

Appendix 1 – Phase II Request for Proposal (for SOFWERX Awards)

Appendix 1 – Phase II Request for Proposal for SOFWERX (FY22NDAA Sec.852) Awards

SOCOM invites you to submit a SBIR Phase II proposal.

Should you wish to be considered for this effort, please submit a Phase II proposal **no later than 195 calendar days at 11AM EST after your Phase I award start date**. Should the 195th day fall on a weekend, submit the proposal the next workday. The Phase II proposal format shall be in accordance with the original announcement DoD proposal instructions and the following instructions/notes.

MARKING PROPRIETARY PROPOSAL INFORMATION:

Offerors that include in their 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 first page of each Volume of the proposal submission with the following legend:

"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 award is awarded to this offeror 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 contract. 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 pages [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 page is subject to the restriction on the first page of this volume."

The DoD assumes no liability for disclosure or use of unmarked data and may use or disclose such data for any purpose.

Restrictive notices notwithstanding, proposals and final reports submitted through the DoD Submission Web site may be handled, for administrative purposes only, by support contractors. All support contractors are bound by appropriate non-disclosure agreements.

THE PROPOSAL SHALL INCLUDE THE:

1. **Proposal Cover Sheet (Volume 1):**

On the DoD Submission Web site at <https://www.dodsbirsttr.mil/submissions/login> , prepare the Proposal Cover Sheet. The Cover Sheet must include a brief technical abstract of no more than 200 words that describes the proposed R&D project with a discussion of anticipated benefits and potential commercial applications. **Do not include proprietary or classified information in the Proposal Cover Sheet.** If your proposal is selected for award, the technical abstract and discussion of anticipated benefits may be publicly released on the Internet. Once the Cover Sheet is saved, the system will assign a proposal number.

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2. **Technical Proposal (Volume 2 / limited to 10 pages):** The Technical Volume should cover the following items in the order given below:
 - a. Identification and Significance of the Problem or Opportunity. Define the specific technical problem or opportunity addressed and its importance.
 - b. **Phase II Technical Objectives:** Provide the specific objectives of the Phase II work.
 - c. **Phase II Statement of Work:** (including Subcontractors' Efforts) Provide an explicit, detailed description of the Phase II approach. The Statement of Work should indicate what tasks are planned, how and where the work will be conducted, a schedule of major events, and the final product(s) (prototypes) to be delivered. The methods planned to achieve each objective or task should be discussed explicitly and in detail. Proposed reporting deliverable and trips, testing, events required should also be listed. This section should be a substantial portion of the Technical Volume section.
 - d. **Relationship with Future Research or Research and Development:**
 - I. State the anticipated results of the proposed approach if the project is successful.
 - II. Identify the applicable clearances, certifications and approvals required to conduct Phase II testing and outline the plan for ensuring timely completion of said authorizations in support of Phase II research or research and development effort.
 - e. **Commercialization Strategy:** Describe in approximately one page your company's strategy for commercializing this technology in DoD, other Federal Agencies, and/or private sector markets. Provide specific information on the market need the technology will address and the size of the market. Also include a schedule showing the quantitative commercialization results from this SBIR project that your company expects to achieve.
 - f. **Key Personnel:** Identify key personnel who will be involved in the Phase II effort including information on directly related education and experience. A concise technical resume of the principal investigator, including a list of relevant publications (if any), must be included (Please do not include Privacy Act Information). All resumes will count toward the applicable page limitation.
 - g. **Foreign Citizens:** Identify any foreign citizens or individuals holding dual citizenship expected to be involved on this project as a direct employee, subcontractor, or consultant. For these individuals, please specify their country of origin, the type of visa or work permit under which they are performing and an explanation of their anticipated level of involvement on this project. Offerors frequently assume that individuals with dual citizenship or a work permit will be permitted to work on an SBIR project and do not report them. This is not necessarily the case, and a proposal will be rejected if the requested information is not provided. Therefore, firms should report all individuals expected to be involved on this project that are considered a foreign national as defined in the "Foreign Nationals" section of the DoD SBIR Program Announcement (also known as Foreign Persons). You may be asked to provide additional information during negotiations to verify the foreign citizen's eligibility to participate on a SBIR award. Supplemental information provided in response to this

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paragraph will be protected in accordance with the Privacy Act (5 U.S.C. 552a), if applicable, and the Freedom of Information Act (5 U.S.C. 552(b)(6)).

Proposals submitted to export control-restricted topics and/or those with foreign nationals, or dual citizens listed will be subject to security review during the contract negotiation process (if selected for award). USSOCOM reserves the right to vet all un-cleared individuals involved in the project, regardless of citizenship, who will have access to Controlled Unclassified Information (CUI) such as export controlled information. If the security review disqualifies a person from participating in the proposed work, the contractor may propose a suitable replacement. In the event a proposed person is found ineligible by the government to perform proposed work, the contracting officer will advise the offeror of any disqualifications but may not disclose the underlying rationale. In the event a firm is found ineligible to perform proposed work, the contracting officer will advise the offeror of any disqualifications but may not disclose the underlying rationale.

- h. **Facilities/Equipment:** Describe available instrumentation and physical facilities necessary to carry out the Phase II effort. Justify equipment purchases in this section and include detailed pricing information in the Cost Volume. State whether the facilities where the proposed work will be performed meet environmental laws and regulations of federal, state (name), and local Governments for, but not limited to, the following groupings: airborne emissions, waterborne effluents, external radiation levels, outdoor noise, solid and bulk waste disposal practices, and handling and storage of toxic and hazardous materials.
 - i. **Subcontractors/Consultants:** Involvement of a university or other subcontractors or consultants in the project may be appropriate. If such involvement is intended, it should be identified and described according to the Cost Breakdown Guidance. A minimum of one-half of the research and/or analytical work in Phase II (total cost basis) must be carried out by the proposing firm, unless otherwise approved in writing by the Contracting Officer. Please, see SBIR eligibility and performance requirements included in the original announcement DoD instructions. SBIR efforts may include subcontracts with Federal Laboratories and Federally Funded Research and Development Centers (FFRDCs). A waiver is no longer required for the use of federal laboratories and FFRDCs; however, proposers must certify their use of such facilities on the Cover Sheet of the proposal.
3. **Cost Proposal (Volume 3 / no page limitation):**

Offerors must complete the cost volume using the Cost Proposal Form. The Cost Proposal with supporting documentation in PDF format shall be appended to and submitted with the proposal on the DoD SBIR Website. The final negotiated price of a USSOCOM Phase II SBIR contract will result from a determination of price fairness and reasonableness commensurate with the magnitude and complexity of the required research and development effort.

Cost proposal information should include the itemized listing (a-i) specified below. The cost proposal information must be at a level of detail that would enable contracting personnel to determine the purpose, necessity, and reasonability of each cost element. The itemized listing may be placed in the “Explanatory Material” section of the on-line Cost Proposal form (if enough room), or as the last page(s) of the Technical Proposal Upload. The contracting officer will request

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additional information to support cost analysis in accordance with Federal Acquisition Regulation (FAR) 15.404-1(c) as needed.

- a. Special Tooling and Test Equipment and Material: The inclusion of equipment and materials will be carefully reviewed relative to need and appropriateness of the work proposed. The purchase of special tooling and test equipment must, in the opinion of the Contracting Officer, be advantageous to the government and relate directly to the specific effort. They may include such items as innovative instrumentation and/or automatic test equipment.
- b. Direct Cost Materials: Justify costs for materials, parts, and supplies with an itemized list item description, part number, quantities, and price.
- c. Other Direct Costs: This category of costs includes specialized services such as machining or milling, special testing or analysis, costs incurred in obtaining temporary use of specialized equipment. Proposals which include leased hardware must provide an adequate lease vs. purchase justification or rationale.
- d. Direct Labor: Identify key personnel by name if possible and labor category. The number of hours, labor overhead and/or fringe benefits and actual hourly rates for everyone are also necessary.
- e. Travel: Travel costs must relate to the needs of the project. Break out travel cost by trip, with the number of travelers, airfare, per diem, lodging, etc., and the number of trips required, as well as the departure airport/location and destination and purpose of each trip. Travel must be in accordance with the Federal Travel Regulation (FTR).
 - I. Per Diem Rates can be obtained at: <http://www.gsa.gov/perdiem>
 - II. Costs shall be allowable only if the following information is documented:
 - i Date and place (city, town, or other similar designation) of the expenses,
 - ii Purpose of the trip, and
 - iii Name of person on trip and that person's title or relationship to the awardee.
- f. Cost Sharing: Cost sharing is permitted. However, cost sharing is not required, nor will it be an evaluation factor in the consideration of a proposal. Please note that cost share contracts do not allow fees.
- g. Subcontracts: Involvement of university or other consultants in the planning and/or research stages of the project may be appropriate. If the offeror intends such involvement, described in detail and include information in the cost proposal. The proposed total of all consultant fees, facility leases or usage fees and other subcontract or purchase agreements may not exceed one-half of the total contract price or cost, unless otherwise approved in writing by the contracting officer.

Support subcontract costs with copies of the subcontract agreements. The supporting agreement documents must adequately describe the work to be performed (i.e. cost proposal) or provide a statement of work with a corresponding detailed cost proposal for each planned subcontract.

- h. Consultants: Provide a separate agreement letter for each consultant. The letter should briefly state what service or assistance will be provided, the number of hours required and hourly rate.
- i. Indirect Cost: If selected for award, provide back up for indirect rates, how are they calculated and applied.

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4. **Company Commercialization Report (Volume 4 / no page limitation):** The Company Commercialization Report is the fourth section of a complete proposal package. The Company Commercialization Report is prepared through the DoD Submission Web site (<https://sbir.defensebusiness.org/>). Follow the instructions on the Web site and enter the quantitative commercialization results of your firm's prior Phase II projects. Include the items listed below as well as other information relative to your firm's commercialization track record.
 - a. Sales revenue from new products and non-R&D services resulting from Phase II technology;
 - b. Additional investment from sources other than the federal SBIR/STTR Program in activities that further the development and/or commercialization of Phase II technology;
 - c. Whether the Phase II technology has been used in a fielded DoD system or acquisition program and, if so, which system or program;
 - d. The number of patents resulting from the awardee's participation in the SBIR/STTR Program;
 - e. Growth in number of firm employees; and
 - f. Whether the firm has completed an initial public offering of stock (IPO) resulting, in part, from a Phase II project.

5. **Section K, Representations and Certifications:** In addition to the certifications required in the DSIP website that must be filled out to complete the submission, please, provide the cost proposal Excel file, and the signed section K and funding agreement via email to sbir@socom.mil at the time of submittal.

FOLLOW-ON PHASE II EVALUATION AND SELECTION:

All proposals will be evaluated in accordance with the evaluation criteria listed in the DoD SBIR Program BAA instructions from the initial Phase I topic.

The Government will evaluate only responsive proposals.

1. Proposals missing Technical Volume (Volume 2) and Cost Volume (Volume 3) will not be evaluated or those that exceed the maximum price allowed provided by the USSOCOM SBIR/STTR Program office as per CDRL 4. Those proposals will be considered non-responsive.
2. Phase I Final Report: The Phase I final report will be considered to determine that the offerors demonstrated they have completed research and development to establish the feasibility of the proposed Phase II effort based on the criteria outlined in the topic description of Phase I.
3. The technical evaluation will utilize the Evaluation Criteria. The technical evaluation is performed in two parts:

Part I: The evaluation of the Technical Volume will utilize the Evaluation Criteria provided in the DoD SBIR Program BAA. Once the evaluations are complete, all offerors will be notified in a timely manner.

Part II: The Cost Volume award amount is set at a not to exceed (NTE) amount and a technical evaluation of the proposal cost will be completed to assess price fair and reasonableness. Proposals above the established NTE for the Phase I effort will not be considered for award. The team will assess the technical approach presented for the effort based on the number of labor hours by labor

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categories, the key personnel level of involvement, materials, subcontractors, and consultants (scope of work, expertise, participation, and proposed effort), and other direct cost as proposed.

Proposing firms will be notified of selection or non-selection status for a Phase II award within 90 calendar days of the proposal submission by the USSOCOM Contracting Office. This notification will come by e-mail to the Corporate Official identified by the Offeror during proposal submission. The Government will also notify the Offerors if their proposal is considered non-responsive (disqualified).

A non-selected Offeror can make a written request to the Contracting Officer, within 30 calendar days of receipt of notification of non-selection, for informal feedback. The Contracting Officer will provide informal feedback after receipt of an Offeror's written request rather than a debriefing as specified in the DoD SBIR Program BAA instructions.

OTHER CONTRACTUAL REQUIREMENTS AS APPLICABLE

1. When Phase II performance includes performance of research or activities involving **Human/Animal Subjects and/or Recombinant DNA**, please identify the applicable protocols and how those protocols will be followed during Phase II in the SOW. Please note that funds cannot be released or used on any portion of the project involving human/animal subjects or recombinant DNA research or activities until all the proper approvals have been obtained.

The following clauses or similar conditions (OTAs) apply and they will be included in resulting award as apply (see DoD BAA Instructions published with this topic for further explanation)

- a. **252.235-W7002** Animal Welfare Require evidence of registration with Secretary of Agriculture IAW 7 U.S.C. 2136 and 9 CFR Subpart C, and 2-3
 - b. **252.235-7004** Protection of Human Subjects
2. When the research includes **ARMS/AMMUNITION/EXPLOSIVES** as define in DoD 5100.76-M, Physical Security of Sensitive Conventional Arms, Ammunition, and Explosives., a pre-award safety survey would be required of any all facilities that would be handling the ammunitions/explosives to include subcontractors. The offeror must identify all and any subcontractor that will be handling ammunitions/explosives during the performance of the effort if awarded. Additional information may be required if selected for award. The following clauses apply:
 - a. **252.223-7003** Change in Place of Performance
 - b. **252.223-7002** Safety Precautions for Ammunition and Explosives
 - c. **252-223-7007** Safeguarding Sensitive Conventional Arms, Ammunition, and Explosives

NOTES:

1. Prior to completing the proposal, it is critical that you complete the Phase II Requirements CDRL (CDRL A004) at the 135th calendar day after the Phase I award.
2. At or after the 135th calendar day after the Phase I award, contact SBIR@SOCOM.mil for:
 - a. The Contract Data Requirement Lists (CDRLs) to help you considered the required work and submit the cost proposal, but do not upload them as part of your proposal.

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- b. Cost Volume Template to populate it and submit along with your proposal (Volume 3). It is also available for download on the USSOCOM section of the DoD SBIR submission site (<https://www.dodsbirsttr.mil/submissions/login/>).
 - c. The “should not exceed” cost of the proposed.
3. The final negotiated price of a USSOCOM Phase II SBIR Agreement will result from a determination of price fairness and reasonableness commensurate with the magnitude and complexity of the required research and development effort
4. The Offeror’s attention is directed to the fact that offeror consultant/advisors to the Government will review and provide support during proposal evaluations. When appropriate, non-government advisors may have access to Offeror’s proposals and may be utilized to objectively review a proposal in a particular functional area and provide comments and recommendations to the Government’s decision makers. They may not establish final assessments of risk, rate or rank Offerors’ proposals. All advisors shall comply with procurement Integrity Laws and shall sign Non-Disclosure and Rules of Conduct/ Conflict of Interest statements. The Government shall take into consideration requirements for avoiding conflicts of interest. Submission of a proposal in response to this request constitutes approval to release the proposal to Government support contractors.
5. These instructions should not be interpreted as authority to incur any cost on the Phase II effort. Your company is not authorized to commence any work until such time as a completed contractual document is executed with your company.
6. Input on technical aspects of the proposals may be solicited by USSOCOM from non-Government consultants and advisors who are bound by appropriate non-disclosure requirements. When appropriate, non-government advisors may have access to Offeror’s proposals and may be utilized to objectively review a proposal in a particular functional area and provide comments and recommendations to the Government’s decision makers. They may not establish final assessments of risk, rate, or rank Offerors’ proposals. All advisors shall comply with procurement Integrity Laws and shall sign Non-Disclosure and Rules of Conduct/ Conflict of Interest statements. The Government shall take into consideration requirements for avoiding conflicts of interest. Submission of a proposal in response to this request constitutes approval to release the proposal to Government support contractors.

If you have any problems submitting to this site, please contact the DoD SBIR/STTR Help Desk at 703.214.1333 or email DoDSBIRSupport@reisystems.com.

If you have any questions with respect to the technical requirements, please contact the USSOCOM SBIR/STTR Program Manager, Mr. Mina Khalil at sbir@socom.mil.