by Base/Initial Award Effort and Options/Phases (if any), and the amount of cost share (if any); AND
 - (10) Date proposal was submitted.
- B. Official transmittal letter.

Section II. Summary of Proposal

Section II shall not exceed 5 pages.

- A. Innovative claims for the proposed effort. This section is the centerpiece of the proposal and should succinctly describe the uniqueness and benefits of the proposed effort and how it fulfills the objectives of the BAA.
- B. Deliverables associated with the proposed effort and the plans and capability to accomplish technology transition and commercialization, as appropriate. Include in this section all proprietary claims to the results, prototypes, intellectual property, or systems supporting and/or necessary for the effort in question. If there are no proprietary claims, this should be stated. For forms to be completed regarding intellectual property, see BAA instructions. There will be no page limit for the listed forms.
- C. Technical rationale, technical approach, and plan for accomplishment of goals and objectives in support of innovative claims and proposed deliverables. (This section should be supplemented by a more detailed plan in Section III.)
- D. General discussion of other associated effort in this area.
- E. A clearly defined organization chart for the program team which includes, as applicable: (1) the programmatic relationship of team member; (2) the unique capabilities of team members; (3) the task of responsibilities of team members; (4) the teaming strategy among the team members; and (5) the key personnel along with the amount of effort to be expended by each person during each year.

- F. Discussion concerning any potential likelihood to leverage the effort for use among other Government organizations of interest if/as may be appropriate, along with any details concerning current use by other non-federal parties.

Section III. Detailed Proposal Information

Section III shall not exceed 25 pages.

- A. Statement of Work (SOW) - In plain English, clearly define the tasks/subtasks to be performed, the duration of time associated with completion of the individual tasks/subtasks in question, and dependencies, if any, among them. The page length for the SOW will be dependent on the amount of the effort. The SOW must not include proprietary information. For each task/subtask, provide:
- A general description of the objective (for each defined task/activity);
 - A detailed description of the approach to be taken to accomplish each defined task/activity;
 - Identification of the primary organization responsible for task execution (prime.sub, team member, by name, etc.);
 - The completion criteria for each task/activity - a product, event or milestone that defines its completion;
 - Define all deliverables (reporting, data, reports, software, etc.) to be provided to the Government in support of the proposed tasks/activities; and
 - Clearly identify any tasks/subtasks (prime or subcontracted) that will be accomplished on-campus at a university, if applicable.

NOTE: IT IS RECOMMENDED THAT THE SOW BE DEVELOPED SO THAT THE BASE EFFORT, AND OPTIONS/PHASES, IF APPLICABLE, ARE SEPARATELY DEFINED.

DO NOT INCLUDE ANY PROPRIETARY INFORMATION IN THE SOW.

- B. Description of effort to include expected benefit in supporting the objectives of this BAA, including discussion concerning mitigation of life-cycle and sustainment risks/costs, if effort is brought to full operational capability or expanded for maximum Governmental operational use, if/as appropriate.
- C. Detailed approach, that expands upon the summary information provided above in Section II, for accomplishing the proposed effort.
- D. Comparison with other ongoing effort indicating advantages and disadvantages of the proposed effort.
- E. Discussion of proposer's previous accomplishments and work in closely related areas.
- F. Description of the facilities that would be used for the proposed effort.
- G. Detailed information, that expands upon the summary information provided above in Section II, including formal teaming agreements between the various parties which may be required to appropriately execute the effort in question.
- H. Costs, schedules, and measurable milestones for the total proposed effort, including individual estimates for each task for the Base Effort, and any Options/Phases, if proposed, broken out by

the prime and any proposed subcontractors, including consultants if necessary, and any associated cost share, if applicable. (Note: Measurable milestones should capture key activity points and should be clearly articulated and defined in time relative to the start of the effort.)

NOTE: WHERE THE EFFORT CONSISTS OF MULTIPLE PORTIONS WHICH COULD REASONABLY BE PARTITIONED FOR PURPOSES OF FUNDING, THESE SHOULD BE IDENTIFIED AS OPTIONS OR PHASES WITH SEPARATE COST ESTIMATES FOR EACH. ADDITIONALLY, PROPOSALS SHOULD CLEARLY EXPLAIN THE APPROACH THAT WILL BE TAKEN BY THE PROPOSER TO MEET OR EXCEED EACH PROGRAM METRIC AND PROVIDE AMPLE JUSTIFICATION AS TO WHY THE APPROACH IS FEASIBLE.

DO NOT INCLUDE ANY PROPRIETARY INFORMATION IN THE MILESTONES.

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PLEASE SEE NEXT SECTION, VOLUME II - COST PROPOSAL

VOLUME II - Cost Proposal
{NOTE: No Page Limit}

All proposers, including FFRDCs, must submit the following:

A. Coversheet to include:

- (1) BAA number (DIA-BAA-14-01);
- (2) Needipedia area;
- (3) Lead Organization submitting proposal;
- (4) Type of business, selected among the following categories: "LARGE BUSINESS", "SMALL DISADVANTAGED BUSINESS", "OTHER SMALL BUSINESS", "HBCU", "MI", "OTHER EDUCATIONAL", OR "OTHER NONPROFIT";
- (5) Proposer's reference number (if any);
- (6) Other team members (if applicable) and type of business for each;
- (7) Proposal title;
- (8) Interested party authorized point(s) of contact (*i.e.* Business, Technical, and/or Other, if applicable) to include: salutation, last name, first name, street address, city, state, zip code, telephone, fax, e-mail
- (9) Award instrument requested/contemplated: e.g. procurement contract (specify type, such as cost-plus-fixed-fee (CPFF), cost-contract—no fee, cost sharing contract—no fee, or other type), grant, cooperative agreement, technology investment agreement (TIA), or other transaction (OT) for prototype;
- (10) Place(s) and period(s) of performance;
- (11) Total proposed price separated by basic award and option(s)/phase(s), if any;
- (12) Name, address, and telephone number of the proposer's cognizant Defense Contract Management Agency (DCMA) administration office or ONR office, if known;
- (13) Name, address and telephone number of the proposer's cognizant Defense Contract Audit Agency (DCAA) audit office, if known;
- (14) Date proposal was prepared;
- (15) Data Universal Numbering System (DUNS) identifier;
- (16) Tax payer Identification Number (TIN)
- (17) Contractor and Government Entity (CAGE) Code; and
- (18) Proposal validity period
- (19) Any representations or certifications to be submitted with proposal

NOTE: For proposers without a DCAA-approved cost accounting system who are proposing negotiation of a cost-type contract, please see SF 1408. To facilitate appropriate government review, the second page of this form must be submitted with your proposal in order for your submission to be deemed conforming to this solicitation. The SF 1408 form can be found at <http://www.gsa.gov/portal/forms/download/115778>.

- B. The proposers cost volume shall provide cost and pricing data, or other than cost or pricing data in sufficient detail to substantiate the price proposed (e.g., realism and reasonableness). The proposal shall be formatted such that, when printed, all pages will be printed on 8½ by 11 inch paper with type not smaller than 12 point. No smaller font may be used.

NOTE: The proposal shall provide a detailed breakdown of all costs included in the price, by major tasks, by Gov't fiscal year (FY) [October 1st thru September 30th], by basic award, and option(s)/phase(s), if any.

The breakdown shall include:

- (1) Total Proposed Price inclusive of all major cost items, as follows:
 - a. Direct Labor – including individual labor categories with associated labor hours and direct labor rates;
 - b. Consultants – If consultants are to be used, proposer must provide a copy of the consultant's proposed SOW as well as a signed consultant agreement or other document which verifies the proposed loaded daily/hourly rate, hours and any other proposed consultant costs (e.g., travel);
 - c. Indirect Costs – Including Fringe Benefits, Overhead, General and Administrative (G&A) Expense, Cost of Money, Fee, etc. (must show base amount and rate);
 - d. Travel – Provide the purpose of the trip, number of trips, number of days per trip, departure and arrival destinations, number of people, etc.;
 - e. Other Direct Costs (ODCs) – Itemized by cost category, with sufficient back-up documentation to support proposed costs;
 - f. Equipment Purchases – Itemized list with associated costs, including quantities, unit prices, proposed vendors (if known), and the basis of estimate (e.g., quotes, prior purchases, catalog price lists, etc.); any item that exceeds \$5,000 must be supported with back-up documentation such as a copy of catalog price lists or quotes prior to purchase; (NOTE: For equipment purchases, include a letter stating why the proposer cannot provide the requested resources from its own funding);
 - g. Materials – Itemized list with associated costs, including quantities, unit prices, proposed vendors (if known), and the basis of estimate (e.g., quotes, prior purchases, catalog price lists, etc.); any item that exceeds \$5,000 must be supported with back-up documentation such as a copy of catalog price lists or quotes prior to purchase; and
 - h. Major tasks that comprise the proposed effort, inclusive of the basic award and option(s)/phase(s), if any, by government fiscal year [i.e., Oct 1st thru Sep 30th].
- (2) A summary of total costs by basic award, option(s)/phase(s), if any, and all associated tasks;
- (3) A summary of projected funding requirements by month:

- (4) A priced Bill-of-Materials (BOM) clearly identifying, for each item proposed, the source of the unit price (i.e., vendor quote, engineering estimate, etc.) and the type of property (i.e., material, equipment, special test equipment, plant equipment, information technology (IT)¹, for each computer hardware cost, computer software cost, and other related costs such as computer maintenance fees or support services costs (NOTE: for IT purchases, include a letter stating why the proposer cannot provide the requested resources from its own funding);
- (5) An itemization of Subcontracts. **All subcontractor cost proposal documentation must be prepared at the same level of detail as that required of the prime.** Subcontractor proposals should include Interdivisional Work Transfer Agreements (TWTA) or evidence of similar arrangements;
- (6) The source, nature, and amount of any proposed cost-sharing. Where the effort consists of multiple portions which could reasonably be partitioned for purposes of funding, these should be identified as options/phases with separate cost estimates for each; and
- (7) Identification of pricing assumptions of which may require incorporation into the resulting award instrument (e.g., use of Government Furnished Property/Facilities/Information, access to Government Subject Matter Expert(s). etc.).
- (8) Any Forward Pricing Rate Agreement (FPRA), other rate agreements, other documentation concerning approved rates, or any other such documentation that may assist in expediting negotiations (if available).
- (9) Proposers with a DCAA-approved cost accounting system, who are proposing a cost type contract, must submit appropriate DCAA documentation that provides evidence of government approval of the cost accounting system.

COST INFORMATION SHALL BE PROVIDED WITH ACCESS TO ALL CALCULATIONS AND FORMULAS.

¹ IT is defined as “any equipment, or interconnected system(s) or subsystem(s) of equipment that is used in the automatic acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information by the agency.” (a) For purposes of this definition, equipment is used by an agency if the equipment is used by the agency directly or is used by a contractor under a contract with the agency which - (1) Requires the use of such equipment; or (2) Requires the use, to a significant extent, of such equipment in the performance of a service or the furnishing of a product. (b) The term “information technology” includes computers, ancillary, software, firmware and similar procedures, services (including support services), and related resources. (c) The term “information technology” does not include (1) Any equipment that is acquired by a contractor incidental to a contract; or (2) Any equipment that contains imbedded information technology that is used as an integral part of the product, but the principal function of which is not the acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information. For example, HVAC (heating, ventilation, and air conditioning) equipment such as thermostats or temperature control devices, and medical equipment where information technology is integral to its operation, is not information technology.”

- C. Supporting cost and pricing information in sufficient detail to substantiate the summary cost estimates in paragraph B above. The proposer shall provide a detailed description of the method(s) used to estimate costs, to include, at a minimum: (1) substantiation of all rates and factors, and (2) labor and material estimates supported by a narrative basis-of- estimate (BOE) providing sufficient detail to substantiate cost estimates. **The prime contractor is responsible for compiling and providing, as part of its proposal submission to the government, subcontractor proposals prepared at the same level of detail as that required of the prime.**

If seeking a procurement contract, then prime contractor shall provide a cost reasonableness analysis of proposed subcontractor prices as defined in FAR Subpart 15.404-3. Such analysis shall indicate the extent to which the prime contractor has negotiated subcontract prices. All proprietary subcontractor proposal documentation, prepared at the same level of detail as that required of the prime shall be provided to the Government either by the prime contractor or by the subcontractor organization when the proposal is submitted. Subcontractor proposals submitted to the Government by the prime contractor should be submitted in a sealed envelope that the prime contractor will not be allowed to view. The subcontractor must provide the same number of hard copies and/or electronic proposals as is required of the prime contractor. This does not relieve the proposer from the requirement to include, as part of their submission, subcontract proposals that do not include proprietary pricing information (rates, factors, etc.).

If seeking a procurement contract and items of Contractor Acquired Property are proposed, exclusive of material, the proposer shall clearly demonstrate that the inclusion of such items as Government Property is in keeping with the requirements of FAR Part 45.102.

NOTE: “cost or pricing data”, as defined in FAR 2.101, shall be required if the proposer is seeking a procurement contract award of \$700,000 or greater unless the proposer requests an exception from the requirement to submit cost or pricing data. “Cost or pricing data” are not required if the proposer proposes an award instrument other than a procurement contract (e.g., a grant, cooperative agreement, technology investment agreement (TIA), or other transaction (OT) for Prototype). However, when not proposing a procurement contract, the cost details requested above should be provided to the maximum extent possible.

NOTE: PROPOSERS ARE CAUTIONED THAT PROPOSALS MAY BE REJECTED IF SUBMITTAL INSTRUCTIONS ARE NOT FOLLOWED.

OTHER TRANSACTION (OT) for PROTOTYPE:

All proposers requesting an Other Transaction (OT) for Prototype agreement must include a detailed list of milestones. Each milestone must include the following: milestone description, completion criteria, due date, and payment/funding schedule (to include, if cost share is proposed, contractor and Government share amounts). It is noted that, at a minimum, milestones should relate directly to accomplishment of work activity/tasks appropriate metrics, as defined in the BAA and/or the proposer’s proposal. Specific OT for Prototype agreement type, either fixed price or expenditure based, will be subject to negotiation by the Government; however, it is noted that the Government prefers use of fixed price milestones with a payment/funding schedule to the maximum extent possible. Do not include proprietary data.

a. Nontraditional Defense Contractor:

If the proposer requests the award of an OT for Prototype agreement and is a nontraditional defense contractor, or the proposal includes the participation of a nontraditional defense contractor, as so defined in the OSD guide entitled “Other Transactions (OT) Guide for

Prototype Projects” dated January 2001 (as amended) (<http://www.acq.osd.mil/dpap/Docs/otguide.doc>), then appropriate information must be included in the cost proposal to support the claim that a nontraditional defense contractor is participating significantly in the effort and that the one-third (1/3) cost share by the requesting party is therefore not required .

b. *Traditional Defense Contractor:*

If the proposer requests the award of an OT for Prototype agreement and is not a nontraditional defense contractor, or the proposal does not include the participation of a nontraditional defense contractor, as so defined in the OSD guide entitled “Other Transactions (OT) Guide for Prototype Projects” dated January 2001 (as amended) (<http://www.acq.osd.mil/dpap/Docs/otguide.doc>), then the proposing party should anticipate providing one-third (1/3) cost share for the effort, as appropriate.

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**PLEASE SEE NEXT SECTION,
MANDATORY POLICY AND OTHER SUBMISSION REQUIREMENTS**

MANDATORY POLICY AND OTHER SUBMISSION REQUIREMENTS

A. INTELLECTUAL PROPERTY

(1) "FAR PROCUREMENT CONTRACT" Requirements

a. *Noncommercial items (Technical/Data and Computer Software)*

Proposers responding to this BAA that are requesting a procurement contract issued in accordance with Federal Acquisition Regulation (FAR) procedures, shall identify "all" noncommercial 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. Because DIA is a Department of Defense (DoD) organization, when issuing awards under FAR procedures, it is also required to follow Defense FAR Supplement (DFARS) procedures, in addition to FAR procedures. As such for purposes of compliance with the instructions herein, proposers shall follow the format under DFARS 252.227-7017 for this stated purpose. In the event that proposers do not submit the list, the Government will assume that it automatically has "unlimited rights" to all noncommercial technical data and noncommercial computer software generated, developed, and/or delivered under any award instrument, unless it is substantiated that development of the noncommercial technical data and noncommercial computer software occurred with mixed funding. If mixed funding is anticipated in the development of noncommercial technical data and noncommercial computer software generated, developed, and/or delivered under any award instrument, then proposers should identify the data and software in questions subject to Government Purpose Rights (GPR). In accordance with DFARS 252.227-7013 Rights in Technical Data - Noncommercial Items, and DFARS 252.227-7014 Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation, the Government will automatically assume that any such GPR restriction is limited to a period of five (5) years in accordance with the applicable DFARS clauses, at which time the Government will acquire "unlimited rights" unless the parties agree otherwise. Proposers are advised that the Government will use the list during the evaluation process to evaluate the impact of any identified restrictions and may request additional information from the proposer, as may be necessary, to evaluate the proposer's assertions. If no restrictions are intended, then the proposer should state "NONE." It is noted an assertion of "NONE" indicates that the Government has "unlimited rights" to all noncommercial technical data and noncommercial computer software delivered under the award instrument, in accordance with the DFARS clauses cited above. Failure to provide full information may result in a determination that the proposal is not compliant with the BAA—resulting in non-selectability or rejection of the proposal.

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

NONCOMMERCIAL				
Technical Data and Computer Software To be Furnished With Restrictions	Summary of Intended Use in the Conduct of the Research	Basis for Assertion	Asserted Rights Category	Name of Person Asserting Restrictions
(LIST)	(NARRATIVE)	(LIST)	(LIST)	(LIST)

b. *Commercial Items (Technical Data and Computer Software)*

Proposers 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 delivered or embedded in any noncommercial 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 proposers 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 evaluation process to evaluate the impact of any identified restrictions and may request additional information from the proposer, as may be necessary, to evaluate the proposer's assertions. If no restrictions are intended, then the proposer should state "NONE." Failure to provide full information may result in a determination that the proposal is not compliant with the BAA - resulting in non-selectability or rejection of the proposal.

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

COMMERCIAL				
Technical Data and Computer Software To be Furnished With Restrictions	Summary of Intended Use in the Conduct of the Research	Basis for Assertion	Asserted Rights Category	Name of Person Asserting Restrictions
(LIST)	(NARRATIVE)	(LIST)	(LIST)	(LIST)

(2) "ALL OTHER AWARD TYPES" Requirements

Noncommercial and Commercial Items (Technical Data and Computer Software) Proposer's responding to this BAA requesting a Grant, Cooperative Agreement, Technology Investment Agreement (TIA), or Other Transaction (OT) for Prototype, shall follow the applicable rules and regulations governing these various award instruments, but in all cases should appropriately identify any potential restrictions on the Government's use of any Intellectual Property contemplated under those award instruments in question. This includes both

Noncommercial Items and Commercial Items. Although not required, proposers may use a format similar to that described above under FAR Procurement Contract requirements. In any event, the Government may use the list as part of the evaluation process to assess the impact of any identified restrictions and may request additional information from the proposer, as may be necessary, to evaluate the proposer's assertions. If no restrictions on Government use is intended, then the proposer should state "NONE" or "NO ASSERTED RESTRICTIONS." Failure to provide information consistent with the requirements of the BAA may result in a determination by the Government that the proposal is not compliant with the BAA, which may result in the "non-selectability" or rejection of the proposal.

(3) "PATENT" Requirements—ALL AWARD TYPES

Proposers must include documentation proving ownership 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 for the proposed effort. If a patent application has been filed for an invention that your proposal will utilize, but the application has not yet been made publicly available and contains proprietary information, the following information should be provided: the patent number, inventor name(s), assignee name(s) (if any), filing date, filing date of any related provisional application, and a summary of the patent tile, along with either: (1) a representation of invention ownership, or (2) proof of possession of appropriate licensing rights in the invention (i.e., an agreement from the owner of the patent granting license to the proposer).

(4) "INTELLECTUAL PROPERTY" Representations—ALL AWARD TYPES

Proposers should provide a good faith representation of either ownership or possession of appropriate licensing rights to all other intellectual property to be used for the proposed effort. In the event that any intellectual property is necessary for the effort in which the Government shall have less than unlimited rights to the information in question, proposers shall provide a short summary description describing the intellectual property in question, with an explanation of the nature and necessity for the restriction on Government use and the intended use and need for the intellectual property in the conduct of the proposed effort.

B. MEETING AND TRAVEL REQUIREMENTS

Proposers should anticipate periodic site visits at the Governments discretion.

C. SPECIAL RESEARCH ACTIVITIES

(1) Human Subjects Research

All research selected for funding involving human subjects, to include use of human biological specimens and human data, must comply with the federal regulations for human subjects protection. Further, research involving human subjects that is conducted or supported by the DoD must comply with 32 CFR 21 9, Protection of Human Subjects (and DoD Instruction 3216.02, Protection of Human Subjects and Adherence to Ethical Standards in DoD-Supported Research (<http://www.dtic.mil/whs/directives/corres/pdf/321602p.pdf>)).

Institutions awarded funding for research involving human subjects must provide documentation of a current Assurance of Compliance with Federal regulations for human subjects protection, such as a Department of Health and Human Services, Office of Human Research Protection Federal Wide Assurance (<http://www.hhs.gov/ohrp>). All institutions engaged in human subjects research, to include subcontractors, must also hold a valid Assurance. In addition, all personnel involved in human subjects research must provide documentation of completion of human subjects research training.

For all proposed research that will involve human subjects in the first year or phase of the project, the institution must provide evidence of or a plan for review by an Institutional Review Board (IRB) upon final proposal submission to the Government as part of their proposal, prior to being selected for funding. The IRB conducting the review must be the IRB identified on the institution's Assurance of Compliance with human subjects protection regulations. The protocol, separate from the proposal, must include a detailed description of the research plan, study population, risks and benefits of study participation, recruitment and consent process, data collection and data analysis. It is recommended that proposers consult the designated IRB for guidance on writing the protocol. The informed consent document must comply with federal regulations (32 CFR 219.116). A valid Assurance of Compliance with human subjects protection regulations along with evidence of completion of appropriate human subjects research training by all investigators and personnel involved with human subjects research should accompany the protocol for review by the IRB.

In addition to a local IRB approval, a headquarters-level human subjects administrative review and approval is required for all research conducted or supported by the DoD. The Army, Navy, or Air Force office responsible for managing the award can provide guidance and information about their component's headquarters-level review process. Note that confirmation of a current Assurance of Compliance with human subjects protection regulations and appropriate human subjects research training is required before headquarters-level approval can be issued.

The time required to complete the IRB review/approval process varies depending on the complexity of the research and the level of risk involved with the study. The IRB approval process can last between one and three months, followed by a DoD review that could last between three and six months. Ample time should be allotted to complete the approval process. Department of Defense (DoD) funding cannot be used towards human subjects research until ALL approvals are granted.

(2) Animal Use Research

Award recipients performing research, experimentation, or testing involving the use of animals shall comply with the rules on animal acquisition, transport, care, handling, and use as outlined in: (i) 9 CFR parts 1-4, Department of Agriculture rules that implement the Animal Welfare Act of 1966, as amended, (7 U.S.C. § 21 31-21 59); (ii) National Institutes of Health Publication No. 86-23, "Guide for the Care and Use of Laboratory Animals" (8th Edition); (iii) DoD Instruction 3216.01, "Use of Animals in DoD Programs."

For projects anticipating animal use, proposals should briefly describe plans for Institutional Animal Care and Use Committee (IACUC) review and approval. Animal studies in the program will be expected to comply with the Public Health Service (PHS) Policy on Humane Care and Use of Laboratory Animals, available at <http://grants.nih.gov/grants/olaw/olaw.htm>.

All award recipients must receive approval by a DoD-certified veterinarian, in addition to an IACUC approval. No animal studies may be conducted using DoD funding until the United States Army Medical Research and Materiel Command (USAMRMC) Animal Care and Use Review Office (ACURO) or other appropriate DoD veterinary office(s) grant approval. As a part of this secondary review process, the award recipient will be required to complete and submit an ACURO Animal Use Appendix, which may be found at:

http://mrmc.amedd.army.mil/index.cfm?pageid=Research_Protections.acuro&rn=1

D. PRE-PUBLICATION APPROVAL REQUIREMENTS

It is DoD policy that the publication of products of fundamental research will remain unrestricted to the maximum extent possible. Per DoD Directive 5230.27, contracted fundamental research “includes [research performed under] grants and contracts that are (a) funded by budget category 6.1 (Basic Research), whether performed by universities or industry, or (b) funded by budget category 6.2 (Applied Research) and performed on campus at a university. The research shall not be considered fundamental in those rare and exceptional circumstances where the applied research effort presents a high likelihood of disclosing performance characteristics of military systems or manufacturing technologies that are unique and critical to defense, and where agreement on restrictions have been recorded in the contract or grant.” Such research shall be defined as “restricted research.” Consistent with DoD policy, research performed under DoD awards that is either; (a) funded by budget category 6.2 (Applied Research) and not performed on campus at a university; or (b) funded by budget category 6.3 (Advanced Research) does not meet the definition of fundamental research. Such research shall be defined as “non-fundamental research.” For certain projects, even if the effort being performed by the prime contractor is restricted research, a subcontractor may be performing contracted fundamental research. In these cases, it is the prime contractor’s responsibility to explain in the proposal why the subcontractor’s effort is contracted fundamental research.

It is anticipated that awards for fundamental, and non-fundamental/restricted, research may be made as a result of this BAA. Appropriate terms and conditions will be included in any resultant award document to prescribe publication requirements and any associated restrictions, as may be appropriate. The Government does not anticipate applying publication restrictions to awards for fundamental research that may result from this BAA.

Proposers are advised that, if grants or cooperative agreements are proposed as the award instrument, the Government may elect to award other award instruments due to the need to apply publication or other restrictions. The Government will make this election if it determines that research resulting from the proposed project will present a high likelihood of disclosing performance characteristics of military systems or manufacturing technologies that are unique and critical to defense. Such a determination will result in the project being considered restricted research and any resultant award will include a requirement for Government permission before publishing any information or results on the project.

The following statements or similar provisions will be incorporated into any resultant procurement contract or other transaction for restricted/non-fundamental research:

“THERE SHALL BE NO DISSEMINATION OR PUBLICATION; EXCEPT WITHIN AND BETWEEN THE CONTRACTORS AND ANY SUBCONTRACTOR, OF INFORMATION DEVELOPED UNDER THIS CONTRACT OR CONTAINED IN THE REPORT TO BE FURNISHED PURSUANT TO THIS CONTRACT WITHOUT PRIOR WRITTEN APPROVAL OF THE GOVERNMENT. ALL TECHNICAL REPORTS WILL BE GIVEN

PROPER REVIEW BY APPROPRIATED AUTHORITY TO DETERMINE WHICH DISTRIBUTION OF THESE REPORTS BY THE CONTRACTOR. WITH REGARD TO SUBCONTRACTOR PROPOSALS FOR CONTRACTED FUNDAMENTAL RESEARCH, PAPERS RESULTING FROM UNCLASSIFIED CONTRACTED FUNDAMENTAL RESEARCH ARE EXEMPT FROM PREPUBLICATION CONTROLS AND THIS REVIEW REQUIREMENT, PURSUANT TO DoD INSTRUCTION 5230.27 "PRESENTATION OF DoD-RELATED SCIENTIFIC AND TECHNICAL PAPERS AT MEETING."

When submitting material for written approval for open publication, the contractor/awardee must submit a request for public release and include the following information: (1) Document Information: title, author, short plain-language description of technology discussed in the material (approximately 30 words), number of pages (or minutes of video) and document type (briefing, report, abstract, article, or paper); (2) Event Information: type (conference, principal investigator meeting, article or paper), date, and desired date for Government approval; (3) Government Sponsor: Government program manager, award instrument number; and (4) Contractor/Awardees information: POC name, email and telephone. Four weeks should be allowed for processing; due dates under four weeks may require justification. Unusual electronic file formats may require additional processing time. Requests can be sent either by email to Ideas2Action@dodis.mil or mail to DIA Innovation, Attn: DIA/INO, 200 MacDill Blvd, Washington, DC 20340-5100.

E. EXPORT CONTROL

Per DFARS 204.7304, all procurement contracts, other transactions, and other awards, as deemed appropriate, resultant from this solicitation, will include the DFARS Export Control clause (252.204-7008).

F. SUBCONTRACTING

Pursuant to Section 8(d) of the Small Business Act (15 U.S.C. § 637(d)), it is the policy of the Government to enable small business and small disadvantaged business concerns to be considered fairly as subcontractors to contractors performing work or rendering services as prime contractors or subcontractors under Government contracts and to assure that prime contractors and subcontractors carry out this policy. Each proposer who submits a contract proposal and includes subcontractors is required to submit a subcontracting plan in accordance with FAR 19.702(a) (1). The plan format is outlined in FAR 19.704.

G. ELECTRONIC AND INFORMATION TECHNOLOGY

All electronic and information technology acquired through this solicitation must satisfy the accessibility requirements of Section 508 of the Rehabilitation Act (29 U.S.C. § 794(d)) and FAR 39.2. Each proposer who submits a proposal involving the creation or inclusion of electronic and information technology must ensure that federal employees with disabilities will have access to and use of information that is comparable to the access and use by Federal employees who are not individuals with disabilities and members of the public with disabilities seeking information or services from the Government will have access to and use of information and data that is comparable to the access and use of information and data by members of the public who are not individuals with disabilities.

H. EMPLOYMENT ELIGIBILITY VERIFICATION

As per FAR 22.1802, recipients of FAR-based procurement contracts must enroll as federal contractors in E-verify and use the system to verify employment eligibility of all employees assigned to the award. All resultant contracts from this solicitation will include FAR 52.222-54, "Employment Eligibility Verification." This clause will not be included in grants, cooperative agreements, technology investment agreements, or other transactions for prototypes.

I. ADDITIONAL REQUIREMENTS AND RESPONSIBILITIES RELATING TO ALLEGED CRIMES BY OR AGAINST CONTRACTOR PERSONNEL IN IRAQ AND AFGHANISTAN

In accordance with FAR 1.108(d), the following clause will be used in all contracts performed in Iraq or Afghanistan. Such contracts are defined as, "contracts with the Department of Defense, a subcontract at any tier issued under such a contract, or a task order or delivery order at any tier issued under such contract including a contract, subcontract, or task order or delivery order issued by another Government agency for the Department of Defense, if the contract, subcontract, or task order or delivery order involves work performed in Iraq or Afghanistan for a period longer than 14 days."

(a) The Contractor shall report to the appropriate investigative authorities, identified in paragraph (c) below, any alleged offenses under-

(1) The Uniform Code of Military Justice (chapter 47 of title 10, United States Code) (applicable to contractors serving with or accompanying an armed force in the field during a declared war or a contingency operation); or

(2) The Military Extraterritorial Jurisdiction Act (chapter 212 of title 18, United States Code).

(b) The Contractor shall provide to all contractor personnel who will perform work on a contract in Iraq or Afghanistan, before beginning such work, information on the following:

(1) How and where to report an alleged crime described in paragraph (a) of this clause.

(2) Where to seek victim and witness protection and assistance available to contractor personnel in connection with an alleged offense described in paragraph (a) of this clause.

(c) The appropriate investigative authorities to which suspected crimes shall be reported include the following officials -

(i) US Army Criminal Investigations Division at <http://www.cid.army.mil/reportacrime.html>

(ii) Air Force Office of Special Investigations at <http://www.osi.andrews.af.mil/library/factsheets/factsheet.asp?id=14522>

(iii) Navy Criminal Investigative Service at <http://www.ncis.navy.mil/Pages/publicdefault.aspx>;
or

(iv) To the command of any supported military element or the command of any base.

(d) Personnel seeking whistleblower protection from reprisals for reporting criminal acts shall

seek guidance through the DoD Inspector General hotline at (800) 424-9098 or <http://www.dodig.mil/HOTLINE/index.html>. Personnel seeking other forms of victim or witness protections should contact the nearest military Law enforcement office.

J. REPORTING EXECUTIVE COMPENSATION AND FIRST-TIER SUBCONTRACT AWARDS

FAR Clause 52.204-10, "Reporting Executive Compensation and First-Tier Subcontract Awards," will be used in all procurement contracts valued at \$25,000 or more. A similar award term will be used in all grants and cooperative agreements.

K. RESPONSIBILITY MATTERS

Per FAR 9.104-7(c), FAR Clause 52.209-9, "Updates of Publicly Available Information Regarding Responsibility Matters," will be included in all contracts valued at \$500,000 where the contractor has current active Federal contracts and grants with total value greater than \$10,000,000.

L. COST ACCOUNTING STANDARDS (CAS) NOTICES AND CERTIFICATION

Per FAR 52.230-2, any procurement contract in excess of \$700,000 awarded pursuant to this BAA, will be subject to the requirements of the Cost Accounting Standards Board (48 CFR 99), except those contracts which are exempt as specified in 48 CFR 9903.201-1. Any proposer submitting a proposal which, if accepted, will result in a CAS compliant procurement contract, must submit representations and a Disclosure Statement as required by 48 CFR 9903.202 detailed in FAR 52.230-2. The disclosure forms may be found at http://www.whitehouse.gov/omb/procurement_casb.

M. CONTROLLED UNCLASSIFIED INFORMATION (CUI) ON NON-DoD INFORMATION SYSTEMS

CUI refers to unclassified information that does not meet the standards for National Security Classification but is pertinent to the national interests of the United States or to the important interests of entities outside the Federal Government and under law or policy requires protection from unauthorized disclosure, special handling safeguards, or prescribed limits on exchange or dissemination. All non-DoD entities doing business with DIA are expected to adhere to the following procedural safeguards, in addition to any other relevant Federal or DoD specific procedures, for submission of any proposals to DIA and any potential business with DIA:

- Do not process DIA CUI on publicly available computers or post DIA CUI to publicly available web pages or websites that have access limited only by domain or Internet protocol restriction.
- Ensure that all DIA CUI is protected by a physical or electronic barrier when not under direct individual control of an authorized user and limit the transfer of DIA CUI to subcontractors or teaming partners with a need to know and commitment to this level of protection.
- Ensure that DIA CUI on mobile computing devices is identified and encrypted and all communications on mobile devices or through wireless connections are protected and encrypted.
- Overwrite media that has been used to process DIA CUI before external release or disposal

N. REPORTING

The number and types of reports will be specified in the award document, but will include at a minimum quarterly progress reports that in combination, or independently, include technical and financial information as appropriate. The reports shall be prepared and submitted in accordance with the procedures contained in the award document and mutually agreed on before award. Other reports and/or briefing materials will also be required if/as appropriate to document progress in accomplishing program objectives. A Final Report that summarizes the project and tasks, and that includes information on specifically what has been accomplished, will be required at the conclusion of the performance period for the award, notwithstanding the fact that the effort may be continued under a follow-on vehicle.

O. ELECTRONIC SYSTEMS

(1) System for Award Management (SAM) Requirements

Unless the proposer is exempt from this requirement, as per FAR 4.1102 or 2 CFR 25.110, as applicable, all proposers must be registered in the System for Award Management (SAM) and have a valid Data Universal Numbering System (DUNS) number prior to submitting a proposal.

All proposers must maintain an active registration in SAM with current information at all times during which they have an active Federal award or proposal under consideration by DIA.

All proposers must provide the DUNS number in each proposal they submit. Information on SAM registration is available at www.sam.gov.

(2) I-Edison Requirements

The award document for each proposal selected for funding will contain a mandatory requirement for patent reports and notifications to be submitted electronically through I-Edison (<https://s-edison.info.nih.gov/iEdison/>).

GLOSSARY - Summary Description of "Award Types"

ASSISTANCE:

GRANT [Ref. 32 CFR 37.1295]—A legal instrument which, consistent with 31 U.S.C. 6304, is used to enter into a relationship: (a) The principal purpose of which is to transfer a thing of value to the recipient to carry out a public purpose of support or stimulation authorized by a law of the United States, rather than to acquire property or services for the Department of Defense’s direct benefit or use, and (b) In which substantial involvement is not expected between the Department of Defense and the recipient when carrying out the activity contemplated by the grant.

COOPERATIVE AGREEMENT [Ref. 32 CFR 37.1260]—A legal instrument which, consistent with 31 U.S.C. 6305, is used to enter into the same kind of relationship as a grant, except that substantial involvement is expected between the Department of Defense and the recipient when carrying out the activity contemplated by the cooperative agreement. The term does not include cooperative research and development agreements as defined in 15 U.S.C. 3710a.

TECHNOLOGY INVESTMENT AGREEMENT [Ref. 32 CFR 37.1375]—A special class of assistance instrument used to increase involvement of commercial firms in defense research programs and for other purposes related to integrating the commercial and defense sectors of the nation’s technology and industrial base. A technology investment agreement may be a cooperative agreement with provisions tailored for involving commercial firms (as distinct from a cooperative agreement subject to all of the requirements in 32 CFR part 34), or another kind of assistance transaction. [NOTE: See DoD 3210.6-R Appendix B to Part 37 for a specific understanding of the different types of TIA’s.]

PROCUREMENT:

CONTRACT [Ref. Federal Acquisition Regulation (FAR) Part 2 – Definitions]—means a mutually binding legal relationship obligating the seller to furnish the supplies or services (including construction) and the buyer to pay for them. It includes all types of commitments that obligate the Government to an expenditure of appropriated funds and that, except as otherwise authorized are in writing. In addition to bilateral instruments, contracts include (but are not limited to) awards and notices of awards; job orders or task letters issued under basic ordering agreements; letter contracts; orders, such as purchase orders, under which the contract becomes effective by written acceptance or performance; and bilateral contract modifications. Contracts do not include grants and cooperative agreements covered by 31 U.S.C. 6301, *et seq.*

OTHER TRANSACTIONS (OT) FOR PROTOTYPE [Ref. OT for Prototype Guidebook, Paragraph C1.1.2]—These types of OTs are authorized by Department of Defense (DoD) Authorization Acts with sunset provisions and are found in the U.S. Code as a Note in 10 U.S.C. 2371. Section 845 of Public Law 103-160, as amended, authorizes the use of OTs, under the authority of 10 U.S.C. 2371, under certain circumstances for prototype projects directly relevant to weapons or weapon systems proposed to be acquired or developed by the DoD. This type of OT is treated by DoD as an acquisition instrument commonly referred to as an “other transaction” for a prototype project or a section 845 “other transaction”.