

ONR BAA Announcement # N0001424SB003



**NATIONAL OCEANOGRAPHIC
PARTNERSHIP PROGRAM (NOPP) 2024
BROAD AGENCY ANNOUNCEMENT**

TABLE OF CONTENTS

I. OVERVIEW OF THE RESEARCH OPPORTUNITY	4
A. Required Overview Content	6
1. Federal Awarding Agency Name	6
2. Funding Opportunity Title	6
3. Announcement Type	6
4. Funding Opportunity Number	6
5. Assistance Listings Number	6
6. Key Dates	7
7. North American Industry Classification System (NAICS) Code	7
8. Contracting, Other Transaction Agreement (OTA) and Grants Officer	7
II. DETAILED INFORMATION ABOUT THE FUNDING OPPORTUNITY	7
A. Program Description	7
B. Federal Award Information	7
1. Eligibility for Competition	7
2. Contracted Fundamental Research	7
3. Funded Amount and Period of Performance	8
4. Instrument Type(s)	9
5. Model Contracts and Grants	11
C. Eligibility Information	12
1. Eligible Applicants	12
2. Cost Sharing or Matching	13
D. Application and Submission Information	13
1. Address to Request (Access) Application Package	13
2. Content and Form of Application Submission	13
3. Unique Entity Identifier and System for Award Management (SAM)	14
4. Ship Time Instructions For Full Proposals	15
5. Submission Dates and Times	15

6. Other Submission Requirements	16
E. Application Review Information	17
1. Criteria	17
2. Review and Selection Process	18
3. Recipient Qualifications	22
F. Federal Award Administration Information	22
1. Federal Award Notices	22
2. Administrative and National Policy Requirements	23
3. Reporting	29
G. Federal Awarding Agency Contacts	29
1. Communications	29
2. Questions of a technical nature	29
3. Questions of a Business nature, regarding Contract and Other Transaction proposal submissions, or suggestions for improvement	30
4. Questions regarding Grants proposal submissions	30
5. Questions of a Security nature	30
H. Other Information	30

III. APPENDIX	
1. Research Topic Descriptions	Appendix 1-1
2. Requirements Applicable to Grants and Cooperative Agreements Only	Appendix 2-1
3. Requirements Applicable to Contracts and Other Transaction Agreements Only	Appendix 3-1

I. OVERVIEW OF THE RESEARCH OPPORTUNITY

On behalf of the National Oceanographic Partnership Program (NOPP), the Office of Naval Research (ONR) solicits research proposals under this Broad Agency Announcement (BAA #N0001424SB003). Congress established the NOPP via Title II, subtitle E, of Public Law 104-201 to promote the national goals of assuring national security, advancing economic development, protecting quality of life, and strengthening science education and communication by improving knowledge of the ocean. Over twenty agencies participate in the NOPP. They are identified on the NOPP website: www.nopp.org.

In this BAA, NOPP participants have identified two (2) ocean research topics of mutual and emerging interest. Selected projects will be awarded and funded by individual agencies. All successful offerors will be notified, and the NOPP office will provide the 2025 NOPP project announcement on its website. Up to \$23M over three (3) years may be available for awards under this solicitation, subject to appropriation, availability of funds, and final approval by the participating NOPP agencies. NOPP funding will be dependent on individual participating agency policies, procedures, and regulations. There will be no classified work funded under this announcement.

This publication constitutes a BAA for awards by the ONR Contact and Grants Awards Management Division, ONR Code 25 (or others approved by Code 25), as contemplated in Federal Acquisition Regulation (FAR) 6.102(d)(2) and 35.016 and by the Office of the Under Secretary of Defense for Acquisition and Sustainment Guide to Research Other Transaction Under 10 U.S.C. 4021 (June 2023) and the Other Transaction Guide version 2.0 dated July 2023.

It also constitutes a merit-based, competitive procedure in accordance with the Department of Defense Grant and Agreement Regulations (DoDGARS) at 32 CFR 22.315. A formal Request for Proposals (RFP), solicitation, and/or additional information regarding this announcement will not be issued.

ONR and the participating agencies reserve the right to fund all, some, or none of the proposals received under this BAA. The Government 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 ONR to treat all proposals submitted under this BAA as sensitive competitive information and to disclose their contents only for the purposes of evaluation.

In accordance with 10 U.S.C. §4021(i), as amended, the following information submitted during the solicitation and award process of an Other Transaction (OT) or Cooperative Agreement are exempt from disclosure requirements of 5 U.S.C. §552, the Freedom of Information Act (FOIA), for a period of five years from the date the Department receives the information. Offerors should mark the following documents with a legend asserting that they are submitted on a confidential basis:

- A proposal, proposal abstract, and supporting documents;
- A business plan submitted on a confidential basis;
- Technical information submitted on a controlled basis, as outlined in DoDI 5230.24, Distribution

Statements on Technical Documents.

Hyperlinks have been embedded within this document and appear as underlined, blue-colored words. The reader may “jump” to the linked section by clicking the hyperlink.

A. Required Overview Content

1. Federal Awarding Agency Name

Office of Naval Research,
One Liberty Center
875 N. Randolph Street
Arlington, VA 22203-1995

2. Funding Opportunity Title

National Oceanographic Partnership Program (NOPP) FY2024 Broad Agency
Announcement (BAA)

#	BAA Topic Name	Letters of Intent Due Date	Full Proposal Due Date
1	A Global Multi-agency Experiment on Internal Wave Energy, Mixing and Interactions in the Ocean and Their Representation in Global Ocean Models and Operational Forecasts	Not Applicable	November 22, 2024
2	Low-Cost, Air Deployable 400m Profiling CTD Floats for investigating sub- mesoscale eddies – Design Study and Demonstration	Not Applicable	November 22, 2024

3. Announcement Type

Initial Announcement

4. Funding Opportunity Number

N0001424SB003

5. Assistance Listings Number

[12.300](#)

Title: Department of Defense (DOD), Department of the Navy, Office of
Chief of Naval Research, Basic and Applied Scientific Research

6. Key Dates (See also Section II D.5)

Anticipated Schedule of Events *		
Event	Date (MM/DD/ YEAR)	Time (Eastern Standard Time)
Full Proposals Due Date	11/22/24	3pm
Notification of Selection for Award *	03/14/25	
Awards*	05/06/25	
Kickoff Meeting*	06/10/25	

**These dates are estimates as of the date of this announcement.*

7. North American Industry Classification System (NAICS) code

The NAICS code for contracts under this announcement is 541715 with a small business size standard of 1,000 employees. The ONR Reps and Certs shall include this NAICS and size standard.

8. Contracting, Other Transaction Agreements, and Grants Officer - The Contracting, Other Transaction Agreements, and Grants Point of Contacts for this announcement are identified under Section II, G.3 and G.4, respectively.

II. DETAILED INFORMATION ABOUT THE FUNDING OPPORTUNITY

A. Program Description

NOPP agencies have identified two (2) ocean research topics of mutual and emerging interest. Appendix 1 provides the research program descriptions for each topic.

B. Federal Award Information

1. Eligibility for Competition- Proposals for supplementation of existing projects and applications for new Federal awards are eligible to compete under this BAA.

2 Contracted Fundamental Research- With regard to any restrictions on the conduct or outcome of work funded under this BAA, ONR will follow the guidance on and definition of “contracted fundamental research” as provided in the Under Secretary of Defense (Acquisition, Technology and Logistics) Memorandum of 24 May 2010. The memorandum can be found at [https://www.acq.osd.mil/dpap/dars/pgi/docs/2012-D054%20Tab%20D%20OUSD%20\(ATL\)%20memorandum%20dated%20May%2024%](https://www.acq.osd.mil/dpap/dars/pgi/docs/2012-D054%20Tab%20D%20OUSD%20(ATL)%20memorandum%20dated%20May%2024%20)

As defined therein the definition of “contracted fundamental research,” in a DoD contractual context, includes research performed under grants and contracts that are (a) funded by RDT&E Budget Activity 1 (Basic Research), whether performed by universities or industry or (b) funded by Budget Activity 2 (Applied Research) and performed on campus at a university.

Pursuant to DoD policy, research performed under grants and contracts that are (a) funded by Budget Activity 2 (Applied Research) and NOT performed on-campus at a university or (b) funded by Budget Activity 3 (Advanced Technology Development) or Budget Activity 4 (Advanced Component Development and Prototypes) does not meet the definition of “contracted fundamental research.” In conformance with the USD (AT&L) guidance and National Security Decision Directive found at

https://www.acq.osd.mil/dpap/dars/pgi/docs/National_Security_Decision_Directive_189.pdf. ONR will place no restriction on the conduct or reporting of unclassified “contracted fundamental research,” except as otherwise required by statute, regulation or executive order. 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. For certain research projects, it may be possible that although the research being performed by the prime contractor is restricted research, a subcontractor may be conducting “contracted fundamental research.” In those cases, it is the *prime contractor’s* responsibility in the proposal to identify and describe the subcontracted unclassified research and include a statement confirming that the work has been scoped, negotiated, and determined to be fundamental research according to the prime contractor and research performer.

Normally, fundamental research is awarded under grants with universities and under contracts with industry. Non-fundamental research is normally awarded under contracts and may require restrictions during the conduct of the research and DoD pre-publication review of such research results due to subject matter sensitivity. Potential offerors should consult with the appropriate ONR Technical Point of Contact (POC) to determine whether the proposed effort would constitute fundamental or non-fundamental research.

3. Funded Amount and Period of Performance- Up to \$23M over three (3) years may be available for awards under this announcement, subject to availability of funds and final approval by the participating NOPP agencies. The table below provides guidance by topic. The breakout of topic investments may not equal the total amount listed below due to the uncertainty associated with the availability of funding. Actual award funding levels will be dependent on both the cost of the proposed research and individual agency and topic funding levels.

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

Individual awards may be fully funded for an entire performance period or incrementally funded, with continued funding dependent on funding availability, the assigned Program Officer's assessment of work progress, and the contract terms.

Topic Name	Anticipated # of Awards	Individual Award Amount Range per year	Total Performance Period years (months)
A Global Multi-agency Experiment on Internal Wave Energy, Mixing and Interactions in the Ocean and Their Representation in Global Ocean Models and Operational Forecasts	Modeling Focus: Up to 3 awards	\$250K-\$500K	3 (36 Months)
A Global Multi-agency Experiment on Internal Wave Energy, Mixing and Interactions in the Ocean and Their Representation in Global Ocean Models and Operational Forecasts	Field Work Focus: Up to 4 awards	\$500K-\$1.5M	3 (36 Months)
Low-Cost, Air Deployable 400m Profiling CTD Floats for investigating sub-mesoscale eddies – Design Study and Demonstration	Up to 3 awards	\$125K-\$175K	1 (12 Months)

4. **Instrument Type(s)** - It is anticipated that awards will be in the form of grants. However, NOPP sponsor agencies reserve the right to award cooperative agreements, contracts, or other transaction agreements to appropriate parties, should the situation warrant use of an instrument other than a grant. When funding project participants that are Federal entities, agencies may fund these efforts separately (e.g, under the Economy Act) based on policies and procedures, responses to the announcement, and internal award administration.

The following provides brief descriptions of potential instrument types:

- a. **Procurement Contract**
A legal instrument, consistent with 31 U.S.C. 6303, which reflects a relationship between the Federal Government and another entity/contractor when the principal purpose of the instrument is to

acquire property or services for the direct benefit or use of the Federal Government.

b. Assistance Instruments

The applicable regulations are 2 CFR 200, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” as implemented by 2 CFR Chapter XL, Subchapter A and DoDGARs at 32 CFR Subchapter C. Any assistance instrument awarded under this announcement will be governed by the award terms and conditions that conform to DoD’s implementation of Office of Management and Budget (OMB) circulars applicable to financial assistance. The DoD Terms and Conditions and the ONR Addendum and Programmatic Requirements are located at <https://www.nre.navy.mil/work-with-us/manage-your-award/manage-grant-award/grant-terms-conditions>

II. Grant: A legal instrument consistent with 31 U.S.C. 6304, is used to enter into a relationship:

i. 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 or the United States, rather than to acquire property or services for the Federal Government’s direct benefit or use.

1. In which substantial involvement is not expected between the Federal Government and the recipient when carrying out the activity contemplated by the grant.

ii. No fee or profit is allowed.

III. Cooperative Agreement: 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:

i. Substantial involvement is expected between the Federal Government and the recipient when carrying out the activity contemplated by the cooperative agreement. (For information on the substantial involvement ONR expects to have in cooperative agreements, prospective offerors should contact the Technical POC identified in the research area of interest.)

ii. This term does not include “Cooperative R&D

agreements (CRADA)” as defined at 15 U.S.C. 3710a

iii.No fee or profit is allowed.

c. Other Transaction Agreement (OTA) for Research

A legal instrument, consistent with 10 U.S.C. § 4021, which may be used for basic, applied, and advanced research projects. To the maximum extent practicable, an OTA for research shall provide for a 50/50 cost share between the Government and the performer. The effort covered under an OTA shall not be duplicative of effort being conducted under an existing DoD program. Please refer to the Office of the Under Secretary of Defense for Acquisition and Sustainment Guide to Research Other Transactions under 10 U.S.C. 4021 (June 2023) and Other Transaction Guide version 2.0 dated July 2023 for additional information. These document, along with other OTA resources, may be accessed at the following link:

Guide to Research Other Transactions under 10 U.S.C. 4021 dated June 2023:

<https://www.acq.osd.mil/asda/dpc/cp/policy/docs/guidebook/Guide%20to%20Research%20Other%20Transactions.pdf>

Other Transaction Guide version 2.0 dated July 2023:

https://www.acq.osd.mil/asda/dpc/cp/policy/docs/guidebook/TAB%20A1%20-%20DoD%20OT%20Guide%20JUL%202023_final.pdf

- d. Other Transaction Agreement (OTA) for Prototypes: A legal instrument, consistent with 10 U.S.C. 4022, which may be used for prototype projects directly relevant to enhancing the mission effectiveness of military personnel and the supporting platforms, systems, components, or materials proposed to be acquired or developed by the Department of Defense, or for improvement of platforms, systems, components, or materials in use by the armed forces. The effort covered under an OTA shall not be duplicative of effort being conducted under an existing DoD program. Please refer to the DoD “Other Transactions Guide” version 2.0 dated July 2023, for additional information. This document may be accessed at the following link:

https://www.acq.osd.mil/asda/dpc/cp/policy/docs/guidebook/TAB%20A1%20-%20DoD%20OT%20Guide%20JUL%202023_final.pdf

5. **Model Contracts and Grants-** The model contracts and grants at the links below are only provided as examples. In the event of any conflict between these examples and

current FAR, DFARS, NMCARS, 2 CFR 200 Uniform Guidance or ONR clauses or terms and conditions, current FAR, DFARS, NMCARS, 2 CFR 200 Uniform Guidance or ONR clauses or terms and conditions will govern.

- Examples of model contracts can be found on the ONR website at the following link: <https://www.onr.navy.mil/work-with-us/how-to-apply/submit-contract-proposal>.
- Examples of model grants can be found on the ONR website at the following link: <https://www.onr.navy.mil/work-with-us/how-to-apply/submit-grant-application>

C. Eligibility Information

1. Eligible Applicants-

a. Team efforts are required: 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 the NOPP. Team, team efforts, partner, and partnership are all synonymous terms throughout this BAA. The teams must be comprised of members from at least two of the following three sectors:

- ☐ Academia,
- ☐ Industry (including Non-Governmental Organizations - NGOs), and
- ☐ Government (including Tribal, State and Local)

All businesses both small and large are encouraged to submit proposals and compete for funding consideration. However, no portion of this BAA will be set aside for Small Business or other socio-economic participation.

Foreign institutions are eligible to apply for support as a partner under this BAA. However, the National Science Foundation (NSF) rarely provides support to foreign organizations. For proposals to be funded by NSF, NSF will consider proposals for cooperative projects involving U.S. and foreign organizations, provided support is requested only for the U.S. portion of the collaborative effort.

b. All responsible sources from academia, industry and the research community worldwide may submit proposals under this BAA. Historically Black Colleges and Universities (HBCUs) and Minority Institutions (MIs) are encouraged to submit proposals and join others in submitting proposals.

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 Offerors are allowed so long as such

arrangements are permitted under the sponsoring agreement between the Government and the specific FFRDC.

Navy laboratories, military universities 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 full proposals in response to this BAA. As with FFRDCs, these types of federal organizations may team with other eligible sources from academia and industry that are submitting proposals under this BAA. If any such organization is interested in one or more of the programs described herein, the organization should contact an appropriate ONR Technical POC to discuss its area of interest.

University Affiliated Research Centers (UARC)s are eligible to submit proposals under this BAA unless precluded from doing so by their Department of Defense UARC contract.

2. **Cost Sharing or Matching** - Cost sharing is not expected under contracts and grants and will not be used as a factor during the merit review of any proposal hereunder. However, the Government may consider voluntary cost sharing if proposed. Additional guidance can be found at 2 CFR 200.306 and FAR 35.003. See Section II B. Federal Award Information 4. Instrument Type(s)/c. Other Transaction Agreement (OTA) for Research for information on cost sharing for OT awarded under 10 U.S.C. 4021 and 10 U.S.C. 4022.

D. Application and Submission Information

1. **Address to Request (Access) Application Package** - This BAA may be accessed from the sites below. Amendments, if any, to this BAA will be posted to these websites when they occur. Interested parties are encouraged to periodically check these websites for updates and amendments.

- I. Grants.gov (www.grants.gov)
- II. Sam.gov - Contract Opportunities (<https://sam.gov/content/home>)
- III. ONR website <https://www.onr.navy.mil/work-with-us/funding-opportunities>

2. Content and Form of Application Submission

a. General Information

All 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.

Titles given to the submissions should be descriptive of the work they cover and not be merely a copy of the title of this announcement.

b. Security Classification

Proposals submitted under this BAA are expected to be unclassified.

c. Non-Proprietary Statement of Work

For all proposals, a non-proprietary version of the Statement of Work must also be submitted. Do not put proprietary data or markings in or on the Statement of Work. For proposals containing data that the offeror does not want disclosed to the public for any purpose, or used by the Government except for evaluation purposes, the contractor shall mark the title page 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 the proposal. If, however, a contract 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 is obtained from another source without restriction. The data subject to this restriction are contained in (insert numbers or other identification of sheets).”

Each sheet of data that the offeror wishes to restrict must be marked 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.”

Full Proposals: The due date for receipt of Full Proposals is 3:00 PM (EST) on Wednesday, November 22nd, 2024. It is anticipated that final selections will be made within 15 weeks after the full proposal deadline. As soon as the final full proposal evaluation process is completed, PI’s will be notified via email of their project’s selection or non-selection for FY25 funding. Full proposals received after the published due date and time may not be considered for funding.

3. Unique Entity Identifier and System for Award Management (SAM) - All offerors submitting proposals or applications must:

- a. Be registered in the SAM prior to submission;
- b. Provide a valid unique entity identifier in its application; and
- c. Maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or proposal under consideration by a Federal awarding agency;

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

A Federal awarding agency may not make a Federal award to an applicant/offeror until the applicant has complied with all applicable unique entity identifier and SAM requirements and, if an applicant/offeror has not fully complied with the requirements by the time the Federal awarding agency is ready to make a Federal award, the Federal awarding agency may determine that the applicant/offeror is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant/offeror.

4. Ship time Instructions for Full Proposals

Proposals requiring ship time will need to submit a University National Oceanographic Laboratory System (UNOLS) ship time request (STR) form with the full proposal. Information about the ship time process for UNOLS ships is at the following link: <https://www.unols.org/>

For full proposals, follow the UNOLS process found at: https://strs.unols.org/Public/diu_login.aspx. Be sure to select NOPP as the sponsor agency, and add all other appropriate information.

All NOPP partners will use the UNOLS system to coordinate ship time including NOAA, ONR and NSF. If contemplating use of non-UNOLS ship, please contact the cognizant agency program officer or TPOC herein.

5. Submission Dates and Times - See Section I. A.6 above, “Key Dates” for information.

Submission of Late Proposals (Applicable Full Proposals)

Any white paper, proposal, modification, or revision, that is received at the designated Government office after the exact time specified for receipt of proposals is “late” and will not be considered unless it is received before award is made, the contracting officer determines that accepting the late proposal would not unduly delay the acquisition, and

- (a) If it was transmitted through an electronic commerce method authorized by the announcement, it was received at the initial point of entry to the Government infrastructure not later than 5:00 p.m. one working day prior to the date specified for receipt of proposals; or

- (b) There is acceptable evidence to establish that it was received at the Government installation designated for receipt of proposals and was under the Government's control prior to the time set for receipt of proposals; or
- (c) It was the only proposal received.

However, a late modification of an otherwise timely and successful proposal that makes its terms more favorable to the Government will be considered at any time it is received and may be accepted.

Acceptable evidence to establish the time or receipt at the Government installation includes the time/date stamp of that installation on the proposal wrapper, other documentary evidence of receipt maintained by the installation, or oral testimony or statements of Government personnel.

If an emergency or unanticipated event interrupts normal Government processes so that proposals cannot be received at the Government office designated for receipt of proposals by the exact time specified in the announcement, and urgent Government requirements preclude amendment of the announcement closing date, the time specified for receipt of proposals will be deemed to be extended to the same time of day specified in the announcement on the first work day on which normal Government processes resume.

The Technical Point of Contact must promptly notify any offeror if its proposal, modifications, or revision was received late and must inform the offeror whether its proposal will be considered.

6. Other Submission Requirements:

See Appendix 2 for Instructions for Grants, Cooperative Agreements and Appendix 3 for Instructions for Contracts and Other Transaction Agreements.

The NOPP is a partnership of sponsor agencies each with their own unique award processes. Once proposal recommendations are made, those proposals which will be funded by agencies other than by ONR (e.g., NSF, NOAA, NASA, +), will require proposal resubmission directly to that agency using their guidelines and requirements. This will be communicated to the proposer in their award letter with an agency POC identified. For instance, proposals which will be funded by NSF require entry into FASTLANE, NSF's award management system. The PI will coordinate submission with the assigned NSF Program Director.

- a. Grant, Cooperative Agreement, and TIA Proposals shall be submitted through Grants.gov. (See Appendix 2)
- b. Submission of Full Proposals for Contracts and Other Transaction Agreements shall be submitted via email to the Technical Point of Contact of this BAA (See Appendix 3)

Postdoctoral Mentoring Activities. Each proposal that requests funding to support postdoctoral researchers must include a one-page supplementary document describing the mentoring activities that will be provided for such individuals.

Each proposal must include a data management plan.

While proposal submissions are expected to be through grants.gov, which specifies required content, because the evaluation criteria are based on NSF criteria, proposers should review content guidance provided by NSF in their proposal content guide: https://www.nsf.gov/pubs/policydocs/pappg20_1/pappg_2.jsp#IIC2di . These sections provide descriptions of what is expected in a comprehensive proposal/project description, page limitations (15 pages), best practices (e.g., no URLs), a description of broader impacts, and data management plan contents.

E. Application Review Information

1. Criteria

Proposals shall be evaluated under the following three principal selection criteria:

- a. The potential relationship of the proposed research and development to NOPP BAA topic objectives. Is the proposal well aligned with and responsive to a Topic described in this announcement? Proposals which are not well aligned or insufficiently responsive will not be reviewed and not be considered for funding.
- b. Intellectual Merit: The Intellectual Merit criterion encompasses the potential to advance knowledge; and
- c. Broader Impacts: The Broader Impacts criterion encompasses the potential to benefit society and contribute to the achievement of specific, desired societal outcomes.

When evaluating NOPP proposals, reviewers will consider what a proposer wants to do, whether the effort is aligned with a topic identified in the announcement, why a proposer wants to undertake the effort, how a proposer plans to accomplish the effort, how a proposer will know whether it has succeeded in its effort, and what benefits could accrue if the project is successful. These issues apply both to the technical aspects of the proposal and the way in which the project may make broader contributions.

The following elements will be considered in the review of criteria b and c:

1. The potential for the proposed activity to:

- a. Advance knowledge and understanding within its own field or across different fields (Intellectual Merit); and
 - b. Benefit society or advance desired societal outcomes (Broader Impacts).
2. The extent to which the proposed activities suggest and explore creative, original, or potentially transformative concepts.
3. Whether the plan for carrying out the proposed activities is well-reasoned, well-organized, and based on a sound rationale (including budget, resources and timeline). Further, whether the plan incorporates a mechanism to assess success.
4. How well qualified the individual, team, or organization is to conduct the proposed activities.
5. Whether there are adequate resources available to the PI (either at the home organization or through collaborations) to carry out the proposed activities.

In addition, per Section 1062 of The National Defense Authorization Act (NDAA) for Fiscal Year 2021, Pub. L. No. 116-283,, beginning October 1, 2024, DoD may not fund institutions of higher education (as defined by 20 U.S.C 1002) that host a Confucius Institute, other than amounts provided directly to students as education assistance, unless a waiver is provided. A Confucius Institute is defined as a cultural institute directly or indirectly funded by the Government of the People's Republic of China.

2. Review and Selection Process

a. Evaluation

Cognizant program officers from NOPP participating agencies, a NOPP panel of subject matter experts, and other Government scientific staff will perform the evaluation of technical and cost proposals.

Technical and cost proposals submitted under this BAA will be protected from unauthorized disclosure in accordance with FAR 3.104-4 and 15.207. Cost proposals may also be analyzed by Government business professionals. Restrictive notices notwithstanding, one or more support contractors may be utilized as subject-matter-expert technical consultants. Similarly, support contractors may be utilized to support evaluation of cost proposals. However, proposal selection and award decisions are solely the responsibility of Government personnel. Each support contractor's employee 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.

Proposals will be initially evaluated by the NOPP participating agencies using the evaluation criteria. The NOPP office may be involved in the administration of the review of proposals but will not participate in the evaluation. After NOPP participating agencies have conducted their evaluations, a panel consisting of NOPP participating agencies, a NOPP panel of subject matter experts, and other Government scientific staff will conduct an evaluation of the proposals based on the evaluation criteria. After the panel evaluation, participating agencies will decide which proposals will be recommended for funding, and the lead funding agency or activity for each award will be determined. Actual award will be made by the lead agency or activity. ONR will make award for only those proposals for which it is the lead activity.

For each proposal recommended for award, the proposer will receive notification of its selection that will identify the program officer for the lead agency or activity. Subsequent to the initial recommendation letter, the agency or activity program officer may provide additional submission instructions to process the funding action. To meet agency or activity-specific requirements, PIs may be asked to modify objectives, work plans or budgets, or provide supplemental information. That a proposal has been recommended for award does not ultimately guarantee an award will be made. The notice indicates that the proposal has been selected in accordance with the evaluation criteria stated. Awards made by non-DoD agencies are subject to the regulations governing awards in those agencies.” All awards are subject to review by individual agency contracting departments for such matters as cost analysis, determination of an offeror's responsibility, and confirmation of fund availability, as well as consideration of other relevant steps necessary for making an award. When applicable, certain offerors may be required to demonstrate compliance with or the ability to comply with enhanced cybersecurity requirements prior to award. Refer to Appendix 2 and Section II F, Federal Award Administration Information, Part 2, Administrative and National Policy Requirements, paragraph (ix) of this BAA for information.

b. Commitment to Small Business- Subcontracting Plan (For Contract Awards Only)

The Office of Naval Research is strongly committed to providing meaningful prime and subcontracting opportunities for small businesses, small disadvantaged businesses (SDBs), woman-owned small businesses (WOSBs), historically underutilized business zone (HUB Zone) small businesses, veteran-owned small business (VOSBs), service disabled veteran-owned small businesses (SDVOSBs), historically black colleges and universities, and minority institutions, and other concerns subject to socioeconomic considerations through its awards.

Businesses unfamiliar with doing business with the Government and that require assistance may contact the state-specific Department of Defense (DoD) Apex Accelerator (formally known as Procurement Technical Assistance Center

(PTAC)). Apex Accelerators serve as a resource for businesses pursuing and performing under contracts with DoD, other federal agencies, state and local Governments and with Government prime contractors. Assistance provided by the Apex Accelerators is usually free of charge. Apex Accelerators support includes registration in systems such as SAM, identification of contract opportunities, understanding requirements and preparing and submitting proposals. The Accelerators have a presence in each state, Puerto Rico, Guam and the Northern Mariana Island.

To locate a local PTAC visit:

<http://www.dla.mil/HQ/SmallBusiness/PTAC.aspx> or <http://www.aptac-us.org/new/>.

i. Subcontracting Plan - For proposed contract awards exceeding \$750,000, large businesses and non-profits (including educational institutions) shall provide a Subcontracting Plan (hereafter known as 'the Plan') that contains all elements required by FAR 19.704, FAR 52.219-9 and as supplemented by DFARS 252.219-7003.

NOTE: Small businesses are exempt from this requirement to submit a subcontracting plan.

The Plan must be submitted as an attachment to the "Proposal Checklist" and will not be included in the page count. If a company has a Master or Individual 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 "Proposal Checklist".

Plans will be reviewed for adequacy, ensuring that the required information, goals, and assurances are included. FAR 19.702 requires an apparent successful offeror to submit an acceptable Plan. If the apparent successful offeror fails to negotiate a Plan acceptable to the contracting officer within the time limit prescribed by the contracting officer, the offeror will be ineligible for award.

Offerors shall propose a plan that ensures small businesses (inclusive of SDBs, WOSBs, HUBZone, VOSBs and SDVOSBs) will have the maximum practicable opportunity to participate in contract performance consistent with 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 or most recent fiscal year subcontracting goals found on the DoD Office of Small Business Program website at: <https://business.defense.gov/>. If proposed goals are below the statutory requirements, then the offeror shall include in the Plan a viable written explanation as to why small businesses are unable to be utilized and what attempts were taken to

ensure that small business were given the opportunity to participate in the effort to the maximum extent practicable.

II. Subcontracting Resources -

Subcontracting to a prime contractor can be a good way to participate in the contracting process. The following is a list of potential resources that may assist in locating potential subcontracting partners/opportunities/resources:

- Dynamic Small Business Search (DSBS) (http://web.sba.gov/pro-net/search/dsp_dsbs.cfm)
- Contracting Opportunities in <https://www.sam.gov/content/opportunities>
- Navy SBIR/STTR Search – Website or Brochure (<https://www.navysbir.com>)
- U.S. Small Business Administration Subcontracting Network (Subnet) (https://subnet.sba.gov/client/dsp_Landing.cfm)
- Directory of federal Government prime contractors with subcontracting plans (<https://www.sba.gov/document/support-directory-federal-government-prime-contractors-subcontracting-plans>)
- USAspending.gov (<https://www.usaspending.gov/>)
- DAU Small Business Community of Practice (SB COP) (<https://www.dau.edu/cop>)
- DefenseLink ≥ \$7.5 M Award Notices (<https://www.defense.gov/Newsroom/Contracts/>)

In accordance with FAR 5.206, the following entities may transmit a notice to the Government wide Point of Entry (GPE) at <https://sam.gov/content/home> to seek competition for subcontracts, to increase participation by qualified small businesses, VOSBs, SDVOSBs, HUBZones, SDBs, and WOSBs, and to meet established subcontracting plan goal as follows:

- (1). An entity awarded a contract exceeding the simplified acquisition threshold that is likely to result in the award of any subcontracts;
- (2). A subcontractor or supplier, at any tier, under a contract exceeding the simplified acquisition threshold, which has a subcontracting opportunity exceeding \$15,000.

The notices must describe:

- (a) The business opportunity;
- (b) Any prequalification requirements; and
- (c) Where to obtain technical data needed to respond to the requirement.

iii. **Options**

The Government will evaluate options for award purposes by adding the total cost for all options to the total cost for the basic requirement. Evaluation of

options will not obligate the Government to exercise the options during contract or grant performance. The Government reserves the right to exercise options at time of award.

iv. **Non Disclosure Agreements**

Technical and cost proposals submitted under this BAA will be protected from unauthorized disclosure in accordance with FAR 3.104-4 and 15.207. Support contractors required to have access to technical and cost proposals submitted in response to this BAA will be required to sign the ONR Non-Disclosure Agreement (NDA) for Contractor Support prior to receipt of any proposal submissions. This NDA includes third-party beneficiary language giving the submitter of proprietary information a right of direct action against the contractor employee and his/her employer in the event that the NDA is violated.

3. Recipient Qualifications

- a. Applicable to Grants and Cooperative Agreements Only (See Appendix 2.)
- b. Applicable to Contracts and Other Transaction Agreements Only (See Appendix 3.)

F. Federal Award Administration Information

1. Federal Award Notices

All applicants will receive a notification email advising whether their proposal has been selected or not selected for award.

Applicants whose proposals are recommended for award may be contacted by a Contract Agreement, or Grant specialist to discuss additional information required for award. This may include representations and certifications, revised budgets or budget explanations, certificate of current cost or pricing data, subcontracting plan for small businesses, and other information as applicable to the proposed award.

The notification e-mail must not be regarded as an authorization to commit or expend funds. The Government is not obligated to provide any funding until a Government Contracting Officer, Agreements Officer or Grants Officer, as applicable, signs the award document.

Only an award document signed by the Contracting Officer, Agreements Officer or Grants Officer is the official go-ahead to commence the research project.

Office of Naval Research (ONR) award/modification documents are only available via the Department of Defense (DoD) Electronic Document Access System (EDA) within the

Procurement Integrated Enterprise Environment (PIEE) (<https://piee.eb.mil/piece-landing/>).

2. Administrative and National Policy Requirements

a. Applicable to All Awards

I. Export Control:

Offerors should be aware of recent changes in export control laws. Offerors are responsible for ensuring compliance with all U.S. export control laws and regulations, including the International Traffic in Arms Regulation (ITAR) (22 CFR Parts 120 - 130) and Export Administration Regulation (EAR) (15 CFR Parts 730 – 774), as applicable. In some cases, developmental items funded by the Department of Defense are now included on the United States Munition List (USML) (22 CFR Part 121) and are therefore subject to ITAR jurisdiction. In other cases, items that were previously included on the USML have been moved to the EAR Commerce Control List (CCL). Offerors should address in their proposals whether ITAR or EAR restrictions apply to the work they are proposing to perform for ONR. The ITAR and EAR are available online at <http://www.ecfr.gov/cgi-bin/ECFR?page=browse>. Additional information regarding the President's Export Control Reform Initiative can be found at <https://export.gov/ecr/index.asp>.

Offerors must comply with all U.S. export control laws and regulations, including the ITAR and EAR, in the performance of any award or agreement resulting from this BAA. Offerors shall be responsible for obtaining any required licenses or other approvals, or license exemptions or exceptions if applicable, for exports of hardware, technical data, and software (including deemed exports), or for the provision of technical assistance.

II. 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 such need in Section II, Block 11 of the Proposal Checklist. The Proposal Checklist can be found at the following link: <https://www.onr.navy.mil/work-with-us/how-to-apply/submit-contract-proposal>

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 award, and FAR 52.204-2 - Security Requirements will be incorporated into the contract.

ONR does not provide access to classified material under grants or cooperative agreements.

III. Requirements Concerning Live Organisms:

(1) Use of Animals:

The DoD policies and requirements for the use of animals in DoD-supported research are described in the current version of DoD Instruction 3216.01, Use of Animals in DoD Conducted and Supported Research and Training and its implementing instruction, DHA-MSR 6025.02, “The Care And Use Of Animals In DoD Research, Development, Test, And Evaluation (RDT&E) Or Training Programs,” the version of which is current at the time of award. If animals are to be utilized in the research effort proposed, the Offeror must submit a Full Appendix or Abbreviated Appendix (see Guidance link below) with supporting documentation (such as copies of Institutional Animal Care and Use Committee (IACUC) Approval, IACUC Approved Protocol, and most recent United States Department of Agriculture (USDA) Inspection Report) prior to award. For assistance with submission of animal research related documentation, contact the ONR Animal Use Administrator at (703) 696-4318 or suzanne.b.may.civ@us.navy.mil. Guidance can be found at: <https://www.nre.navy.mil/work-with-us/how-to-apply/compliance-and-protections/research-protections/animal-use>

(2) Use of Human Subjects in Research:

- (a) Offerors must protect the rights and welfare of individuals who participate as human subjects in research awarded pursuant to this BAA and must comply with the requirements of the Common Rule at 32 CFR part 219 (the DOD implementation of 45 CFR part 46) and applicable provisions of DoD Instruction 3216.02, Protection of Human Subjects and Adherence to Ethical Standards in DoD-Conducted and -Supported Research (Change 1, (June 29, 2022), the DON implementation of the human research protection program contained in SECNAVINST 3900.39E Change 1, (or its replacement), 10 USC 980 “Limitation on Use of Humans as Experimental Subjects,” and when applicable, Food and Drug Administration (FDA) and other federal and state law and regulations.

- (b) For proposals containing activities that include or may include “research involving human subjects” as defined in DoDI 3216.02, prior to award, the Offeror must submit documentation of:
- (i) Approval from an Institutional Review Board (IRB) (IRB- approved research protocol, IRB- approved informed consent document, documentation showing the IRB considered the scientific merit of the research and other material considered by the IRB and the IRB registration number); proof of completed human research training (e.g., training certificate for the principal investigator, and institutional verification that the principal investigator, co-investigators and research support personnel have received appropriate training to be considered qualified to execute the research); and the Offeror’s Department of Health and Human Services (DHHS)-issued Federal Wide Assurance (FWA#), including notifications of any FWA suspensions or terminations.
 - (ii) Any claimed exemption under 32 CFR 219.104, including the category of exemption, supporting documentation considered by the Offeror’s institution in making the determination (e.g., protocol, data collection tools, advertisements, etc.). The documentation shall include a short rationale supporting the exemption determination. This documentation should be signed by the IRB Chair or IRB vice Chair, designated IRB administrator or official of the Offeror’s human research protection program.
 - (iii) Any determinations that the proposal does not contain activities that constitute research involving human subjects or contains only activities that are deemed not to be research under 32 CFR 219.102(1), including supporting documentation considered by the Offeror’s institution in making the determination. This documentation should be issued by the IRB Chair or IRB vice Chair, designated IRB administrator or official of the Offeror’s human research protection program.
- (c) Documentation must be submitted to the ONR Human Research Protection Official (HRPO), by way of the ONR Program Officer. The HRPO retains final judgment on whether the documentation satisfies the use of human subjects in research requirements. For assistance with submission of human subject research related documentation, contact the ONRHRPO at (703) 696-4318 or suzanne.b.may.civ@us.navy.mil.
- (d) Contracts, orders, or grant awards and any subawards or modifications will

include a statement indicating successful completion of the HRPO review. Research involving human subjects must not be commenced under any contract award or modification or any subcontract or grant subaward or modification until awardee receives notification from the Contracting or Grants Officer that the HRPO has approved the assurance as appropriate for the research under the award or modification and that the HRPO has reviewed the protocol and accepted the IRB approval or determination for compliance with Federal, DoD and DON research protection requirements. The Government will not reimburse or otherwise pay for work performed in violation of this requirement. See, DFARS 252.235-7004. Guidance can be found at:

<https://www.nre.navy.mil/work-with-us/how-to-apply/compliance-and-protections/research-protections/human-subject-research>

IV. *Biosafety and Biosecurity Requirements*: Offerors must comply with applicable provisions of the current version of DODM 6055.18, Safety Standards for Microbiological and Biomedical Laboratories, including ensuring compliance with standards meeting at least the minimum applicable requirements of the current edition of Centers for Disease Control and Prevention, “Biosafety in Microbiological and Biomedical Laboratories (BMBL),” and National Institutes of Health, “The NIH Guidelines for Research Involving Recombinant or Synthetic Nucleic Acid Molecules (NIH Guidelines)” and any applicable FDA requirements.

V. *Research Involving Recombinant (rDNA) or Synthetic Nucleic Acid Molecules*.

Offerors must not begin performance of research within the scope of “The NIH Guidelines for Research Involving Recombinant or Synthetic Nucleic Acid Molecules (NIH Guidelines)” until receiving notice from the Contracting or Grants Officer that ONR has reviewed and accepted the Offeror’s documentation. In order for ONR to accomplish that review, an offeror must provide the Contracting or Grants Officer, generally as part of an original proposal prior to award, sufficient documentation to enable the review, including:

(a) A written statement that the Offeror is in compliance with NIH Guidelines or applicable FDA requirements. This statement should be made by an official of the institution other than the Principal Investigator and should be on university or company letterhead.

(b) Evidence demonstrating that the proposed research protocol has been approved (or determined exempt from the NIH Guidelines) by an Institutional Biosafety Committee (IBC); and a copy of the Department of Health and Human Services (DHHS) Letter of Approval of the IBC, or the most recent letter from DHHS stating the IBC is in compliance with the NIH Guidelines. For assistance

with requirements involving countries outside the United States, please contact the ONR HRPO at (703) 696-4318 or suzanne.b.may.civ@us.navy.mil.

- vi. *Institutional Dual Use Research of Concern:* As of September 24, 2015, all institutions and United States Government (USG) funding agencies subject to [the United States Government Policy for Institutional Oversight of Life Sciences Dual Use Research of Concern](#) must comply with all the requirements listed therein. If your research proposal directly involves certain biological agents or toxins, contact the cognizant Technical Point of Contact. U.S. Government Science, Safety, Security (S3) guidance may be found at <http://www.phe.gov/s3/dualuse>.
- vii. *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 ONR contracts, grants, and other assistance instruments may be eligible to use HPCMP assets in support of their funded activities if ONR Program Officer approval is obtained and if security/screening requirements are favorably completed. Additional information and an application may be found at <https://www.hpc.mil/>.
- viii. *Project Review Meetings and Program Review Meetings:* Individual Project Review Meetings between the NOPP sponsors and the performer may be held as necessary. Project Review Meetings typically last approximately one day. Project Review Meetings will be accomplished by any of the following means, from in-person, to video telephone conferences, telephone conferences, or web-based collaboration tools.

In addition to Project Review Meetings, Program Review Meetings may be held to provide a forum for reviews of the latest results from individual project experiments and any other incremental project progress towards major demonstrations. Program Review Meetings are generally held once per year and last two to three days.

For cost estimating purposes, offerors should assume that the reviews will be a combination of virtual and in person, at or near ONR, Arlington VA.

The Government sometimes finds it advantageous to hold Program Review Meetings at a performer's facility. Offerors interested in hosting such meetings should include an estimated cost and the following language in their proposals, which become part of any award (note: if a contract is awarded, use of the facility will be included as an option):

[Name of entity] offers the use of its facilities for an ONR Program Review Meeting to discuss the status of programs related to the subject of this proposal. Such meetings may include attendees representing multiple research efforts. The meetings will discuss only "contracted fundamental research" as provided in the Under Secretary of Defense (Acquisition, Technology and Logistics) Memorandum of 24 May 2010, the results of which are open to the public. No fee will be charged Program Review Meeting attendees. [Name of entity] understands it will not be asked to host a Performance Review Meeting more than once per year, if at all.

Offerors are not required to include the foregoing term in their proposals, and whether they do or not will not affect their selection for award.

ix. Requirements for Operation and Procurement of Commercial Off the Shelf Unmanned Aircraft Systems

(a) Commercial Off-The-Shelf Unmanned Aircraft Systems (COTS UAS) may not be purchased pursuant to this grant or assistance agreement or contract or other transaction agreement for prototype until a Cyber Exception to Policy (ETP) is obtained by the cognizant ONR Program Officer.

(b) Exception. A Cyber ETP is not required when the research is supported via a grant award AND it is unclassified and funded with either basic research funds (i.e., 6.1) or applied research funds (i.e., 6.2) and performed on campus by a university. For all other grants and assistance agreements, a Cyber ETP must be obtained prior to purchase and/or flight operations.

(c) Notwithstanding (b) above, a Cyber ETP is required for all efforts (regardless of award or funding type) that involve interactions with military personnel, DoD property, or DoD facilities; work conducted by US Government laboratories, UARCs, or FFRDCs; or are Public Aircraft Operation (PAO), classified, or explore specific military utility. For these efforts, and depending on the UAS platform and Cyber Operating Environment, a Cyber ETP, FAA issued Certificate of Airworthiness or a NAVAIR Airworks Authority to Operate (ATO) must be obtained.

(d) Prospective or current performers are required to notify the cognizant ONR Program Officer of any anticipated COTS UAS purchase that may be subject to exception at time of white paper, proposal submission or award changes. Performers shall provide documentation specifying the details including the type of drone, effort, location, etc.

(e) Performers will agree to cooperate and provide additional information as requested to support the cyber vulnerability assessment and other requirements identified above in (c).

(f) Notwithstanding, procedures and requirements identified above, restrictions identified in Section 848 of the NDAA for Fiscal Year 2020, Pub. L. No. 116-92, 10 U.S.C 4871 note, as amended, continue to apply. Performers are notified that effective October 1, 2024, additional restrictions will apply to new awards, extensions or renewals of existing contracts.

3. Reporting:

See Appendix 2 for reporting requirements for Grants and Cooperative Agreements.

See Appendix 3 for reporting requirements for Contracts and Other Transactions.

G. Federal Awarding Agency Contacts

1. Communications:

- a. All UNCLASSIFIED communications shall be submitted via e-mail to the Technical POC with a copy to the designated Business POC, as designated below.
- b. Comments or questions submitted should be concise and to the point, eliminating any unnecessary verbiage. In addition, the relevant part and paragraph of the Broad Agency Announcement (BAA) should be referenced. Questions submitted within 2 weeks prior to a deadline may not be answered, and the due date for submission of the white paper and/or full proposal will not be extended.

2. Questions of a technical nature should be submitted to:

Point of Contact Name:

Reginald Beach

Point of Contact Occupation Title: NOPP Program Office Team Division Title: 32

Division Code: 322

Address: 875 N. Randolph St., Arlington 22203 1995

Email Address: Reginald.A.Beach.civ@us.navy.mil

3. **Questions of a Business nature, regarding Contract and Other Transaction proposal submissions, or suggestions for improvement,** should be submitted to:

Point of Contact Name:
John Lewers, Contract/Agreement Specialist
Office of Naval Research
ONR Code 252
One Liberty Center
875 N. Randolph Street
Arlington, VA 22203-1995
Email Address: john.d.lewers.civ@us.navy.mil

4. **Questions regarding Grants proposal submissions** should be submitted to:

Point of Contact Name:
Veronica Lacey, Grants Officer
Office of Naval Research
ONR Code 253
One Liberty Center
875 N. Randolph Street
Arlington, VA 22203-1995
Email Address: veronica.y.lacey.civ@us.navy.mil

5. **Questions of a Security nature** should be submitted to:

Point of Contact Name:
Industrial Security Specialist
Office of Naval Research
Security Department, ONR Code 0543
One Liberty Center
875 North Randolph St.
Arlington, VA 22203-1995
Email Address: onr.ncr.054.list.security-division@us.navy.mil
Attn: Ms. Yezabeth Cuevas

H. Other Information –

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

APPENDIX 1 - RESEARCH TOPIC DESCRIPTIONS

Topic 1. A Global Multi-agency Experiment on Internal Wave Energy, Mixing and Interactions in the Ocean and Their Representation in Global Ocean Models and Operational Forecasts

Global circulation models have advanced to a point where they can now be run operationally at a high enough resolution to produce internal tides and other energetic internal waves. Generated at abrupt topography like seamounts, canyons or continental slopes, these internal waves travel thousands of miles, with surface signatures that are discernible by conventional satellite altimetry via fluctuations of sea surface height over most of the global oceans. Extension of satellite ocean altimeter records into their fourth decade with improved accuracy permits observation of an ever wider range of wave frequencies, and thus warrants revisiting current detection and mapping techniques to resolve multi-constituent, multi-modal waves. Interactions with and scattering of these waves by other features like eddies can hamper detection, which will be a rich topic of study with the next generation of swath altimeters, including NASA's Surface Water and Ocean Topography (SWOT). When these waves impinge on basin boundaries, they can dramatically change the background conditions on continental shelves, which is a challenge for observational and predictive capabilities. For large-scale oceanography, these waves provide a pathway to bring turbulent energy to depth and could potentially reconcile observations and theory by providing the "missing mixing" in the deep ocean. Given the shared interests of many of the agencies, a large-scale effort is envisioned to improve both the understanding and modeling of internal wave energy and its consequences for the open and coastal ocean and climate change. This activity will combine field campaigns, global modeling efforts, and focused studies for process understanding. It is anticipated that different components may coordinate at different levels, from very tightly to very loosely, and will have staggered start dates evolving over sequential funding opportunities. For example, field campaigns focused on generation and modeling of basin-wide propagation may be started first, creating a foundation which can be leveraged in subsequent proposals focusing on other facets of the problem such as beams impinging on the coast or interacting with mesoscale features. The initiative is expected to last about ten years, contingent on availability of funds and national priorities.

Background

Advances in modeling and computational resources are now making it possible to run global models at high enough resolution to forecast internal waves and other small-scale phenomena. For example, HYCOM is routinely run at 1/25 degree horizontal resolution and 41 vertical layers, ECCO (Estimating Circulation and Climate of the Ocean) and SWOT simulator provide ocean state estimates that resolve ocean turbulence at 2-km spatial scales globally, and MOM6 has been run at 1/12 degree horizontal resolution with 41 vertical layers. Inclusion of barotropic tides in such simulations leads to baroclinic internal tides and internal gravity waves (IGWs), and

their subsequent propagation and dissipation. The simulation of these phenomena in global and regional models is relatively recent and requires additional investigation and verification, to determine how skillful the models are in the generation and subsequent evolution of the internal waves, and to quantify uncertainties and improve model skill where possible.

In order to test the realism of the new-generation models, high-resolution observations are needed. For sea surface height, high-resolution data will be provided by NASA/CNES SWOT. During SWOT's initial calibration and validation phase, the satellite was in a fast, one-day repeated orbit, providing unprecedented daily measurements of sea surface height. Multiple field campaigns were organized to take advantage of this unique opportunity to explore fast-moving, small-scale ocean features and their role in the Earth system. Proposers are encouraged to leverage such ongoing and future field experiments to assess the validity of proposed observational, modeling and theoretical approaches. Initial field campaigns may be designed to augment or complement such existing efforts so as to attain the objectives outlined here. Completely independent efforts may also be proposed but they should be justified in relation to the existing research landscape. This activity is expected to be sustained over a nominally decadal period. Our models, observational capabilities and other funded efforts will all evolve in that time. Multiple proposal cycles are anticipated to keep this initiative optimally aligned with changing research needs.

Proposers are encouraged to investigate new and innovative methods of ocean state estimation and coupled model initialization using data from ongoing and future instrumentation and field experiments, and to leverage advances from the first cohort of awards (<https://nopp-giw.ucsd.edu/>). Any proposals concerning data assimilation are encouraged to use current standards and provide a justification for the choices made.

While the first cohort of awards has made significant progress, it is important to note that this is a global investigation and efforts distant from the US are also of significant interest. Partnering with other countries and utilizing their (fully capable) seagoing assets is specifically encouraged.

Research Questions:

The overarching goals of this effort are to:

- a) understand the generation, propagation, and dissipation mechanisms for oceanic internal gravity waves;
- b) enable seamless, skillful modeling/forecasts of oceanic flows, including the propagation of internal wave energy between the deep ocean and the shore.
- c) understand and improve modeling of the generation of IW energy by atmospheric forcing such as extreme storms.
- d) identify uncertainties and errors in internal wave fields in data assimilation and process modeling

Advanced understanding of key processes is anticipated as a major focus. Observational programs need to be formulated and conducted to cover these vast ranges, globally. Arrays of field instrumentation, remote sensing and modeling might address the following research

questions, among others:

I. How do the observed internal waves compare with the global model predictions in terms of intensity, variability and modal structure?

How well are the observed internal waves being assimilated into global model predictions? Are they identified as internal waves, or excluded as erroneous data?

II. How accurately are generation mechanisms captured by global models?

What are the primary processes by which internal waves dissipate, how do they vary at multiple scales, and what are the implications for ocean mixing?

III. How accurately are processes such as dissipation, scattering and nonlinear interactions modelled, so as to yield realistic estimates of propagation and arrival of coherent and incoherent energy?

How do internal waves interact with the ocean circulation, across multiple scales, to either modify or be altered by ocean currents?

How do mixed-layer processes interact with internal waves and with ocean circulation? How do internal wave processes impact mixed layer structure and properties?

IV. For typical coastal sites, what fraction of the energy is remote versus locally generated? How is it broken down by frequency bands, stationary vs. non-stationary etc.?

This NOPP topic is not interested in funding the development of new models, new observing platforms, new sensors, or new systems. It seeks to evaluate existing global ocean models with proven, high technology readiness level observing methods, both in situ and remote sensing, to develop and reach quantifiable improvements (theoretical, numerical, and data assimilation) in global ocean models and forecasts. Significant new understanding of key processes is anticipated as a means to reach those improvements. All data sets and model products will be made available to the community promptly (e.g., within the 6-month of collection for field campaigns), preferably at different levels of processing and aggregation (akin to Level 1, 2, 3 with satellite data) to encourage reuse for applications that require different levels of detail or sophistication. At any point during the initiative, investigators are encouraged to consider the already funded elements and propose activities that leverage and expand them in ways they can argue are best for the overarching goals. As a result, the initiative is expected to evolve over its life span around the central elements of large-scale modeling and their scrutiny with observations.

The amount and period of performance of each recommended or selected proposal will vary depending on the research area topic and the technical approach to be pursued by the selected or recommended offeror. The table in II.B.2 provides guidance by topic. Award funding levels will be dependent on both the cost of the proposed research and individual agency/topic funding levels. Each individual award may be fully funded for the entire performance period or incrementally funded with a base of one -year (subject to funding availability, Government Program Officer recommendation based on award progress and funding agency award terms).

Annual solicitations are planned with the possibility of new topics based on an assessment of existing needs, capabilities, and priorities.

AWARD INFORMATION

Target funding:

Up to \$23M total over three years may be available under this topic, distributed among multiple efforts. Partnerships are required, and proposals must include performers from at least two sector categories (academia, government, industry). New proposals from those who received funding from the FY2022 BAA should separate their proposed efforts into clearly divisible sections (activities, budget, budget justification, personnel) for a) analysis and publication of results from the first award, and b) proposed new field work. This will allow funding of any combination of the proposed work, (a) or (b), or both (a) and (b).

Milestones and reporting criteria:

Funding offices will require annual reports, with an annual workshop to share results among the funded groups and other stakeholders/interested parties. Teams will be expected to participate in regular update remote meetings (currently monthly) and to populate and keep updated their sections of the NOPP Global Internal Wave (NGIW) website.

Topic 2: Low-Cost, Air Deployable 400m Profiling CTD Floats for investigating sub-mesoscale eddies – Design Study and Demonstration

Background

There is increasing interest in looking at finer scale, “fast processes” responsible for a significant portion of mixing in the ocean; mass, heat and energy transfer and their roles in climate change. Sub-mesoscale eddies fall into this category covering areas of 100-10,000 square kilometers. They are readily seen from space, but are currently very difficult to sample *in situ*, synoptically and affordably, with current oceanographic sensors.

The view from space can provide continuous records of the surface signature of sub-mesoscale eddies (for instance using ocean color, sea surface temperature and, intermittently from sea surface height from altimetry), but currently cannot provide robust insight into the subsurface structure or stratification associated with changes of temperature and salinity with depth (CTD) below the surface. This horizontal and subsurface structure of sub-mesoscale eddies is the essence of ocean mixing and has never really been sampled at high resolution as it evolves over time. This solicitation invites design studies and as possible, demonstration of new, low-cost sensor packages to simultaneously investigate the subsurface structure of sub-mesoscale eddies.

In prior instrumentation focused BAA’s, NOPP has called for new oceanographic sensors using soft materials. While not required in this solicitation, in some roles they do have the advantage over conventional instrumentation in that they are incompressible with low SWAP-C (size, weight and power – cost) and manufacturing pathways to high volumes of units. Since these profiling floats are expected to be disposable, all consideration should be made to lower costs and at the same time, any subsequent environmental impact on the ocean.

Profiling Float Desired Characteristics

Depth Range	0-400 meters; physical and geophysical arguments can be made for 300m or 500m
Number of Profiles	2 Profiles per day to the full depth range, as above
Float Operational	60 days

Duration	
Depth Accuracy	18 cm; arguments can be made for finer, or coarser
Temperature Accuracy	0.02 degrees Celsius; arguments can be made for finer, or coarser
Conductivity Accuracy	0.03 mS/cm; arguments can be made for finer, or coarser (equivalent of 0.022 ppt at 25C)
GPS Fixes	While at the surface, for each profile
Satellite Communications / Data Transmittal	At least, once per day (every other profile); arguments can be made for more frequent or less frequent
Cost	Not To Exceed \$1,000 per float in lots of 1000
Air Deployed	C-130 or similar at cruising speed and altitude

Deliverables

At the conclusion of the one-year effort, awardee(s) will present their design to a review panel. Awarded teams have some latitude and should base their suggested changes on strong materials, engineering, energy and/or geophysical arguments. Such changes should be shared during the award period in quarterly reports, such that overall progress will still fulfill the outlined goals. To the degree possible, an airborne deployment and operational profiling of a demonstrator float is highly desired. At the recommendation of the review panel, a subset of teams may be invited to develop a proposal for a larger scale deployment of their float.

Potential Future Usage/Role in Oceanography

The vision for future usage could be 1000's of profiling floats, air deployed for a 2 month long experiment, covering a satellite identified sub-mesoscale eddy, of approximately 10x10 (Arctic) to 100x100 (equator) km square. Deployed in a day (perhaps multiple aircraft), the sub-mesoscale eddy would be monitored by all available satellites (Ocean Color, Altimetry, Sea Surface Temperature, SWOT) at the highest available resolutions and revisit times, while the profilers rise and sink measuring the CTD characteristics of the upper 400m of the ocean. Several experiments of this type will allow for the building of synthetic libraries of subsurface structure, associated with multiple, evolving surface signatures, suitable for analysis with the

burgeoning AI/ML tools. The goal would be to sample enough representative sub-mesoscale eddies, to allow usage of surface signatures from ocean observing geosynchronous satellites to provide a basis for understanding/predicting the continuous subsurface evolution of the upper global ocean using AI/ML. Given the large investment in space launch capabilities by NASA and industry, it could be that subsequent, adaptive sampling “deployments” of floats would be made by suborbital rockets to distant ocean regions, negating the need for ship or aircraft time.

In addition to the above described application, others include: a new generation of XBCTD’s or AXBCTD’s; deployment in many more locations than currently possible, for instance on (if soft materials) surfaces of infrastructure, legs, AUV’s, etc, as the sensor packages might conform to curved surfaces; a new “crowd” source approach to ocean sensing, where many more sensors are deployed and “averaged” in order to attain the needed accuracy, vice an exquisite sensor, allowing for the use of less expensive sensors/hardware.

Award Information Target funding:

Up to \$525K total over one year (12 months) may be available under this topic, distributed among up to 3 teams (\$175K each), to further our observational capabilities of the ocean environment. Partnerships are required, and proposals must include performers from at least two sector categories (academia, government, industry).

Milestones and reporting criteria:

Funding offices will require quarterly reports, with an annual workshop to share results among the funded groups and other stakeholders/interested parties.

APPENDIX 2 – REQUIREMENTS APPLICABLE TO GRANTS, TIAS AND COOPERATIVE AGREEMENTS

A. Application and Submission Information - Full Grant Proposals

1. Content and Format of Application Submission

(a). Full Proposals:

Prospective offerors must complete the mandatory forms in accordance with the instructions provided on the forms and the additional instructions below. Files that are attached to the forms must be in Adobe Portable Document Format (.PDF); must not contain macros, and must not be password protected. If an attachment is not in PDF format, contains macros, or is password protected, the attachment will not pass ONR's automated acceptance check, will be rejected, and will need to be resubmitted. A resubmission must be marked "New" in block 2, "Type of Application," of the SF 424.

Full Proposal Format

- Spacing – Single-spaced
- Font – Times New Roman, not smaller than 12 point
- Page Limit – 15 Pages

NOTE: The electronic file name for all documents submitted under this BAA must not exceed 68 characters in length, including the file name extension.

Mandatory SF-424 Research and Related (R&R) Family Forms

The mandatory forms are found at <https://www.grants.gov/forms>.

(1) SF-424 (R& R)

The SF-424 (R&R) form must be used as the cover page for all proposals. Complete all required fields in accordance with the "pop-up" instructions on the form and the following instructions for specific fields. Please complete the SF-424 first, as some fields on the SF-424 are used to auto-populate fields on other forms. Guidance:

<https://www.grants.gov/forms/forms-repository/r-r-family>

The completion of most fields is self-explanatory with the exception of the following special instructions:

- Field 3 - Date Received by State: Leave Blank
- Field 4a - Federal Identifier: For new proposals, enter N00014. If the application is a renewal or expansion of an existing award, enter the ONR award number. Note: There is a space

between the code and the first bracket and between the comma and the First Name. There is no space between the first bracket and the last name.

- Field 4b - Agency Routing Number: Enter the three (3) digit Program Office Code and the Program Officer's name, last name first, in brackets (i.e., 322 [Beach, Reginald]). **Applicants who fail to provide a Program Officer Code identifier may receive a notice that their proposal is rejected.**
- Field 4c - Previous Grants.gov Tracking ID: If this submission is for a Changed/Corrected Application, enter the Grants.gov tracking number of the previous proposal submission; otherwise, leave blank.
- Field 5 – Application Information: Email address entered by the grantee on the SF424 application to create the EDA notification profile. ONR recommends that organizations provide a global business address.
- Field 7 - Type of Applicant. Complete as indicated: If the organization is a Minority Institution, select "Other" and under "Other (Specify)" note that the institution is a Minority Institution (MI).
- Field 9 - Name of Federal Agency: List the Office of Naval Research as the reviewing agency. This field is pre-populated in Grants.gov.
- Field 14 – Project Director/Principal Investigator: Email address entered by the grantee on the SF424 application to create the EDA notification profile
- Field 16 - Is Application Subject to Review by State Executive Order 12372 Process? Choose "No". Check "Program is Not Covered by Executive Order 12372."
- Field 17 – Certification: All awards require some form of certifications of compliance with national policy requirements. By checking "I Agree" on the SF 424 (R&R) block 17 you agree to abide by the following statement: "By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. code, Title 218, Section 1001). In addition, the Financial Assistance General Certifications and Representations must be completed in SAM.gov (<https://sam.gov/content/home>).

- Field 19 – Authorized Representative: Email address entered by the grantee on the SF424 application to create the EDA notification profile. This must be the same person who signs the SF424. If for some reason the authorized representative is unable to sign the SF424, a letter of authorization signed by the authorized representative must be submitted with the SF424 application.

(2) PROJECT/ABSTRACT

The project summary/abstract must identify the research problem and objectives, technical approaches, anticipated outcome of the research, if successful. Use only characters available on a standard QWERTY keyboard. Spell out all Greek letters, other non-English letters, and symbols. Graphics are not allowed and there is a one page or 4,000-character including spaces limit whichever is less.

Do not include proprietary or confidential information. The project summary/ abstract must be marked by the applicant as “Approved for Public Release”. Abstracts of all funded research projects will be posted on the public DTIC website:

<https://publicaccess.dtic.mil/search/#/grants/simpleSearch>

(3) RESEARCH AND RELATED OTHER PROJECT INFORMATION

- **Fields 1 and 1a - Human Subject Use:** Each proposal must address human subject involvement in the research by completing Fields 1 and 1a of the R&R Other Project Information form. For proposals containing activities that include or may include “research involving human subjects” as defined in DoDI 3216.02, prior to award, **the Applicant must submit the required documentation under “Use of Human Subjects in Research” (Section II F 2 a III).**

- **Fields 2 and 2a – Vertebrae Animal Use:** Each proposal must address animal use protocols by addressing Fields 2 and 2a of the R&R Other Project Information form. If animals are to be utilized in the research effort proposed, **the Applicant must submit the documents described under “Use of Animals” (Section II F 2 a III).**

- **Fields 4a through 4d - Environmental Compliance:** Address these fields and briefly indicate whether the intended research will result in environmental impacts outside the laboratory, and how the applicant will ensure compliance with environmental statutes and regulations.

Federal agencies making grant or cooperative agreement awards and

recipients of such awards must comply with all applicable environmental planning and regulatory compliance requirements. The National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. § 4321 *et seq.*, for example, requires that agencies consider the environmental impact of “major Federal actions” prior to any final agency decision. With respect to those awards which constitute “major Federal actions,” as defined in 40 CFR 1508.18, federal agencies may be required to comply with NEPA and prepare environmental planning documentation such as an environmental impact statement (EIS), even if the agency does no more than provide grant funds to the recipient. Most field research funded by ONR, however, constitute activities covered by a NEPA categorical exclusion that do not require preparation of further environmental planning documentation. This is particularly true with regard to basic and applied scientific research conducted entirely within the confines of a laboratory, if the research complies with all other applicable safety, environmental and natural resource conservation laws. Questions regarding NEPA or other environmental planning or regulatory compliance issues should be referred to the technical point of contact.

- **Field 7 – Project Summary/Abstract:** Leave Field 7 blank; complete Form SF424, Project Abstract. If an error message occurs when leaving Block 7 blank, upload the Project Abstract.

- **Field 8 – Project Narrative:** Describe clearly the research, including the objective and approach to be performed, keeping in mind the evaluation criteria. Attach the entire proposal narrative to R&R Other Project Information form in Field 8. To attach a Project Narrative in Field 8 click on “Add Attachment” and attach the technical proposal as a single PDF file. (Save the file as “Technical Proposal,” as typing in the box is prohibited).

The technical proposal must describe the research in sections as described below:

- **Cover Page:** This must include the words “Technical Proposal” and the following:
 - (a) BAA Number: N0001424SB003
 - (b) Title of Proposal;
 - (c) Identity of prime Offeror and complete list of sub awards, if applicable;
 - (d) Technical contact (name, address, phone/fax, electronic mail address)
 - (e) Administrative/business contact (name, address, phone/fax, electronic mail address) and;

(f) Proposed period of performance (identify both the base period and any options, if included).

- **Table of Contents:** An alphabetical/numerical listing of the sections within the proposal, including corresponding page numbers.

- **Technical Approach.** Describe the scientific or technical concepts that will be investigated, providing the complete research plan. Describe what is innovative about the proposed approach. Describe the proposed approach compared to alternate approaches other researchers in this field have taken. Given a successful completion, describe the results, new knowledge, or insights.

- **Future Naval Relevance:** A description of potential naval relevance and contributions of the effort to the agency's specific mission.

- **Project Schedule and Milestones:** A summary of the schedule of events and milestones:

- **Reports:** The following are sample reports that are typically required under a research effort:

- Technical and Financial Progress Reports
- Final Report

Grants do not include the delivery of software, prototypes, and other hardware deliverables.

- **Management Approach.** Describe the overall management approach and provide rationale for participation of key team members. Describe the planned relationships with any subawardees or collaborators. If appropriate, briefly describe anticipated schedule.

- **Principal Investigator Qualifications:** A discussion of the qualifications of the proposed Principal Investigator and any other key personnel. Include resumes or curricula vitae for the Principal Investigator, other key personnel and consultants. The resumes/curricula vitae shall be attached to the proposal.

- **Responsibility:** Offerors must provide the following information to ONR in order to assist in ONR's evaluation of the offeror's responsibility:

- Describe how you have adequate resources or the ability to obtain such resources as required to complete the activities proposed.

- Describe how you have the ability to comply with the grant conditions, taking into account all existing and currently prospective commitments of the applicant, nongovernmental and governmental.
- Describe your performance history; specifically, your record in managing Federal awards and the extent to which any previously awarded amounts will be expended prior to future awards.
- Describe your record of integrity and business ethics.
- Describe qualifications and eligibility to receive an award under applicable laws and regulations.
- Describe your organization, experience, accounting, and operational controls and technical skills, or the ability to obtain them (including as appropriate such elements as property control systems, quality assurance measures, and safety programs applicable to the efforts to be performed).

- **Data Management Plan:**

- A data management plan is a document that describes which data generated through the course of the proposed research will be shared and preserved, how it will be done, or explains why data sharing or preservation is not possible or scientifically appropriate, or why the costs of sharing or preservation are incommensurate with the value of doing so. See also: DoD Instruction 3200.12.
- In no more than 2 pages, discuss the following:
 - The types of data, software, and other materials to be produced.
 - How the data will be acquired.
 - Time and location of data acquisition, if scientifically pertinent.
 - How the data will be processed.
 - The file formats and the naming conventions that will be used.
 - A description of the quality assurance and quality control measures during collection, analysis, and processing.
 - A description of dataset origin when existing data resources are used.
 - A description of the standards to be used for data and metadata format and content.
 - Appropriate timeframe for preservation.
 - The plan may consider the balance between the relative value of data preservation and other factors such as the associated cost and administrative burden. The plan will provide a justification for such decisions.
 - A statement that the data cannot be made available to the public when there are national security or controlled unclassified information concerns (e.g.,

“This data cannot be cleared for public release in accordance with the requirements in DoD Instruction 5230.09.”) DoD Instruction 5230.09 can be found at:

<https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/523009p.pdf?ver=nuEwULZ-197fNysiam2Mnw%3d%3d>

Field 9 – Bibliography & Referenced Cited: Upload your Bibliography/Referenced cited as a single PDF.

Field 10 – Facilities & Other Resources: Describe facilities available for performing the proposed research and any additional facilities the applicant proposes to acquire at its own expense. Indicate government-owned facilities already possessed that will be used. (Additional equipment will not be provided unless the research cannot be completed by any other practical means.)

Field 11 – Equipment: Describe any equipment available or any additional equipment the application proposes to acquire at its own expense. Indicate government-owned equipment that will be used. Justify the need for each equipment item and provide vendor quotes. (Additional equipment will not be provided unless the research cannot be completed by any other practical means.)

(4) RESEARCH & RELATED BUDGET

The offeror must use the Grants.gov forms (including the Standard Form (SF) Research and Related (R&R) Budget Form) from the application package template associated with the BAA on the Grants.gov web site located at <http://www.grants.gov/>. If options are proposed, the cost proposal must provide the pricing information for the option periods; failure to include the proposed costs for the option periods will result in the options not being included in the award.

A separate Adobe .pdf document shall be included in the application that provides appropriate justification and/or supporting documentation for each element of cost proposed and include a link to the current single audit report. This document shall be attached under Section K. “Budget Justification” of the Research and Related Budget form. Click “Add Attachment” to attach.

(a) Part 1: The itemized budget should include the following.
All costs should be rounded to the nearest dollar.

- Direct Labor – Individual labor categories or persons, with associated labor hours and unburdened direct labor rates. Provide escalation rates for out years.

- Administrative and Clerical Labor – Salaries of administrative and clerical staff are normally indirect costs (and included in an indirect cost rate). Direct charging of these costs may be appropriate when a major project requires an extensive amount of administrative or clerical support significantly greater than normal and routine levels of support. Budgets proposing direct charging of administrative or clerical salaries must be supported with a budget justification which adequately describes the major project and the administrative and clerical work to be performed.

- Fringe Benefits and Indirect Costs (Facilities and Administration (F&A), Overhead, G&A, etc.) – The proposal shall show the rates and calculation of the costs for each rate category. If the rates have been approved/negotiated by a Government agency, provide a copy of the memorandum/agreement. If the non-Federal entity has never received a negotiated indirect cost rate, they may elect to charge a de minimis rate of 10% of modified total direct costs or provide sufficient detail to enable a determination of allowability, allocability and reasonableness of the allocation bases, and how the rates are calculated. See 2 CFR 200.414(f) regarding the use of a de minimis rate. Additional information may be requested, if needed. If composite rates are used, provide the calculations used in deriving the composite rates.

- Travel – The proposed travel cost must include the following for each trip: the purpose of the trip, origin and destination if known, approximate duration, the number of travelers, and the estimated cost per trip must be justified based on the organizations historical average cost per trip or other reasonable basis for estimation. Such estimates and the resultant costs claimed must conform to the applicable Federal cost principles. Offerors may include travel costs for the Principal Investigator to attend the peer reviews described in Section II of this BAA. A sample Travel Estimate Spreadsheet with the required information is located at the following link: <https://www.nre.navy.mil/work-with-us/how-to-apply/submit-grant-application>

- Subawards/Subcontracts – Provide a description of the work to be performed by the subrecipient/subcontractor. For each subaward, a detailed cost proposal is required to be submitted by the subrecipient(s) using the R&R budget form and the same requirements for the individual categories identified in this section apply to the subaward/subcontract. Include subrecipient(s) name at the top of the budget justification document. A proposal and any supporting documentation must be received and reviewed before the Government can complete its cost analysis of the proposal and enter negotiations. ONR's preferred method of receiving subcontract information is for this information to be included with the Prime's proposal. However, a subcontractor's cost proposal can be provided in a sealed envelope with the recipient's cost proposal or via e-mail directly to the

Program Officer at the same time the prime proposal is submitted. The e-mail shall identify the proposal title, the prime Offeror and that the attached proposal is a subcontract.

- Consultants – Provide a breakdown of the consultant's hours, the hourly rate proposed, any other proposed consultant costs, a copy of the signed Consulting Agreement or other documentation supporting the proposed consultant rate/cost, and a copy of the consultant's proposed statement of work if it is not already separately identified in the prime contractor's proposal.
- Materials & Supplies – Provide an itemized list of all proposed materials and supplies including quantities, unit prices, and the basis for the estimate (e.g., quotes, prior purchases, catalog price lists).
- Recipient Acquired Equipment or Facilities – Equipment and facilities are normally furnished by the Recipient. If acquisition of equipment or facilities is proposed, a justification for the purchase of the items must be provided. Provide an itemized list of all equipment and facilities costs and the basis for the estimate (e.g., quotes, prior purchases, catalog price lists). Allowable items normally are limited to research equipment not already available for the project. General purpose equipment (i.e., equipment not used exclusively for research, scientific, or other technical activities, such as personal computers, laptops, office equipment) should not be requested unless they will be used primarily or exclusively for the project. For computer/laptop purchases and other general purpose equipment, if proposed, include a statement indicating how each item of equipment will be integrated into the program or used as an integral part of the research effort.
- Other Direct Costs – Provide an itemized list of all other proposed other direct costs such as Graduate Assistant tuition, laboratory fees, report and publication costs, and the basis for the estimate (e.g., quotes, prior purchases, catalog price lists).
- Fee/Profit – Fee/profit is unallowable under assistance agreements at either the prime or subaward level but may be permitted on contracts issued by the prime awardee.

(5) RESEARCH AND RELATED SENIOR/KEY PERSON PROFILE (EXPANDED)

To evaluate compliance with Title IX of the Education Amendments of 1972 (20 U.S.C. A§ 1681 Et. Seq.), the Department of Defense is collecting certain demographic and career information to be able to assess the success rates of women who are

proposed for key roles in applications in STEM disciplines.

The R&R Senior/Key Person Profile (Expanded) form will be used to collect the following information for all senior/key personnel, including Project Director/Principal Investigator and Co-Project Director/Co-Principal Investigator, whether or not the individuals' efforts under the project are to be funded by the DoD:

- Degree Type and Degree Year fields as the source for career information.
- Current and Pending Support shall include a list of all current projects the individual is working on, in addition to any future support the individual has applied to receive, regardless of the source. Upload this document by clicking “Add Attachment.” The following information shall be included for each current or pending project:
 - Title and objectives
 - The percentage per year to be devoted to the other projects.
 - The total amount of support the individual is receiving in connection to each of the other research projects or will receive if other proposals are awarded.
 - Name and address of the agencies and/or other parties supporting the other research projects
 - Period of performance for the other research projects.
- Upload the biosketch/CV/resume to the Biographical Sketch field.

Additional senior/key persons can be added by selecting the “Next Person” button. Note that, although applications without these fields completed may pass Grants.gov edit checks, if ONR receives an application without the required information, ONR may determine that the application is incomplete and may cause it to be returned without further review. DoD reserves the right to request further details from the applicant before making a final determination on funding the effort. If the bio-sketch field requires an attachment, upload the resumes.

(6) RESEARCH AND RELATED PERSONAL DATA

This form will be used by ONR as the source of demographic information, such as gender, race, ethnicity, and disability information for the Project Director/Principal Investigator and all other persons identified as Co-Project Director(s)/Co-Principal Investigator(s). Each application must include this form with the name fields of the Project Director/Principal Investigator and any Co-Project Director(s)/Co-Principal Investigator(s) completed; however, provision of the demographic information in the form is voluntary. If completing the form for multiple individuals, each Co- Director/Co-Principal Investigator can be added by selecting the “Next Person” button. The demographic information may be accessible to the reviewer, but will not be considered in the evaluation. Applicants who do not wish to provide some or all of the information should check or select the “Do not wish to provide” option.

(7) OTHER SUBMISSION REQUIREMENTS

Grants.gov Application Submission and Receipt Procedures

This section provides the application submission and receipt instructions for ONR program applications. Please read the following instructions carefully and completely.

1. Electronic Delivery

ONR is participating in the Grants.gov initiative to provide the grant community with a single site to find and apply for grant funding opportunities. ONR applicants shall submit their applications online through Grants.gov.

2. How to Register to Apply through Grants.gov

a. *Instructions:* Read the instructions below about registering to apply for ONR funds. Applicants should read the registration instructions carefully and prepare the information requested before beginning the registration process. Reviewing and assembling the required information before beginning the registration process will alleviate last-minute searches for required information.

Organizations must have an active System for Award Management (SAM) registration, and Grants.gov account to apply for grants. If individual applicants are eligible to apply for this funding opportunity, then you may begin with step 3, Create a Grants.gov Account, listed below.

Creating a Grants.gov account can be completed online in minutes, but SAM registrations may take additional time. Therefore, an organization's registration should be done in sufficient time to ensure it does not impact the entity's ability to meet required application submission deadlines.

Complete organization instructions can be found on Grants.gov here:

<https://grants.gov/applicants/applicant-registration/>

1) *Register with SAM:* All organizations applying online through Grants.gov must register with the System for Award Management (SAM). Failure to register with SAM will prevent your organization from applying through Grants.gov. SAM registration must be renewed annually. For more detailed instructions for registering with SAM, refer to <https://grants.gov/applicants/applicant-registration/>

2) *Create a Grants.gov Account:* The next step is to register an account with Grants.gov. Follow the on-screen instructions provided on the registration page.

3) *Add a Profile to a Grants.gov Account:* A profile in Grants.gov corresponds to a single applicant organization the user represents (i.e., an applicant) or an individual applicant. If you work for or consult with multiple organizations and have a profile for each, you may log in to one Grants.gov account to access all of your grant applications. To add an organizational profile to your Grants.gov account, enter the UEI Number for the

organization in the UEI field. For more detailed instructions about creating a profile on Grants.gov, refer to <https://grants.gov/applicants/applicant-registration/ebiz-poc-authorizes-profile-roles>.

4) *EBiz POC Authorized Profile Roles*: After you register with Grants.gov and create an Organization Applicant Profile, the organization applicant's request for Grants.gov roles and access is sent to the EBiz POC. The EBiz POC will then log in to Grants.gov and authorize the appropriate roles, which may include the Authorized Organization Representative (AOR) role, thereby giving you permission to complete and submit applications on behalf of the organization. You will be able to submit your application online any time after you have been assigned the AOR role. For more detailed instructions about creating a profile on Grants.gov, refer to <https://grants.gov/applicants/applicant-registration/ebiz-poc-authorizes-profile-roles>

5) *Track Role Status*: To track your role request, refer to <https://grants.gov/applicants/applicant-registration/track-profile-role-status>

b. *Electronic Signature*: When applications are submitted through Grants.gov, the name of the organization applicant with the AOR role that submitted the application is inserted into the signature line of the application, serving as the electronic signature. The EBiz POC **must** authorize people who are able to make legally binding commitments on behalf of the organization as a user with the AOR role; **this step is often missed and it is crucial for valid and timely submissions.**

3. How to Submit an Application to ONR via Grants.gov

All attachments to grant applications submitted through Grants.Gov must be in Adobe Portable Document Format (pdf). Proposals with attachments submitted in word processing, spreadsheet, or any format other than Adobe Portable Document Format will not be considered for award.

Grants.gov applicants can apply online using Workspace. Workspace is a shared, online environment where members of a grant team may simultaneously access and edit different webforms within an application. For each funding opportunity announcement (FOA), you can create individual instances of a workspace.

Below is an overview of applying on Grants.gov. For access to complete instructions on how to apply for opportunities, refer to

<https://grants.gov/applicants/workspace-overview/>

1) *Create a Workspace*: Creating a workspace allows you to complete an application online and route it through your organization for review before submitting.

2) *Complete a Workspace*: Add participants to the workspace to work on the application together, complete all the required forms online or by downloading PDF versions, and check for errors before submission. The Workspace progress bar will display the state of

your application process as you apply. As you apply using Workspace, you may click the blue question mark icon near the upper-right corner of each page to access context-sensitive help.

a. *Adobe Reader*: If you decide not to apply by filling out webforms, you can download individual PDF forms in Workspace. The individual PDF forms can be downloaded and saved to your local device storage, network drive(s), or external drives, then accessed through Adobe Reader.

NOTE: Visit the Adobe Software Compatibility page on Grants.gov to download the appropriate version of the software at <https://www.grants.gov/applicants/adobe-software-compatibility>

b. *Mandatory Fields in Forms*: In the forms, you will note fields marked with an asterisk and a different background color. These fields are mandatory fields that must be completed, to successfully submit your application.

c. *Complete SF-424 Fields First*: The forms are designed to fill in common required fields across other forms, such as the applicant name, address, and UEI Number. Once information is entered, the information will transfer to the other forms.

3) *Submit a Workspace*: An application may be submitted through workspace by clicking the Sign and Submit button on the Manage Workspace page, under the Forms tab. Grants.gov recommends submitting your application package at least 48 hours prior to the close date to provide you with time to correct any potential technical issues that may disrupt the application submission.

4) *Track a Workspace Submission*: After successfully submitting a workspace application, a Grants.gov Tracking Number (GRANTXXXXXXXX) is automatically assigned to the application. The number will be listed on the Confirmation page that is generated after submission. Using the tracking number, access the Track My Application page under the Applicants tab or the Details tab in the submitted workspace.

For additional training resources, including video tutorials, refer to:

<https://www.grants.gov/applicants/applicant-training>

Applicant Support: Grants.gov provides applicants 24/7 support via the toll-free number 1-800-518-4726 and email at support@grants.gov. For questions related to the specific grant opportunity, contact the number listed in the application package of the grant for which you are applying.

If you are experiencing difficulties with your submission, it is best to call the Grants.gov Support Center and get a ticket number. The Support Center ticket number will assist ONR with tracking your issue and understanding background information on the issue.

4. Timely Receipt Requirements and Proof of Timely Submission

a. Online Submission.

All applications must be received by 3:00 PM Eastern standard time on the due date established in this announcement. Proof of timely submission is automatically recorded by Grants.gov. An electronic date/time stamp is generated within the system when the application is successfully received by Grants.gov. The applicant with the AOR role who submitted the application will receive an acknowledgement of receipt and a tracking number (GRANTXXXXXXXX) from Grants.gov with the successful transmission of their application. The applicant with the AOR role will also receive the official date/time stamp and Grants.gov Tracking number in an email serving as proof of their timely submission.

When ONR successfully retrieves the application from Grants.gov, and acknowledges the download of submissions, Grants.gov will provide an electronic acknowledgment of receipt of the application to the email address of the applicant with the AOR role who submitted the application. Again, proof of timely submission shall be the official date and time that Grants.gov receives your application. Applications received by Grants.gov after the established due date for the program will be considered late and will not be considered for funding by ONR.

Applicants using unreliable internet connections should be aware that the process of completing the Workspace can take some time. Therefore, applicants should allow enough time to prepare and submit the application before the package closing date. Grants.gov will provide either an error or a successfully received transmission in the form of an email sent to the applicant with the AOR role attempting to submit the application. The Grants.gov Support Center reports that some applicants end the transmission because they think that nothing is occurring during the transmission process. Please be patient and give the system time to process the application.

5. Application Review Information

1. Recipient Qualifications

a. Recipient Qualifications: The Grants Officer is responsible for determining a recipient's qualification prior to award. In general, a Grants Officer will award grants and cooperative agreements only to qualified recipients that meet the standards at 32 CFR 22.415. To be qualified, a potential recipient must:

- (1) Have the management capability and adequate financial and technical resources, given those that would be made available through the grant or cooperative agreement, to execute the program of activities envisioned under the grant or cooperative agreement;
- (2) Have a satisfactory record of executing such programs or activities (if a prior recipient of an award);
- (3) Have a satisfactory record of integrity and business ethics; and
- (4) Be otherwise qualified and eligible to receive a grant or cooperative agreement under applicable laws and regulations.

Applicants are requested to provide information with proposal submissions to assist the Grants Officer's evaluation of recipient qualification.

b. In accordance with Office of Management and Budget (OMB) guidance in parts 180 and 200 of Title 2, CFR, it is DoD policy that DoD Components must report and use integrity and performance information in the Responsibility/Qualifications section of SAM.gov concerning grants and cooperative agreements as follows:

If the total Federal share will be greater than the simplified acquisition threshold on and Federal award under a notice of funding opportunity:

(1) The Federal awarding agency, prior to making a Federal award with a total amount of Federal share greater than the simplified acquisition threshold, will review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (see 41 U.S.C. 2313);

(2) An applicant, at its option, may review information in the designated integrity and performance systems accessible through SAM and comment on any information about itself that a Federal awarding agency previously entered and is currently in the designated integrity and performance system accessible through SAM;

(3) The Federal awarding agency will consider any comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as described in 2 CFR 200.206 Federal awarding agency review of risk posed by applicants.

6. Federal Award Administration Information

1. Administrative and National Policy Requirements

i. Federal Funding Accountability and Transparency Act of 2006:

The Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282), as amended by Section 6202 of Public Law 110-252 and expanded by the Digital Accountability and Transparency Act of 2014 (Public Law 113-101), requires that all agencies establish requirements for recipients reporting information on subawards and executive total compensation as codified in 2 CFR Part 170. Any company, non-profit agency or university that applies for financial assistance (either grants or 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 Part 170 Appendix A. Entities are required to meet reporting requirements unless an exception or exemption applies. Please refer to 2 CFR Part 170, including Appendix A, for a detailed explanation of the requirements, exceptions, and exemptions.

ii. Financial Assistance Certification

The Federal Assistance Certifications Report is an attestation that the entity will abide by the requirements of the various laws and regulations; therefore, as applicable, you are still required to submit any documentation, including the SF LLL Disclosure of Lobby Activities (if applicable), and disclosure of any unpaid delinquent tax liability or a felony conviction under any Federal law.

iii. Certification regarding Restrictions on Lobbying:

Grants and cooperative agreement awards greater than \$100,000 require a certification of compliance with a national policy mandate concerning lobbying. Grant applicants shall provide this certification by electronic submission of SF424 (R&R) as a part of the electronic proposal submitted via <https://www.grants.gov/> (complete Block 17). The following certification applies likewise to each cooperative agreement seeking federal assistance funds exceeding \$100,000:

(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 31 U.S.C. 1352. 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.

- iv. Certification Regarding the Prohibition on Using Funds with Entities that Require Certain Internal Confidentiality Agreements (Grant Information Circular (GIC) 19-02 November 2019) (Supplement to SF424 (R&R), block 17, Financial Assistance Certifications and Representations)

By checking “I Agree” on the SF 424 (R&R) block 17, you agree to abide by the following statement: “By signing this application, I certify (1) to the statements contained in the list certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. code, Title 18, Section 1001).

The certification reads as follows:

By submission of its proposal or application, the applicant represents that it does not require any of its employees, contractors, or subrecipients seeking to report fraud, waste, or abuse to sign or comply with internal confidentiality agreements or statements prohibiting or otherwise restricting those employees, contractors, subrecipients from lawfully reporting that waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.

v. Certification Regarding Disclosure of Funding Sources (Supplement to SF424 (R&R), block 17, Financial Assistance Certifications and Representations)

By checking “I Agree” on the SF 424 (R&R) block 17 you agree to abide by the following statement: “By signing this application, I certify the proposing entity is in compliance with Section 223(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 which requires that: (a) the PI and other key personnel certify that the current and pending support provided on the proposal is current, accurate and complete; (b) agree to update such disclosure at the request of the agency prior to the award of support and at any subsequent time the agency determines appropriate during the term of the award; and (c) the PI and other key personnel have been made aware of the requirements under Section 223(a)(1) of this Act. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. code, Title 18, Section 1001).

vi. Conflict of Interest:

Applicants for assistance are required to comply with 2 CFR 200.318(c), Codes of Conduct, to prevent real or apparent conflicts of interest in the award and administration of any contracts by which a recipient or subrecipient purchases property or services, supported by federal funds.

(1) General Requirement for Disclosure

You and your organization must disclose any potential or actual scientific or nonscientific conflict of interest(s) to us. You must also disclose any potential or actual conflict(s) of interest for any identified sub recipient you include in your application. We may have to ask you more questions if we need more information.

At our discretion, we may ask you for a conflict of interest mitigation plan after you submit your application. Your plan is subject to our approval.

(2) Scientific Conflict of Interest

Scientific collaborations on research and development projects are generally the result of close collaboration prior to the submission of applications for support. Accordingly, these collaborations should be considered when considering potential conflicts of interest. Therefore, you must include in your list of current and pending support all collaborators, even if they did not formally provide support.

vii. Peer Review

In the case of proposals funded as basic research, ONR may utilize peer reviewers from academia, industry, and Government agencies to assist in the periodic appraisal of performance under the awards, as outlined in ONR Instruction 3966.1A. Such periodic peer reviews monitor the quality of funded basic research efforts. The reviews are used in part to determine which basic research projects will receive continued ONR 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. Peer reviews may consider information derived from individual project or program review meetings (see BAA Section II F.2.a.viii for further guidance).

viii. Prohibition on certain telecommunications and video surveillance services or equipment

(a) In accordance with 2 CFR 200.216 and 200.471, all awards that are issued on or after August 13, 2020, recipients and subrecipients are prohibited from obligating or expending loan or grant funds to:

(1) Procure or obtain;

(2) Extend or renew a contract to procure or obtain; or

(3) Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in Public Law 115-232, section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).

(i) For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).

(ii) Telecommunications or video surveillance services provided by such entities

or using such equipment.

(iii) Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the Government of a covered foreign country.

(a) In implementing the prohibition under Public Law 115-232, section 889, subsection (f), paragraph (1), heads of executive agencies administering loan, grant, or subsidy programs shall prioritize available funding and technical support to assist affected businesses, institutions and organizations as is reasonably necessary for those affected entities to transition from covered communications equipment and services, to procure replacement equipment and services, and to ensure that communications service to users and customers is sustained.

(b) See Public Law 115-232, section 889 for additional information.
COVERED FOREIGN COUNTRY means the People's Republic of China.

3. Reporting

If the Federal share of any Federal award may include more than \$500,000 over the period of performance, the post award reporting requirements, Award Term and Condition for Recipient Integrity and Performance Matters (2 CFR Part 200 Appendix XII), is applicable as follows:

A. Reporting of Matters Related to Recipient Integrity and Performance

1. General Reporting Requirement. If the total value of your currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then you as the recipient during that period of time must maintain the currency of information reported to the System for Award Management (SAM) that is made available in the designated integrity and performance system about civil, criminal, or administrative proceedings described in paragraph 2 of this award term and condition. This is a statutory requirement under 41 U.S.C. 2313. All information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.

2. Proceedings About Which You Must Report. Submit the information required about each proceeding that:

a. Is in connection with the award or performance of a grant, cooperative agreement, or procurement contract from the Federal Government;

b. Reached its final disposition during the most recent five-year period; and

c. Is one of the following:

(i) A criminal proceeding that resulted in a conviction, as defined in paragraph 5 of this award term and condition;

(ii) A civil proceeding that resulted in a finding of fault and liability and payment of a monetary fine, penalty, reimbursement, restitution, or damages of \$5,000 or more;

(iii) An administrative proceeding, as defined in paragraph 5. of this award term and condition, that resulted in a finding of fault and liability and your payment of either a monetary fine or penalty of \$5,000 or more or reimbursement, restitution, or damages in excess of \$100,000; or

(iv) Any other criminal, civil, or administrative proceeding if:

(i) It could have led to an outcome described in paragraph 2.c. (1), (2), or (3) of this award term and condition;

(ii) It had a different disposition arrived at by consent or compromise with an acknowledgment of fault on your part; and

(iii) The requirement in this award term and condition to disclose information about the proceeding does not conflict with applicable laws and regulations.

3. Reporting Procedures. Enter in the SAM Entity Management area the information that SAM requires about each proceeding described in paragraph 2 of this award term and condition. You do not need to submit the information a second time under assistance awards that you received if you already provided the information through SAM because you were required to do so under Federal procurement contracts that you were awarded.

4. Reporting Frequency. During any period of time when you are subject to the requirement in paragraph 1 of this award term and condition, you must report proceedings information through SAM for the most recent five-year period, either to report new information about any proceeding(s) that you have not reported previously or affirm that there is no new information to report. Recipients that have Federal contract, grant, and cooperative agreement awards with a cumulative total value greater than \$10,000,000 must disclose semiannually any information about the criminal, civil, and administrative proceedings.

5. Definitions. For purposes of this award term and condition:

a. Administrative proceeding means a non-judicial process that is adjudicatory in nature in order to make a determination of fault or liability (e.g., Securities and Exchange Commission Administrative proceedings, Civilian Board of Contract Appeals proceedings, and Armed Services Board of Contract Appeals proceedings). This includes proceedings at the Federal and State level but only in connection with performance of a Federal contract or grant. It does not include audits, site visits, corrective plans, or inspection of deliverables.

b. Conviction, for purposes of this award term and condition, means a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of nolo contendere.

c. Total value of currently active grants, cooperative agreements, and procurement contracts includes—

(i) Only the Federal share of the funding under any Federal award with a recipient cost share or match; and

(ii) The value of all expected funding increments under a Federal award and options, even if not yet exercised.

ii. The post award reporting requirements can be found under the relevant ONR Addendum to the DoD R&D General Terms and Conditions and ONR Programmatic Requirements located at the following link:
<https://www.nre.navy.mil/work-with-us/manage-your-award/manage-grant-award/grants-terms-conditions>.

APPENDIX 3 - REQUIREMENTS APPLICABLE TO CONTRACTS AND OTHER TRANSACTION AGREEMENTS ONLY

A. Application and Submission Information

1. Content and Format of Application Submission

(a) Full Proposals:

Proposal Package:

The following documents with attachments comprise a complete proposal package:

- (1) Cover page (pdf format)
- (2) Proposal Checklist (pdf format)
- (3) Technical Proposal Template (pdf format)
- (4) Cost Proposal Template (Excel format) for the prime and all proposed subcontractors
- (5) DCAA Pre-award Survey of Prospective Contractor Accounting System Checklist to be submitted by contractors without an approved accounting system. (.Pdf)
- (6) Statement of Work (SOW) (word format)
- (7) ONR Contract Specific Representations and Certifications (pdf format)

Items 1 – 6 above are located at: <https://www.nre.navy.mil/work-with-us/how-to-apply/submit-contract-proposal>. All have instructions imbedded into them that will assist in completing the documents. In addition, both the Proposal Checklist and the Cost Proposal Template require completion of cost-related information. Please note that attachments can be incorporated into the Proposal Checklist.

For item 7, above, ONR contract specific representations and certifications are located at <https://www.nre.navy.mil/work-with-us/how-to-apply/submit-contract-proposal>.

The format requirements for attachments are as follows:

- Paper Size- 8.5 x 11-inch paper
- Margins – 1 inch
- Spacing- single or double-spaced
- Font- Times New Roman, 12 point

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 with the proposal checklist. The Government will assume unlimited rights if offerors fail to identify any intellectual property restrictions in their proposals. Include all proprietary claims to results, prototypes, and/or deliverables. If no restrictions are intended, then the offeror should state “NONE”.

For proposals below the simplified acquisition threshold (less than or equal to \$250K), the Technical Proposal Template and Proposal Checklist documents, and the Cost Proposal Spreadsheet are required. Purchase orders can also contain options, as long as the total amount of the base and all options does not exceed \$250K.

For proposed subcontracts or inter-organizational transfers over \$250K, Offerors must provide a **separate fully completed Cost Proposal Spreadsheet** in support of the proposed costs. This spreadsheet, along with supporting documentation, must be provided with the prime’s proposal. If the subcontract information is proprietary, it can be submitted via e-mail to the Program Officer listed on the Cover Page. The e-mail should identify the proposal title, the prime Offeror and that the attached proposal is a subcontract, and should include a description of the effort to be performed by the subcontractor.

All documents except the Cost Proposal Spreadsheet and Statement of Work Template must be submitted in a secure, pdf-compatible format. The Cost Proposal Spreadsheet must be submitted in a Microsoft Excel compatible format and the Statement of Work Template must be submitted in Microsoft Word format. All attachments to any required proposal documents must be submitted in a secure, pdf-compatible format.

The secure pdf-compatible format is intended to prevent unauthorized editing of the proposal prior to any award. **A password should not be required** for opening the proposal document. Should an Offeror amend its proposal, the amended proposal should be submitted following the same guidance applicable to the original proposal.

Any proposed options that are identified in the Technical Proposal Template or Proposal Checklist document, but are not fully priced out in the Cost Proposal Spreadsheet, will not be included in any resulting contract or other transaction agreement. If proposing options, they **must** be separately priced and separate spreadsheets should be provided for the base period and each option. In addition to providing a summary by period of performance (base and any options), the Contractor is also responsible for providing a breakdown of cost for each task identified in the Statement of Work. The sum of all costs by task worksheets **MUST** equal the total cost summary.

The Excel 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, etc. The Offeror should not provide “value only spreadsheets” similar to a hard copy.

Fixed Fees on ONR Contracts: The Government Objective is set in accordance with the DFARS 215.404-71. See the below table for range and normal values:

Contract Risk Factor	Contract Type	Assigned Value (Normal range)	Normal Value
Technical ⁽¹⁾		3% - 7% ⁽²⁾	5%
Management/ Cost Control ⁽¹⁾		3% - 7% ⁽²⁾	5%
Contract Type Risk	Firm Fixed Price	2% - 6% ⁽³⁾	3% - 5% ⁽⁴⁾
Contract Type Risk	Cost Plus Fixed Fee	0% - 1% ⁽²⁾	0.5%

(1) Assign a weight (percentage) to each element according to its input to the total performance risk. The total of the two weights equal 100%

(2) Assign a weighting score relative to the Risk Factor.

- (3) Depends on the specific Contract Type (With/without financing, performance-based payments, and/or progress payments).
- (4) Depends on the specific Contract Type.

Technology Incentive (TI) is rarely utilized at ONR, because the contracts issued by ONR typically are not eligible for TI (See DFARS 215.404-71-2(c) (2)). Any consideration of TI requires strong and convincing justification in the proposal, which are then subject to negotiation and determination of a fair and reasonable fee, within the context of the specific award.

Typically, the range of fee is 5% to 7.5% on an ONR awarded contract.

Other Submission Requirements

A. For ONR – Proposals should be e-mailed directly to Reginald Beach utilizing the below email address.

Point of Contact Name: Reginald Beach

Point of Contact Occupation Title: NOPP Program Office Team Division Title: 32

Division Code: 322

Address: 875 N. Randolph St., Arlington 22203 1995

Email Address: Reginald.A.Beach.civ@us.navy.mil

B. Application Review Information

1. Recipient Qualifications

a. Contract Proposals:

i. Contracts shall be awarded to responsible prospective contractors only. See FAR 9.104-1 for a listing of the general standards against which an applicant will be assessed to determine responsibility. Applicants are requested to provide information with proposal submission to assist the Contracting Officer's evaluation of responsibility.

ii. The Responsibility/Qualification section of SAM.gov at <https://sam.gov> will be checked prior to making an award.

The applicant representing the entity may comment in this system on any information about the entity that a Federal Government Official entered. The information in SAM.gov will be used in making a judgment about the entity's integrity, business ethics, and record of performance under Federal awards that may affect the official's determination that the applicant is qualified to receive an award.

C. Federal Award Administration Information

1. Administrative and National Policy Requirements

i. Applies to Contracts (and may be applicable, as required, to Other Transaction Agreements):

(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 Proposal Checklist, Section II, Block 9a, which of these facilities/test sites are critical for the project's success. In the Proposal Checklist, Section II, Block 9b, Offerors need to specify whether they will be requiring GFE, GFM and GFI.

(2) 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, 252.223-7003 and 252.223-7007) If ammunitions 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* and the Contracting Officer shall prepare a Standard Form (SF) 1403 Pre-Award Survey of Prospective Contractor (General) in order to initiate the survey.

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 sensitive (Security Risk Category I, II, III, IV) arms, ammunition or explosives (AA&E) are to be utilized under the proposed research effort, the Government requires a preaward security survey. The Contracting Officer shall prepare a Standard Form (SF) 1403 Pre-Award Survey of Prospective Contractor (General) in order to initiate the survey. (See DoD manual 5100.76-M dated April 17 2012, *Physical Security of Sensitive Conventional Arms, Ammunition and Explosives*, Enclosure 2, paragraph 2.a. and DFARS 252.223-7007)

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 dated April 17 2012, Enclosure 5, paragraph 2.a.

If AA&E are to be utilized under the proposed 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 dated April 17 2012, Enclosure 9, paragraph 9.

(3) System for Award Management (SAM):

FAR 52.204-7 System for Award Management and FAR 52.204-13 System for Award Management Maintenance are incorporated into this BAA, and FAR 52.204-13 will be incorporated in all awards.

(4) Employment Eligibility Verification (E-verify):

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.”

(5) Conflicts of Interest:

(a) Disclosure. An offeror shall state in its proposal whether it is aware of any information bearing on the existence of any actual or potential organizational conflict of interest (OCI) as defined in FAR 2.101 and as further discussed in FAR Subpart 9.5 as to itself and any proposed subcontractors, partners, consultants or other affiliates. Offerors performing systems engineering and technical assistance (SETA) for ONR are considered to have an OCI that may not be susceptible to mitigation. See ONR’s Statement of Policy on OCIs, which can be found at the following address: <https://www.nre.navy.mil/work-with-us/how-to-apply/compliance-and-protections/organizational-conflicts-interest>.

The nondisclosure or misrepresentation of an interest creating an OCI may result in the disqualification of an offeror for award, or if such nondisclosure or misrepresentation is discovered after award, the Government may terminate the contract for default, recommend that the contractor be disqualified from subsequent related contracts, or be subject to such other remedial actions as may be permitted or provided by law (see 18 U.S.C. § 1001 and 31 U.S.C. § 3802(a)(2)). Therefore, offerors should interpret the requirements of this section broadly.

An offeror who does not provide support services to ONR or concludes no actual or potential OCI exists shall include the following statement in its proposal: “I [NAME] as an authorized negotiator on behalf of [NAME OF OFFEROR] certify that **NO** actual or potential organizational conflict of interest (OCI) exists under [BAA NUMBER]. I understand that the failure to disclose the existence of actual or potential OCI shall result in the offeror not being considered for award.”

An offeror who does provide support services to ONR or is aware circumstances exist that may result in the appearance that it may have an unfair competitive advantage shall submit the following with its proposal:

- (i) The name of the entity the offeror, its subcontractors, partners, consultants or affiliates supports.
- (ii) The number of the contract, subcontract, or agreement that creates the actual or potential OCI. If ONR did not award the contract or agreement, provide a copy of the document. If ONR awarded the contract, provide the name of the technical point of contact.
- (iii) A description of the actual or potential OCI. The statement must describe in a concise manner all relevant facts concerning any past, present or currently planned interest (financial, contractual, organizational, or otherwise) relating to the work to be performed hereunder and bearing on whether the offeror has a possible organizational conflict of interest with respect to (1) impartial, technically sound, and unbiased assessments, recommendations, or evaluations, or (2) being given an unfair competitive advantage. If relevant, offerors shall address the personal conflicts of their employees.
- (iv) A Mitigation Plan. Offerors should refer to FAR Subpart 9.5 for policies and procedures for avoiding, neutralizing, or mitigating organizational conflicts of interest.
- (v) A concluding statement as follows: “I [NAME] as an authorized negotiator on behalf of [NAME OF OFFEROR] certify that I have, to the best of my knowledge and belief, disclosed all actual or potential

organizational conflicts of interest (OCI) under [BAA NUMBER]. I understand that the failure to disclose the existence of an actual or potential OCI shall result in the offeror not being considered for award.”

(b) OCI Mitigation Plan Contents. At a minimum, a Mitigation Plan shall:

(i) Provide organizational charts showing the offeror’s (and, as appropriate, those of its subcontractors, partners, consultants, and affiliates) structure as it relates to performance under the contract awarded under this BAA and all contracts and agreements relevant to the OCI, highlighting those elements that create the actual or apparent OCI.

(ii) Demonstrate how the elements that create the actual or apparent OCI will be isolated from the resources that will perform work under the contract awarded under this BAA.

(iii) Provide information showing whether the organizational elements that will perform work under the contract awarded under this BAA will be geographically or physically separated from the elements that create the actual or apparent OCI.

(iv) For each contract or agreement relevant to the OCI, describe the process for reassigning personnel, including those belonging to subcontractors, partners, consultants, and affiliates, from one organization to another. Include restrictions that apply.

(v) For each contract or agreement relevant to the OCI, describe any controls, including nondisclosure agreements, that are exercised over the future employment of departing employees as it relates to the OCI.

(vi) For each contract or agreement relevant to the OCI, describe any OCI training the employees are offered or required to attend, along with the timing (before or after starting work on a Government contract), frequency, length, and content of such training.

(vii) Provide evidence of facts and circumstances that the offeror asserts mitigate or address the concerns related to the actual or potential OCI.

(c) Review. The Contracting Officer will review an offeror’s certifications, statements, and OCI Mitigation Plan (if applicable) submitted and may require additional relevant information from an offeror. All such information and any other relevant information will be used by the Contracting Officer to determine whether an award to the offeror may create an OCI. If found to exist, the Government may: (1) impose appropriate conditions which avoid such conflict, (2) disqualify the offeror, (3) determine that it is otherwise in the best interest of the Government to award a contract to the offeror and include appropriate conditions mitigating such conflict in the award, or (4) seek a waiver. If the Contracting Officer determines that an actual or significant potential conflict of interest exists that cannot reasonably be avoided, neutralized or mitigated, the offeror will be ineligible for award. If accepted, the Mitigation Plan shall become part of the contract.

An offeror who has refused to disclose the information or make the certification required by this BAA concerning an actual or potential OCI shall be disqualified from consideration for award.

(6) FAR / DFARS Provisions/Clauses: For purposes of illustration, the following provisions and clauses may be applicable to ONR contracts. ONR reserves the right to include any relevant and current FAR, DFARS or NMCARS clauses necessary and required in the final award based on the dollar value of the award. All FAR and

DFAR references may be accessed from <https://acquisition.gov>.

#	Provision/Clause
52.204-7	System for Award Management
52.204-13	System for Award Management Maintenance
52.204-16	Commercial and Government Entity Code Reporting
52.204-24	Representation Regarding Certain Telecommunications and Video Surveillance Services or Equipment
52.204-25	Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Supplies
52.204-27	Prohibition on a ByteDance Covered Application
52.204-26	Covered Telecommunications Equipment or Services Representation
52.204-30	Federal Acquisition Supply Chain Security Act Orders-Prohibition
52.209-9	Updates of Publicly Available Information Regarding
52.215-16	Facilities Capital Cost of Money
52.215-20	Requirements for certified cost and pricing data and data other than certified cost and pricing data
52.215-22	Limitations on Pass Through Charges - Identification of Subcontract Effort
52.216-1	Type of Contract
52.216-27	Single or Multiple
52.217-4	Evaluation of Options Exercised at time of Contract Award
52.217-5	Evaluation of Options
52.217-9	Option to Extend the term of the Contract
52.222-24	Preaward On-Site Equal Opportunity Compliance Evaluation (Applies if exceeds \$10M)
52.222-50	Combating Trafficking in Persons
52.222-56	Certification Regarding Trafficking in Persons Compliance Plan
52.226-2	Historically Black College or University and Minority Institution Representation
52.230-7	Proposal Disclosure - Cost Accounting Practice Changes
52.232-15	Progress Payments not included
52.233-2	Service of Protest
52.252-1	Solicitation Provisions Incorporated by Reference
52.252-3	Alterations in Solicitation
52.252-5	Authorized Deviations in Provisions

252.203-7000	Requirements Relating to Compensation of Former DoD Officials
252.203-7005	Representation Relating to Compensation of Former DoD Officials
252.204-7004	Alternate A, System for Award Management
252.204-7008	Compliance with Safeguarding Covered Defense Information Controls
252.204-7018	Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services
252.204-7024	Notice on the Use of the Supplier Performance Risk System
252.204-7029	Federal Acquisition Supply Chain Security Act Orders
252.204-7030	Federal Acquisition Supply Chain Security Act Orders - Prohibition
252.215-7003	Requirements for Submission of Data Other than Certified Cost or Pricing Data - Canadian Commercial Corporation
252.204-7019	Notice of NIST SP 800-171 DoD Assessment Requirements
252.204-7020	NIST SP 800-171 DoD Assessment Requirements
252.219-7000	Advancing Small Business Growth
252.223-7002	Safety Precautions for Ammunition and Explosives
252.223-7003	Change in Place of Performance-Ammunition and Explosives
252.223-7007	Safeguarding Sensitive Conventional Arms, Ammunition, and Explosive
252.225-7059	Prohibition on Certain Procurements from the Xinjiang Uyghur Autonomous Region–Representation.
252.225-7060	Prohibition on Certain Procurements from the Xinjiang Uyghur Autonomous Region.
252.204-7012	Safeguarding Covered Defense Information and Cyber Incident Reporting (Deviation 2024-O0013, Revision 1)
252.225-7966	Prohibition Regarding Russian Fossil Fuel Business Operations – Representation (Deviation 2024-O0006, Revision 1)
252-225-7967	Prohibition Regarding Russian Fossil Fuel Business Operations (Deviation 2024-O0006, Revision 1)
252.225-7972	Prohibition on the Procurement of Foreign-Made Unmanned Aircraft Systems (DEVIATION 2020-O0015)

252.225-7973	Prohibition on the Procurement of Foreign-Made Unmanned Aircraft Systems – Representation (DEVIATION 2020-O0015)
252.235-7004	Protection of Human Subjects

(7) Certificate of Current Cost or Pricing Data Requirement

Even though the BAA is a competitive procedure, all proposals submitted under this BAA that meet the TINA threshold are subject to certified cost and pricing data.

In accordance with OUSD Memorandum, Subject: "Reducing Acquisition Lead Time by Eliminating Inefficiencies Associated with Cost or Pricing Data Submissions After Price Agreement ('Sweep Data)," dated 07 June 2018, if an action is subject to the Truth in Negotiations Act, offerors are required to execute the Certificate of Current Cost or Pricing Data as soon as practicable, but no later than five business days after the date of price agreement. Any cost or pricing data submitted after price agreement shall be reviewed and dispositioned after award of the contract action, pursuant to FAR 15.407-1, to establish whether it is rendered that the certified cost or pricing data submitted up to the point of price agreement was defective, and to determine whether the Government is entitled to a price adjustment in accordance with FAR 52.215-10 or FAR 52.215-11.

(8) Contract Authority for Development and Demonstration of Initial or Additional Prototypes

In accordance with 10 USC 4004 (Section 861 of the National Defense Authorization Act (NDAA) for Fiscal Year 2018 as amended by Section 831 of the NDAA for Fiscal Year 2021) a contract issued under this BAA, may be awarded with or later modified to contain a contract line item or contract option for the development and demonstration or initial production of technology developed under the contract or for the delivery of initial or additional items if the item or prototype thereof is created as the result of work performed under the contract.

(9) Enhanced Security Controls on Select Defense Industrial Base Partner Networks

In accordance with NMCARs 52.204.7303 entitled, "Safeguarding Covered Defense Information and Cyber Incident Reporting" certain performers may be required to implement enhanced cyber security controls to unclassified networks housing controlled unclassified information (CUI).

Such controls are in addition to the requirements of DFARS clause 252.204-7012, and may be required if the Chief of Naval Research (CNR) determines that enhanced controls are warranted by the risk to a critical program or technology. Offerors are strongly encouraged to consult with the cognizant Program Officer to determine whether these requirements will apply to a particular effort. Prior to award, affected offerors may be asked to provide their System Security Plan (SSP) or other documentation demonstrating compliance/ the ability to comply with these DFARS and NMCARs requirements. ONR will not formally approve SSPs prior to award. If the Government determines that an offeror may be unable to adequately protect CUI in accordance with these requirements during contract or agreement performance, the Government may decline to make an award to that offeror. All affected performers will be required to provide an SSP for Government review and approval within thirty (30) days of contract award.

ii. Applies to Other Transaction Agreements (OTAs) only:

(1) In accordance with 10 USC U.S.C. § 4022, ONR may award a follow-on production contract or OTA for any OTA awarded under this BAA if: (1) the participant(s) in the OTA successfully completed the entire prototype project provided for in that OTA, as modified, and (2) the OTA provides for the award of a follow-on production contract or OTA to the participant(s).

(2) REPRESENTATION REGARDING CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT (AUG 2020)

(a) *Definitions.* As used in this provision—*Backhaul, covered telecommunications equipment or services, critical technology, interconnection arrangements, reasonable inquiry, roaming, and substantial or essential component* have the meanings provided in the clause 52.204–25, Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment.

(b) *Prohibition.*

(1) Section 889(a)(1)(A) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Pub. L. 115–232) prohibits the head of an executive agency on or after August 13, 2019, from procuring or obtaining, or extending or renewing a contract to procure or obtain, any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. Nothing in the prohibition shall be construed to—

(i) Prohibit the head of an executive agency from procuring with an entity to provide a service that connects to the facilities of a third-party, such as backhaul, roaming, or interconnection arrangements; or

(ii) Cover telecommunications equipment that cannot route or redirect user data traffic or cannot permit visibility into any user data or packets that such equipment transmits or otherwise handles.

(2) Section 889(a)(1)(B) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Pub. L. 115–232) prohibits the head of an executive agency on or after August 13, 2020, from entering into a contract or extending or renewing a contract with an entity that uses any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. This prohibition applies to the use of covered telecommunications equipment or services, regardless of whether that use is in performance of work under a Federal contract. Nothing in the prohibition shall be construed to—

(i) Prohibit the head of an executive agency from procuring with an entity to provide a service that connects to the facilities of a third-party, such as backhaul, roaming, or interconnection arrangements; or

(ii) Cover telecommunications equipment that cannot route or redirect user data traffic or cannot permit visibility into any user data or packets that such equipment transmits or otherwise handles.

(c) *Procedures.* The Offeror shall review the list of excluded parties in the System for Award Management (SAM) (<https://www.sam.gov>) for entities excluded from receiving federal awards for “covered telecommunications equipment or services.”

(d) *Representations.* The Offeror represents that—

(1) It ☐ will, ☐ will not provide covered telecommunications equipment or services to the Government in the performance of any contract, subcontract or other contractual instrument resulting from this solicitation. The Offeror shall provide the additional disclosure information required at paragraph (e)(1) of this section if the Offeror responds “will” in paragraph (d)(1) of this section; and

(2) After conducting a reasonable inquiry, for purposes of this representation, the Offeror represents that— It ☐ does, ☐ does not use covered telecommunications equipment or services, or use any equipment, system, or service that uses covered telecommunications equipment or services. The Offeror shall provide the additional disclosure information required at paragraph (e)(2) of this section if the Offeror responds “does” in paragraph (d)(2) of this section.

(e) *Disclosures.* (1) Disclosure for the representation in paragraph (d)(1) of this provision. If the Offeror has responded “will” in the representation in paragraph (d)(1) of this provision, the Offeror shall provide the following information as part of the offer:

(i) For covered equipment—

- (A) The entity that produced the covered telecommunications equipment (include entity name, unique entity identifier, CAGE code, and whether the entity was the original equipment manufacturer (OEM) or a distributor, if known);
- (B) A description of all covered telecommunications equipment offered (include brand; model number, such as OEM number, manufacturer part number, or wholesaler number; and item description, as applicable); and
- (C) Explanation of the proposed use of covered telecommunications equipment and any factors relevant to determining if such use would be permissible under the prohibition in paragraph (b)(1) of this provision.

(ii) For covered services—

- (A) If the service is related to item maintenance: A description of all covered telecommunications services offered (include on the item being maintained: Brand; model number, such as OEM number, manufacturer part number, or wholesaler number; and item description, as applicable); or
- (B) If not associated with maintenance, the Product Service Code (PSC) of the service being provided; and explanation of the proposed use of covered telecommunications services and any factors relevant to determining if such use would be permissible under the prohibition in paragraph (b)(1) of this provision.

(2) Disclosure for the representation in paragraph (d)(2) of this provision. If the Offeror has responded “does” in the representation in paragraph (d)(2) of this provision, the Offeror shall provide the following information as part of the offer:

(i) For covered equipment—

- (A) The entity that produced the covered telecommunications equipment (include entity name,

unique entity identifier, CAGE code, and whether the entity was the OEM or a distributor, if known);

- (B) A description of all covered telecommunications equipment offered (include brand; model number, such as OEM number, manufacturer part number, or wholesaler number; and item description, as applicable); and
- (C) Explanation of the proposed use of covered telecommunications equipment and any factors relevant to determining if such use would be permissible under the prohibition in paragraph (b)(2) of this provision.

(ii) For covered services—

- (A) If the service is related to item maintenance: A description of all covered telecommunications services offered (include on the item being maintained: Brand; model number, such as OEM number, manufacturer part number, or wholesaler number; and item description, as applicable); or
- (B) If not associated with maintenance, the PSC of the service being provided; and explanation of the proposed use of covered telecommunications services and any factors relevant to determining if such use would be permissible under the prohibition in paragraph (b)(2) of this provision.