

Broad Agency Announcement (BAA) for Naval Warfare and Weapons at NAWCWD, China Lake, CA.

INTRODUCTION:

This publication constitutes a Broad Agency Announcement (BAA) as contemplated in Federal Acquisition Regulation (FAR) 6.102(d)(2) and 35.016, and the Department of Defense Grants and Agreements Regulations (DoDGARS) 22.315(a). Pursuant to FAR 6.102(d)(2)(i) a formal Request for Proposal (RFP), solicitation, and/or additional information regarding this announcement will not be issued.

The Naval Air Warfare Center Weapons Division (NAWCWD) will not issue paper copies of this announcement. NAWCWD reserves the right to select for award all some or none of the proposals in response to this announcement. NAWCWD reserves the right to fund all, some or none of the proposals received under this BAA. NAWCWD provides no funding for direct reimbursement of proposal development costs. Technical and cost proposals (or any other material) submitted in response to this BAA will not be returned. It is the policy of NAWCWD to treat all proposals as sensitive competitive information and to disclose their contents only for the purposes of evaluation.

This BAA is intended for proposals related to basic research, applied research, or advanced technology development. Pursuant to FAR 6.102(d)(2)(i),

“Competitive selection of basic and applied research and that part of development not related to the development of a specific system or hardware procurement is a competitive procedure if award results from –

- (i) A Broad Agency Announcement that is general in nature identifying areas of research interest, including criteria for selecting proposals, and soliciting the participation of all Offerors capable of satisfying the government’s needs and
- (ii) A peer or scientific review.”

Proposals submitted in response to this BAA and selected for award are considered to be the result of full and open competition and in full compliance with the provision of Public Law 98-369, “The Competition in Contracting Act of 1984” and subsequent amendments.

This announcement will remain open for one (1) year from the date of publication. Proposals may be submitted at any time during this period.

I. GENERAL INFORMATION

1. Agency Name –

Naval Air Warfare Center Weapons Division (NAWCWD)
China Lake, CA 93555

2. Research Opportunity Title –

Broad Agency Announcement (BAA) for Naval Air Warfare and Weapons at NAWCWD, China Lake, CA.

3. Research Opportunity Number –

N68936-13-R-0063

4. Response Date –

This announcement will remain open (1) year from the date of publication.

5. Research Opportunity Description –

NAWCWD at China Lake, CA is interested in receiving proposals for Naval Air Warfare and Weapons which offer potential for advancement and improvement of Navy and Marine Corps operations. This announcement declares NAWCWD's broad role in competitive funding of research across a spectrum of science and engineering disciplines.

6. Point(s) of Contact –

Questions of a contracts or business nature should be submitted to:

Alexandra Van't Wout
Naval Air Warfare Center Weapons Division
Contracts Department, Code 254100D
425 E. Bowen Rd. Mail Stop 4015
China Lake, CA 93555
Email Address: alexandra.vantwout@navy.mil

Questions of a technical nature should be submitted to:

Terry Roberts
Naval Air Warfare Center Weapons Division
Code 477000D
China Lake, CA 93555
Email Address: terry.j.roberts1@navy.mil

Questions regarding security and classified information should be submitted to:

Deborah Brown
Naval Air Warfare Center Weapons Division
Code 470000D
China Lake, CA 93555
Email Address: deborah.l.brown@navy.mil

Comments or questions submitted should be concise and to the point, eliminating any unnecessary verbiage. In addition, the relevant part and paragraph of the BAA should be referenced.

Note: All UNCLASSIFIED communications shall be submitted via e-mail to the contracts Point of Contact (POC) with a copy to the Technical Point of Contact (TPOC).

CLASSIFIED questions shall be handled through the NAWCWD Security Coordinator. Specifically, any entity wanting to ask a CLASSIFIED question shall send an email to the NAWCWD Security Coordinator with a copy to both the TPOC and the contracts POC stating that the entity would like to ask a CLASSIFIED question.

*****DO NOT EMAIL ANY CLASSIFIED QUESTIONS.*****

The NAWCWD Security Coordinator will contact the entity and arrange for the CLASSIFIED question to be asked through a secure method of communication.

Amendments to this BAA will be posted to the Federal Business Opportunities (FEDBIZOPPS) webpage: <https://www.fbo.gov/>

7. Instrument Type(s) –

Awards may take the form of contracts or cooperative agreements. Any contract awards resulting from this BAA will incorporate the most current FAR, DFARS, NMCARS and NAVAIR clauses.

8. Catalog of Federal Domestic Assistance (CFDA) Numbers - 12.300

9. Catalog of Federal Domestic Assistance (CFDA) Titles - Department of Defense (DOD) Basic and Applied Scientific Research

10. Other Information –

Work funded under this BAA may potentially include basic, applied, or advanced research.

*****ATTENTION: THIS ANNOUNCEMENT IS NOT FOR THE ACQUISITION OF
TECHNICAL, ENGINEERING AND OTHER TYPES OF SUPPORT SERVICES.*****

II. AREAS OF INTEREST

1) Aerospace science research focuses on weapons and aerospace technologies which directly support naval science and technology requirements for joint strike warfare involving air superiority and precision attack, and air and surface battle space requirements of joint littoral aircraft involving aircraft, naval surface fire support and ship self defense. The focus is on basic and applied research and advanced technology development programs in the following areas:

- A. Advanced aerospace propulsion
- B. Naval Aviation technology (design tools and analysis)
- C. Combat safe insensitive munitions
- D. Energetic Materials
- E. Advanced combustion
- F. High-energy dense oxidizers
- G. High-speed weapons
- H. Batteries and power systems

2) Air warfare and naval weapons applications focus on applied research and advanced technology development aligned with current and future naval capability gaps and innovative naval prototypes in the following areas:

- A. Enhanced weapons systems
- B. Future naval capabilities
- C. High-Speed Weapons technology
- D. High-density reactive materials

Prior to preparing proposals, potential Offerors are strongly encouraged to contact the NAWCWD Technical Point of Contact (TPOC).

III. AWARD INFORMATION

1. Amount and Period of Performance-

The amount and period of performance of each selected proposal may vary depending on the research area and the technical approach to be pursued by the selected Offeror.

2. Peer Reviews-

Periodic program reviews monitor the cost, schedule and technical performance of funded basic research efforts. The reviews are used in part to determine which basic research projects may receive continued funding. Peer reviewers who are not U.S. Government employees must sign nondisclosure agreements before receiving full or partial copies of proposals and reports submitted by the basic research performers. Offerors may include travel costs for the Principal Investigator (PI) to attend the peer review.

3. Production and Testing of Prototypes-

In the case of contract awards for the production and testing of prototypes, NAWCWD may, prior to the contract period, add a contract line item for the provision of advanced component development or for the delivery of additional prototype units. However, such a contract addition shall be subject to the limitations contained in Section 819 of the National Defense Authorization Act for Fiscal Year 2010.

IV. ELIGIBILITY INFORMATION

All responsible sources from academia and industry may submit proposals under this BAA. Federally Funded Research & Development Centers (FFRDCs), including Department of Energy National Laboratories, are not eligible to receive awards under this BAA. However, teaming arrangements between FFRDCs and eligible principal bidders are allowed, so long as they are permitted under the sponsoring agreement between the Government and the specific FFRDC.

Navy laboratories and warfare centers, as well as other Department of Defense and civilian agency laboratories are also not eligible to receive awards under this BAA and should not directly submit either white papers or full proposals in response to this BAA. If any such organization is interested in one or more of the programs described herein, the organization should contact the TPOC to discuss its area of interest.

As with FFRDCs, these types of federal organizations may team with other responsible sources from academia and industry that are submitting proposals under this BAA. University Affiliated Research Centers (UARC) are eligible to submit proposals under this BAA unless precluded from doing so by their Department of Defense UARC contract. Teams are also encouraged and may submit proposals in any and all areas. However, Offerors must be willing to cooperate and exchange software, data and other information in an integrated program with other contractors, as well as with system integrators selected by NAWCWD. Some topics cover export controlled technologies. Research in these areas is limited to "U.S. persons" as defined in the International Traffic in Arms Regulations (ITAR) -22 CFR § 120.1 et seq.

For Cooperative Agreements

The Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282), as amended by Section 6202 of Public Law 110-252, requires that all agencies establish requirements for recipients reporting information on sub-awards and executive total compensation as codified in 2 CFR 170.100. Any company, non-profit agency or university that applies for financial assistance (i.e. cooperative agreements) as either a prime or sub-recipient under this BAA must provide information in its proposal that describes the necessary processes and systems in place to comply with the reporting requirements identified in 2 CFR 33.220. An entity is **exempt** from this requirement **UNLESS** in the preceding fiscal year it received: a) 80 percent or more of its annual gross revenue in Federal contracts (and subcontracts), loans, grants (and sub-grants), and cooperative agreements; b) \$25 million or more in annual gross revenue from Federal contracts (and subcontracts), loans, grants (and sub-grants), and cooperative agreements; and c) the public does not have access to information about the compensation of the senior executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 or section 6104 of the Internal Revenue Code of 1986.

V. APPLICATION AND SUBMISSION INFORMATION

1. Application and Submission Process -

"White Papers" are desired by NAWCWD Program Officers. Offerors should consult the cognizant NAWCWD TPOC regarding the desirability of "White Paper" submissions.

2. Content and Format of White Papers/Full Proposals -

White Papers and Full Proposals submitted under the BAA are expected to be **UNCLASSIFIED**; however, classified proposals are permitted. If a classified proposal is submitted, the resultant contract will be unclassified.

Unclassified Instructions:

Unclassified white papers and proposals shall be submitted in accordance with SECTION V paragraphs 2a. & 2b.

Classified Instructions:

Classified white papers and proposals shall be submitted via hardcopy only directly to the attention of NAWCWD's Security Coordinator at the following address and marked in the following manner:

(Outer Envelope)
COMMANDER
CODE 470000D
NAVAIRWARCENWPNDIV
1 ADMINISTRATION CIRCLE
BUILDING 11580 MS 5502
CHINA LAKE, CA 93555-6100

(Inner Envelope)
COMMANDER
CODE 470000D (ATTN: D.BROWN)
1 ADMINISTRATION CIRCLE
BUILDING 11580 MS 5502
ATTN: *Security Coordinator, Deborah Brown*
CHINA LAKE, CA 93555-6100

An 'unclassified' Statement of Work (SOW) must accompany any classified proposal.

Proposal submissions will be protected from unauthorized disclosure in accordance with FAR Subpart 15.207, applicable law, and DoD/DoN regulations. Offerors are expected to appropriately mark each page of their submission that contains proprietary information.

IMPORTANT NOTE: Titles given to the White Papers/Full Proposals should be descriptive of the work they cover and not be merely a copy of the title of this solicitation.

a. WHITE PAPERS**White Paper Format**

- Unclassified
- Paper Size – 8.5 x 11 inch paper
- Margins – 1 inch
- Spacing –single-spaced
- Font – Times New Roman, 12 point
- Submissions shall be made either electronically or via hardcopy
 - Electronic (email) submissions should be sent to the attention of the contracts POC at: Email alexandra.vantwout@navy.mil, as well as the TPOC at: Email terry.j.roberts1@navy.mil . The subject line of the email shall read “BAA N68936-13-R-0063, White Paper Submission.” The white paper must be a Microsoft Word 2003 or .PDF format attachment to the email.
 - Hardcopy submissions should be sent to contracts POC with three copies of the white paper. Do not send .ZIP files or password protected files.
- 10 page limit

White Paper Content

- Cover Page: The Cover Page shall be labeled “WHITE PAPER” and shall include the BAA Number N68936-13-R-0063, proposed title, technical points of contact, telephone number, facsimile number, and e-mail address.
- Technical Concept: A description of the technology innovation and technical risk areas.

For Basic Research

- **Future Naval Relevance (where applicable):** A description of potential naval relevance and contributions of the effort to the agency’s specific mission.

For Applied Research and Advanced Technology Development

- **Operational Naval Concept (where applicable):** A description of the project objectives, the concept of operation for the new capabilities to be delivered, and the expected operational performance improvements.
- **Operational Utility Assessment Plan (where applicable):** A plan for demonstrating and evaluating the operational effectiveness of the Offeror’s proposed products or processes in field experiments and/or tests in a simulated environment.
- Rough Order of Magnitude (ROM) (where applicable).

b. FULL PROPOSALS

INSTRUCTIONS FOR CONTRACTS AND COOPERATIVE AGREEMENTS

NOTE: *Potential Offerors are advised to carefully read and follow the instructions below.*

Proposal Package: The following three documents with attachments comprise a complete proposal package:

- (1) *Technical Volume Template (2003 word)*
- (2) *Cost Volume (.pdf or 2003 word, including a Basis of Estimate narrative)*
- (3) *Cost Proposal Spreadsheet (2003 excel with formulas displayed)*

The format requirements for attachments are as follows:

- Paper Size – 8.5 x 11 inch paper
- Margins – 1 inch
- Spacing –single-spaced
- Font – Times New Roman, 12 point
- Submissions shall be made either electronically or via hardcopy
 - Electronic (email) submissions should be sent to the attention of the contracts POC at: Email alexandra.vantwout@navy.mil as well as the TPOC at: Email terry.j.roberts1@navy.mil. The subject line of the email shall read “BAA N68936-13-R-0063, Full Proposal Submission.” Hardcopy submissions should be sent to contracts POC with three copies of the proposal. Do not send .ZIP files or password protected files.
- 30 page limit (not including Cost Proposal Spreadsheet)

In addition to providing summary by period of performance (base and/or phases), the Contractor is also responsible for providing a breakdown of cost for each task identified in the Statement of Work to the Government in both the Cost Proposal Spreadsheet and the Cost Volume Basis of Estimate. The sum of all costs by task worksheets **MUST** equal the total cost summary.

For proposed subcontracts or interorganizational transfers over \$150,000, Offerors must provide a separate fully completed Cost Proposal Spreadsheet and include a narrative in support of the proposed costs in the basis of estimate in cost volume. This spreadsheet, along with supporting documentation, must be provided via email or in a sealed envelope with the prime’s proposal directly to the contracts POC at the same time the prime proposal is submitted. The e-mail should identify the following: proposal title; the prime Offeror, if the attached proposal is a subcontract; and a description of the effort to be performed by the subcontractor.

The secure pdf-compatible format is intended to prevent unauthorized editing of the proposal prior to any award. A password shall not be required for opening the proposal document. The Government must have the ability to print and copy text, images, and other content.

Offerors may also submit their Technical Content in an electronic file that allows for revision (preferably in Microsoft Word 2003) to facilitate the communication of potential revisions. Should an Offeror amend its proposal, the amended proposal shall be submitted following the same hard and electronic copy guidance applicable to the original proposal.

The electronic submission of the Excel 2003 spreadsheet should be in a “useable condition” to aid the Government with its evaluation. The term “useable condition” indicates that the spreadsheet should visibly include and separately identify within each appropriate cell any and all inputs, formulas, calculations. The Offeror shall not provide “value only spreadsheets.”

Offerors should also familiarize themselves with the new subcontract reporting requirements set forth in Federal Acquisition Regulation (FAR) clause 52.204-10, Reporting Executive Compensation and First-Tier Subcontract Awards.

VI. EVALUATION INFORMATION

1. Evaluation Criteria –

Awards under this BAA will be made to Offerors on the basis of the evaluation criteria listed below, and program balance to provide overall value to the Government. Pursuant to FAR 35.016, the primary basis for selecting proposals for acceptance shall be technical, importance to agency programs, and fund availability.

The Government reserves the right to request any additional or necessary documentation once it makes the award instrument determination. The Government reserves the right to remove Offerors from award consideration, should the parties fail to reach agreement on award terms; conditions; and cost/price within a reasonable time; the Offeror fails to provide requested additional information in a timely manner; or for lack of available funds.

Evaluations will be conducted using the following evaluation criteria:

- 1) Overall scientific and technical merits of the proposal;
- 2) Potential Naval relevance and contributions of the effort to the agency’s specific mission;
- 3) The Offeror’s capabilities, related experience, facilities, techniques or unique combinations of these which are integral factors for achieving the proposal objectives;
- 4) The qualifications, capabilities and experience of the Offeror; the proposed key personnel who are critical in achieving the proposal objectives and;
- 5) The realism and reasonableness of the proposed costs

The ultimate recommendation for award of proposals is made by NAWCWD’s scientific/technical community. Recommended proposals will be forwarded to the NAWCWD contracts department. Any notification received from NAWCWD that indicates the Offeror’s full proposal has been recommended, does not ultimately guarantee an award will be made. This notice indicates that the proposal has been selected with the evaluation criteria above and has been sent to the contracting department to conduct analysis, determine the Offerors

responsibility, and to take other relevant steps necessary prior to commencing negotiations with the Offeror.

a. Technical Evaluation

The technical evaluation will be based on the above-noted criteria. Criteria 1-4 are of equal importance to each other and more important than criteria 5.

b. Cost Evaluation

Cost evaluation will include consideration of proposed budgets and funding profiles, and cost elements as they relate to the technical effort.

The degree of importance of cost will increase with the degree of equality of the proposals in relation to the other factors on which selection is to be based, or when the cost is so significantly high as to diminish the value of the proposals' technical superiority to the Government.

The cost evaluation criteria consist of:

1. Realism
2. Reasonableness

Organization and clarity of information are critical to all of the evaluation criteria for both the white paper and the full proposal. The cost of preparing white papers and proposals in response to this announcement is not an allowable direct charge to any resulting contract or any other contract.

The Navy reserves the right to amend this BAA to allow for subsequent submission dates for white papers and/or proposals.

Industry-Academia Partnering –NAWCWD highly encourages partnering among industry and academia with a view toward speeding the incorporation of new science and technology into fielded systems. Proposals that utilize industry-academic partnering which enhances the development of novel Science &Technology (S&T) advances will be given favorable consideration.

Industry-Government Partnering – NAWCWD highly encourages partnering among industry and Government with a view toward speeding the incorporation of new science and technology into fielded systems. Proposals that utilize industry-Government partnering which enhances the development of novel S&T advances will be given favorable consideration.

2. Commitment to Small Business- (For Contract Awards Only)

NAWCWD is strongly committed to providing meaningful subcontracting opportunities for small businesses, small disadvantaged businesses (SDBs), woman-owned small businesses (WOSBs), historically underutilized business zone (HUBZone) small businesses, veteran-owned

small business (VOSBs), service disabled veteran-owned small businesses (SDVOSBs), and other concerns subject to socioeconomic considerations through its awards.

Subcontracting Plan-For proposed awards to be made as contracts that exceed \$650,000, large businesses and non-profits (including educational institutions) shall provide a Subcontracting Plan that contains all elements required by FAR 52.219-9, as supplemented by DFARS 252.219-7003. Small businesses are exempt from this requirement.

The Subcontracting Plan should be submitted as an attachment to the “Technical Proposal Template” and will not be included in the page count. If a company has a Master Subcontracting Plan, as described in FAR 19.701 or a Comprehensive Subcontracting Plan, as described in DFARS 219.702, a copy of the plan shall also be submitted as an attachment to the “Technical Proposal Template.”

Plans will be reviewed for adequacy, ensuring that the required information, goals, and assurances are included. Zero Percent (0%) for goals, or Zero Dollars (\$0), or Not Applicable (N/A), is unacceptable. If a subcontracting plan is not submitted with the proposal package or the negotiation of an acceptable subcontracting plan is required, there could be a delay in the issuance of an award. In addition, in accordance with FAR 52.219-9, failure to submit and negotiate a subcontracting plan may make an Offeror ineligible for contract award.

Offerors shall propose a plan that ensures small businesses (inclusive of SDBs, WOSBs, HUBZone, VOSBs and SDVOSBs, etc.) will have the maximum practicable opportunity to participate in contract performance consistent with its efficient performance.

As a baseline, Offerors shall to the best extent possible propose realistic goals to ensure small business participation in accordance with the current fiscal year subcontracting goals found on the Department of Defense Office of Small Business Program website at: <http://www.acq.osd.mil/osbp/> If proposed goals are below the statutory requirements, then the Offeror should provide a viable written explanation as to why small businesses are unable to be utilized and what attempts have been taken to ensure that small business were given the opportunity to participate in the effort to the maximum extent practicable.

Small Business Participation Statement – If subcontracting opportunities exist, all prime Offerors shall submit a Small Business Participation Statement regardless of size in accordance with DFARS 215.304 when receiving a contract for more than the simplified acquisition threshold (i.e., \$150,000). All Offerors shall provide a statement of the extent of the Offeror’s commitment in providing meaningful subcontracting opportunities for small businesses and other concerns subject to socioeconomic considerations through its awards. Additionally Offerors must agree that small businesses, VOSBs, SDVOSBs, HUB Zones, SDBs, and WOSBs concerns will have to the maximum practicable opportunity to participate in contract performance consistent with its efficient performance.

This assertion will be reviewed to ensure that it supports this policy by providing meaningful subcontracting opportunities. The statement should be submitted as a part of the proposal package and will not be included in the page count.

3. Evaluation Panel -

Technical and cost proposals submitted under this BAA will be protected from unauthorized disclosure in accordance with FAR 3.104-4 and 15.207. The cognizant TPOC and other Government scientific experts will perform the evaluation of technical proposals. Proposal selection and award decisions are solely the responsibility of Government personnel.

Government employees having access to technical and cost proposals submitted in response to this BAA will be required to sign a non-disclosure statement prior to receipt of any proposal submissions.

VII. AWARD ADMINISTRATION INFORMATION

1. Administrative Requirements –

- North American Industry Classification System (NAICS) code – The NAICS code for this announcement is “541712”.
- System for Award Management (SAM): All Offerors submitting proposals or applications must:

- 1) be registered in the SAM prior to submission;
- 2) maintain an active SAM registration with current information at all times during which it has an active Federal award or an application under consideration by any agency; and
- 3) provide its DUNS number in each application or proposal it submits to the agency.

The System for Award Management (SAM) is a free website that consolidates the capabilities you used to find in CCR/FedReg, ORCA, and EPLS. Future phases of SAM will add the capabilities of other systems used in Federal procurement and awards processes.

SAM may be accessed at <https://www.sam.gov/portal/public/SAM/>

NOTE TO FORMER CCR REGISTRANTS: If you had an active record in CCR, you have an active record in SAM. You do not need to do anything in SAM at this time, unless a change in your business circumstances requires a change in SAM in order for you to be paid or to receive an award. SAM will send notifications to the registered user via email 60, 30, and 15 days prior to expiration of the record. You can search for registered entities in SAM by typing the DUNS number or business name into the search box.

Access to your Cooperative Agreement and Contract Award

All NAWCWD award/modification documents will be available via the Department of Defense (DoD) Electronic Document Access System (EDA).

EDA is a web-based system that provides secure online access, storage, and retrieval of awards and modifications to DoD employees and vendors.

If you do not currently have access to EDA, complete a self-registration request as a “Vendor” via <http://eda.ogden.disa.mil> following the steps below:

Click "New User Registration" (from the left Menu)
Click "Begin VENDOR User Registration Process"
Click "EDA Registration Form" under Username/Password (enter the appropriate data)
Complete & Submit Registration form

Allow five (5) business days for your registration to be processed. EDA will notify you by email when your account is approved.

Registration questions may be directed to the EDA help desk toll free at 1-866-618-5988, Commercial at 801-605-7095, or via email at cscassig@csd.disa.mil (Subject: EDA Assistance).

Cooperative Agreements and Certification Requirements:

Cooperative Agreement awards greater than \$100,000, as well as OTAs not under Section 845, require a certification of compliance with a national policy mandate concerning lobbying. The following certification applies likewise to each cooperating agreement and normal OTA applicant seeking federal assistance funds exceeding \$100,000.

Certification regarding lobbying activities –

(1) No Federal appropriated funds have been paid or will be paid by or on behalf of the applicant, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the Federal contract, grant, loan, or cooperative agreement, the applicant shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The applicant shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, title 31, U.S.C. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

VIII. OTHER INFORMATION

1. Government Property/Government Furnished Equipment (GFE) and Facilities

Government research facilities and operational military units are available and should be considered as potential government-furnished equipment/facilities. These facilities and resources are of high value and some are in constant demand by multiple programs. It is unlikely that all facilities would be used for any one specific program. The use of these facilities and resources will be negotiated as the program unfolds. Offerors should indicate in the Technical Proposal Template, Section II, Blocks 8 and 9, which of these facilities are critical for the project's success.

2. Security Classification

In order to facilitate intra-program collaboration and technology transfer, the Government will attempt to enable technology developers to work at the unclassified level to the maximum extent possible. If access to classified material will be required at any point during performance, the Offeror must clearly identify the need for access.

If it is determined that access to classified information will be required during the performance of an award, a Department of Defense (DD) Form 254 will be attached to the contract, and FAR 52.204-2 - Security Requirements will be incorporated into the contract.

The attached DD-254 is for solicitation bidding purposes only, and is not valid for the actual contract. Upon award of any contracts, new DD-254s will be established reflecting specific contractor requirements based on their proposal security classification requirements.

3. Use of Arms, Ammunition and Explosives Safety

The Offeror is required to be in compliance with DoD manual 4145.26-M, *DoD Contractor's Safety Manual for Ammunition and Explosives* if ammunitions and/or explosives are to be utilized under the proposed research effort. (See DFARS 223.370-5 and DFARS 252.223-7002) If ammunitions and/or explosives (A&E) are to be utilized under the proposed research effort, the Government requires a preaward safety survey in accordance with DFARS PGI 223.370-4(C)(iv) entitled *Preaward survey*. The Offeror is solely responsible for contacting the cognizant DCMA office and obtaining a required preaward safety survey before proposal submission. The Offeror should include required preaward safety surveys with proposal submissions.

If the Offeror proposes that the Government provide Government-furnished A&E containing any nitrocellulose-based propellants and/or nitrate ester-based materials (such as nitroglycerin,) or other similar A&E with a tendency to become chemically unstable over time, then NMCARS 5252.223-9000 will also apply to a resulting contract award. (See NMCARS 5223.370-5)

Security

If arms, ammunition and explosives (AA&E) are to be utilized under the proposed research effort, the Government requires a preaward security survey. The Offeror is solely responsible for contacting the cognizant DCMA office and obtaining a required preaward security survey before proposal submission. The Offeror should include a required preaward security survey with proposal submission. (See DoD manual 5100.76-M, *Physical Security of Sensitive Conventional Arms, Ammunition and Explosives*, paragraph C1.3.1.4)

If AA&E are to be utilized under the proposed research effort, the Government may require the Contractor to have perimeter fencing around the place of performance in accordance with DoD 5100.76-M, Appendix 2.

If AA&E are to be utilized under the research effort, the Offeror is required to provide a written copy of the Offeror's AA&E accountability procedures in accordance with DoD 5100.76-M. If the Offeror is required to provide written AA&E accountability procedures, the Offeror should provide the respective procedures with its proposal submission. See DoD 5100.76-M Appendix 2.12.

4. Department of Defense High Performance Computing Program

The DoD High Performance Computing Program (HPCMP) furnishes the DoD S & T and RDT & E communities with use-access to very powerful high performance computing systems. Awardees of NAWCWD contracts and other assistance instruments may be eligible to use HPCMP assets in support of their funded activities if NAWCWD TPOC approval is obtained and if security/screening requirements are favorably completed. Additional information and an application may be found at <http://www.hpcmo.hpc.mil/>.

5. Organizational Conflicts of Interest

All Offerors and proposed subcontractors must affirm whether they are providing scientific, engineering, and technical assistance (SETA) or similar support to any NAWCWD technical office(s) through an active contract or subcontract. All affirmations must state which office(s) the Offeror supports and identify the prime contract numbers. Affirmations shall be furnished at the time of proposal submission. All facts relevant to the existence or potential existence of organizational conflicts of interest (FAR 9.5) must be disclosed. The disclosure shall include a description of the action the Offeror has taken or proposes to take to avoid, neutralize, or mitigate such conflict. In accordance with FAR 9.503 and without prior approval, a contractor cannot simultaneously be a SETA and a research and development performer. Proposals that fail to fully disclose potential conflicts of interests will be rejected without technical evaluation and withdrawn from further consideration for award. If a prospective Offeror believes that any conflict of interest exists or may exist (whether organizational or otherwise), the Offeror should promptly raise the issue with NAWCWD by sending his/her contact information and a summary of the potential conflict by e-mail to the Business Point of Contact before time and effort are expended in preparing a proposal and mitigation plan. If, in the sole opinion of the Contracting Officer after full consideration of the circumstances, any conflict situation cannot be effectively

avoided, the proposal may be rejected without technical evaluation and withdrawn from further consideration for award under this BAA.

6. Project Meetings and Reviews

Individual program reviews between the NAWCWD sponsor and the performer may be held as necessary. Program status reviews may also be held to provide a forum for reviews of the latest results from experiments and any other incremental progress towards the major demonstrations. These meetings will be held at various sites throughout the country. Interim meetings are likely, but these will be accomplished via video telephone conferences, telephone conferences, or via web-based collaboration tools.

7. Reporting Executive Compensation and First-Tier Subcontract Awards

The 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 cooperative agreements.

8. Combating Trafficking in Persons

Appropriate language from FAR Clause 52.222-50 will be incorporated in all awards.

9. Updates of Information regarding Responsibility Matters

FAR clause 52.209-9, Updates of Publicly Available Information Regarding Responsibility Matter, 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.

10. Employment Eligibility Verification

As per FAR 22.1802, recipients of FAR-based procurement contracts must enroll as Federal Contractors in E-verify and use E-verify 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, cooperative agreements.

11. Intellectual Property

Offerors responding to this BAA must submit a separate list of all technical data or computer software that will be furnished to the Government with other than unlimited rights. The Government will assume unlimited rights if Offerors fail to identify any intellectual property restrictions in their proposals. Include in this section all proprietary claims to results, prototypes, and/or deliverables. If no restrictions are intended, then the Offeror should state "NONE."