

DEPARTMENT OF THE ARMY
SMALL BUSINESS INNOVATION RESEARCH (SBIR) PROGRAM
SBIR 21.4 Broad Agency Announcement (BAA)
Small Business Opportunity (SBO) Announcement

PART I: OVERVIEW INFORMATION

- **Federal Agency Name** – Department of the Army, Assistant Secretary of the Army, Acquisition, Logistics and Technology
- **Funding Opportunity Title** – Army Applied Small Business Innovation Research (SBIR) Program
- **Announcement Type** – Initial Announcement
- **Funding Opportunity Number** – W50RAJ-20-S-0001
- **NAICS Code(s)**: 541713, 541714, 541715; Small Business Size: 500
- **Dates** (All times listed herein are Eastern Time.)
 - Posting Date: October 15, 2020
 - Closing Date: December 31, 2021, 11:59 PM
- **Concise description of the funding opportunity**: The future Army must be capable of conducting Multi-Domain Operations (MDO) as part of an integrated Joint Force across an array of scenarios in multiple theaters by 2035. The MDO concept describes how the Army will support the Joint Force in the rapid and continuous integration of all domains of warfare – land, sea, air, space, and cyberspace – to deter and prevail as we compete short of conflict, and fight and win if deterrence fail. The Army must provide game-changing capabilities to our Soldiers, leveraging the tools to operate at the pace of innovation. In order to capitalize on small business innovation, the Army has implemented a new approach to advertise SBIR funding opportunities on an ad hoc basis, outside of the three pre-determined announcements issued at the DoD level. SBIR Opportunities will be announced under this BAA. Only proposals submitted in response to an active corresponding Opportunity will be evaluated for funding.
- **Agency contact**
 - **Email**:
 - **Mailing Address**:
Army Applied SBIR Office
2800 Crystal Dr; Ste 11252
Arlington, VA 22201

PART II: FULL TEXT OF ANNOUNCEMENT

1. Funding Opportunity Description

The objectives of the DoD SBIR/STTR Program include stimulating technological innovation, strengthening the role of small business in meeting DoD research and development needs, fostering and encouraging participation by minority and disadvantaged persons in technological innovation, and increasing the commercial application of DoD-supported research or research and development results. Technology focus areas include DoD's Key Science and Technology Areas (<https://www.acq.osd.mil/osbp/sbir/docs/techareas.pdf>), USD(R&E)'s Technology Modernization Priorities (<https://www.cto.mil/modernization-priorities>), and the Army's Modernization Priorities (2019 Army Modernization Strategy: Investing in the Future. https://www.army.mil/e2/downloads/rv7/2019_army_modernization_strategy_final.pdf).

The guidelines presented in this BAA incorporate and make use of the flexibility of the SBA SBIR/STTR Policy Directive to encourage proposals based on scientific and technical approaches most likely to yield results important to the DoD and the private sector. The SBIR/STTR Policy Directive is available at:
https://www.sbir.gov/sites/default/files/SBIR-STTR_Policy_Directive_2019.pdf.

15 U.S.C. §638 (cc), as amended by NDAA FY2012, Sec. 5106, and further amended by NDAA FY2019, Sec. 854, PILOT TO ALLOW PHASE FLEXIBILITY, allows the Department of Defense to make an award to a small business concern under Phase II of the SBIR program with respect to a project, without regard to whether the small business concern was provided an award under Phase I of an SBIR program with respect to such project. The Army is conducting a "Direct to Phase II" (DP2) implementation of this authority for this announcement, for eligible SBIR opportunities only.

Technology and Program Protection to Maintain Technological Advantage

In accordance with DoD Instruction 5000.83, Technology and Program Protection to Maintain Technological Advantage, dated July 20, 2020, and as a means to counter the threat from strategic competitor nations, the DoD will employ risk-based measures to protect systems and technologies from adversarial exploitation and compromise of U.S. military vulnerabilities and weaknesses in: (1) systems, (2) components, (3) software, (4) hardware, and (5) supply chains. The initial measure being implemented for the SBIR program is to require proposers to self-report and disclose foreign ownership of, or control over, the proposer. Reporting and disclosing such information will enable the DoD to identify national security risks posed by foreign participation, through investment, ownership, or influence, in the defense industrial base. This information will be used by DoD program offices to determine risks posed by SBIR contract awardees and their subcontractors to the DoD and the defense industrial base.

Army's Applied SBIR Approach

The Office of the Assistant Secretary of the Army for Acquisition, Logistics and Technology's mission is to provide our Soldiers a decisive advantage in any mission by maintaining quality acquisition professionals to develop, acquire, field, and sustain the world's best equipment and services through efficient leveraging of technologies and capabilities to meet current and future Army needs. The pace of discovery in science, technology and engineering is accelerating worldwide, resulting in emerging technology fields for small business utilization through the

SBIR program. Small businesses are critical for developing technology to support the Army and our soldiers.

To enable this approach, the Army Applied SBIR Program Office will issue SBIR Opportunities as needs emerge. The opportunities will focus on technical domains important to the Army's mission pursuing innovative research concepts, cross-Army initiatives, and technologies that bridge the divide from the Army technology base to the Army Program Executive Offices (PEO) and Program Managers (PM).

The Army Applied SBIR Programs have three phases. Phase I is to determine, to the extent possible, the scientific, technical, and commercial merit and feasibility of ideas submitted under the programs. Proposals should concentrate on research or research and development (R/R&D) which will significantly contribute to proving the scientific and technical feasibility, and commercialization potential of the proposed effort, the successful completion of which is a prerequisite for further DoD support in Phase II, unless an exception is authorized under the Direct to Phase II Program. Proposers are encouraged to consider whether the R/R&D being proposed to the Army also has private sector potential, either for the proposed application or as a base for other applications.

Phase II/DP2 awards will be made to firms on the basis of results of their Phase I effort or comparable feasibility documentation, and the scientific merit, technical merit, and commercialization potential of the Phase II proposal. Phase II is the principal R/R&D effort and is expected to produce a well-defined deliverable prototype. A prototype is defined as a model of something to be further developed, which includes designs, protocols, questionnaires, software, and devices. A Phase II contractor may receive up to one additional, sequential Phase II award for continued work on the project.

Under Phase III, the Proposer is required to obtain funding from either the private sector, a non-SBIR Government source, or both, to develop the prototype into a viable product or non- R&D service for sale in military or private sector markets. Phase III refers to work that derives from, extends, or completes an effort made under prior SBIR/STTR funding agreements, but is funded by sources other than the SBIR/STTR Programs, which can include both private sector funding and non-SBIR/STTR government contract funding. Phase III work is typically oriented towards commercialization of SBIR/STTR funded research or technology.

Applied SBIR Opportunities

Army Applied SBIR Opportunities (ASO) will be announced under this BAA, ***. These opportunities will solicit proposals and will be open for at least 45 days from publication at <https://beta.sam.gov>. Each ASO will describe projects addressing one or two phases as described below. During these periods of performance, ad hoc, emerging Army-modernization focused topics will be investigated with the goal of R&D for prototyping and transitioning technologies into the hands of our soldiers. The ultimate goal of each announcement is to invest in research that leads to prototype development that may result in new game-changing technologies for U.S. national security. Proposals submitted in response to ASOs will be evaluated and selected in accordance with Section 6 of this announcement.

Each ASO will (1) identify specific details regarding the research topic of interest, and (2) provide proposal content and submission instructions in addition to those outlined in this BAA,

including the due date for proposal submissions. Proposals must be submitted in response to an ASO. **Only proposals submitted in response to an active corresponding ASO will be evaluated.**

Each ASO will identify the project phases (Phase I Feasibility Study/Phase II Proof of Concept/Direct to Phase II), periods of performance, specific technical objectives to be achieved, task descriptions, milestone payment schedule, and deliverables. Generally, the period of performance for the Phase I effort will not exceed 12 months, and the period of performance for the Phase II or DP2 effort will not exceed 24 months. Combined Phase I base and Phase II option efforts for any ASO are not anticipated to exceed 36 months.

For any proposal selected for award, the Government reserves the right to award a separate Phase I, a separate Phase II, DP2, or a combined Phase I and II effort. In cases in which combined Phase I and II is awarded, the Government may award Phase II as an option, depending on the outcome of the Phase I effort and funding availability. Due to the potential for awarding follow-on Phase II efforts, the Army is requesting a proposal validity period of 365 days.

Note: Not all ASOs are eligible for a DP2 award. Proposers should read the ASO requirements carefully, as each opportunity may accept Phase I proposals only, both Phase I and DP2 proposals, or DP2 proposals only.

All firms that are awarded Phase I awards originating from this BAA will be eligible to participate in Phase II competitions and potential Phase III (non-SBIR/STTR funded) awards.

The goal of the SBIR and STTR programs is to fund research that leads to prototype development. If after Phase II/DP2, a performer has successfully accomplished a proof of concept, and a deliverable prototype is within reach or a promising initial prototype has been developed, the ASA(ALT), Army PEOs, and/or Army PMs may elect to modify the award to fund additional tasks to pursue further prototype development, fabrication and delivery.

2. Award Information

2.1 General Award Information

Multiple awards are anticipated. The Army may award FAR-based government contracts (Firm-Fixed Price or Cost-Plus Reimbursement), Other Transactions for Prototypes agreement (under the authority of 10 U.S.C. § 2371b), or Other Transactions for Advanced Development Projects agreement (under the authority of 10 U.S.C. § 2371) as determined by the Contracting Officer. The amount of resources made available under each ASO issued under this BAA will depend on the quality of the proposals received and the availability of funds.

The Government reserves the right to select for negotiation all, some, one, or none of the proposals received in response to this announcement and to make awards with or without communications with proposers. Additionally, the Government reserves the right to award all, some, one, or none of the options on the contract(s)/agreement(s) of the performers based on available funding and technical performance. If warranted, portions of resulting awards may be segregated into pre-priced options. Additionally, the Army reserves the right to accept proposals in their entirety or to select only portions of proposals for award. In the event that the Army desires to award only portions of a proposal, negotiations may be opened with that proposer. The Government reserves the right to fund proposals in phases with options for continued work, as applicable.

The Government reserves the right to request any additional, necessary documentation once it makes the award instrument determination. The Government reserves the right to remove a proposal from award consideration should the parties fail to reach agreement on award terms, conditions, and price within a reasonable time, and the proposer fails to provide requested additional information within three business days.

In all cases, the Government Contracting Officer shall have sole discretion to select award instrument type, regardless of instrument type proposed, and to negotiate all instrument terms and conditions with selectees. The Army will apply publication or other restrictions, as necessary, if it determines that the research resulting from the proposed effort will present a high likelihood of disclosing performance characteristics of military systems or manufacturing technologies that are unique and critical to defense. Any award resulting from such a determination will include a requirement for Army permission before publishing any information or results on the program. For more information on publication restrictions, see section 2.2 on Fundamental Research.

Because of the desire to streamline the award negotiation and program execution process, proposals identified for negotiation will result in negotiating a type of instrument for award that is in the best interest of the Government. In the case of an OT for Prototype agreement under the Army's authority to award OTs for prototype projects, 10 U.S.C. § 2371b, use of an OT provides significant opportunities for flexible execution to assist in meeting the Army's aggressive SBIR/STTR program goals.

All proposers that wish to consider an OT award should carefully read the following:

The flexibility of the OT award instrument is beneficial to the program because the Performer will be able to apply its best practices as required to carry out the research project that may be outside of the Federal Acquisition Regulation (FAR) process-driven requirements. Streamlined practices will be used, such as milestone-driven performance, intended to reduce time and effort on award administration tasks and permit performers to focus on the research effort and rapid prototyping. Because of this ability, OTs provide the Agreements Officer the flexibility to create an award instrument that contains terms and conditions that promote commercial transition, reduce some administratively burdensome acquisition regulations, and meet Applied SBIR program goals.

Proposers must only propose an OT agreement with fixed payable milestones. Fixed payable milestones are fixed payments based on successful completion of the milestone accomplishments agreed to in the milestone plan. Refer to the sample OT provided as an attachment to this announcement for additional information. Specific milestones will be based upon the research objectives detailed in the ASO.

Please see Appendix C and <https://aaf.dau.mil/ot-guide/> for more information on OTs.

2.2 Fundamental Research

It is DoD policy that the publication of products of fundamental research will remain unrestricted to the maximum extent possible. National Security Decision Directive (NSDD) 189 defines fundamental research as follows:

"'Fundamental research' means basic and applied research in science and

engineering, the results of which ordinarily are published and shared broadly within the scientific community, as distinguished from proprietary research and from industrial development, design, production, and product utilization, the results of which ordinarily are restricted for proprietary or national security reasons."

As of the date of publication of this BAA, the Government expects that program goals as described herein may be met by proposers intending to perform fundamental research and proposers not intending to perform fundamental research or the proposed research may present a high likelihood of disclosing performance characteristics of military systems or manufacturing technologies that are unique and critical to defense. Based on the nature of the performer and the nature of the work, the Government anticipates that some awards will include restrictions on the resultant research that will require the awardee to seek Army permission before publishing any information or results relative to the program.

Proposers should indicate in their proposal whether they believe the scope of the research included in their proposal is fundamental or not. While proposers should clearly explain the intended results of their research, the Government shall have sole discretion to select award instrument type and to negotiate all instrument terms and conditions with selectees. Appropriate clauses will be included in resultant awards for non-fundamental research to prescribe publication requirements and other restrictions, as appropriate.

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 to explain in their proposal why its subcontractor's effort is contracted fundamental research.

2.3 Export Control

The International Traffic in Arms Regulations (ITAR), 22 CFR Parts 120 through 130, and the Export Administration Regulations (EAR), 15 CFR Parts 730 through 799, will apply to all projects with military or dual-use applications that develop beyond fundamental research, which is basic and applied research ordinarily published and shared broadly within the scientific community. ASOs will identify when ITAR restrictions are applicable. More information is available at https://www.pmdtc.state.gov/ddtc_public?id=ddtc_public_portal_itar_landing.

2.4 Discretionary Technical and Business Assistance (TAB A)

In accordance with section 9(q) of the Small Business Act (15 U.S.C. 638(q)), the Army may provide technical assistance services to small businesses engaged in SBIR projects through a network of Army Program Executive Offices, Army manufacturing and sustainment elements and Army technical subject matter experts (SME). The objective of this effort is to increase Army SBIR technology transition and commercialization success thereby accelerating the fielding of capabilities to Soldiers and to benefit the nation through stimulated technological innovation, improved manufacturing capability, and increased competition, productivity, and economic growth.

The selection to participate in the TAB A program is not automatic and must be approved by the Army SBIR Program Manager. The maximum TAB A resources for a Phase I Army SBIR proposal

is \$6,500. The maximum TABA resources for a Phase II Army SBIR proposal is \$50,000. Companies should reflect their interest in participation in the TABA program in the proposal.

2.5 Army Transition and Commercialization Accelerator Program (ATCAP)

The Army Applied SBIR Program may provide services to Phase II or DP2 awardees upon contract execution through the Army Transition and Commercialization Accelerator Program (ATCAP) at no cost to awardees. The ATCAP goal is to maximize the potential for SBIR companies to move their technology beyond Phase II, and into advanced development, Army Programs of Record (PoR), other research and development programs for further maturity, or into solutions or products for DoD acquisition programs, other Federal programs, and/or the commercial market. Companies must opt-in to participate in the ATCAP.

3. Eligibility Information

3.1 Eligible Applicants

- a. The eligibility requirements for the SBIR programs are unique and do not correspond to those of other small business programs. Proposers must qualify as a small business concern (SBC) and meet eligibility requirements for Small Business Ownership and Control at time of award and certify to this on the proposal Cover Sheet (see 13 CFR § 121.702 and as defined below).

An SBC must satisfy the following conditions on the date of award:

- i. Is organized for profit, with a place of business located in the United States, which operates primarily within the United States or which makes a significant contribution to the United States economy through payment of taxes or use of American products, materials or labor;
- ii. Is in the legal form of an individual proprietorship, partnership, limited liability company, corporation, joint venture, association, trust or cooperative, except that if the concern is a joint venture, each entity to the venture must meet the requirements set forth in paragraph (iii) below;
- iii. Is more than 50% directly owned and controlled by one or more individuals (who are citizens or permanent resident aliens of the United States), other small business concerns (each of which is more than 50% directly owned and controlled by individuals who are citizens or permanent resident aliens of the United States), or any combination of these; and
- iv. Has, including its affiliates, not more than 500 employees. (For explanation of affiliate, see www.sba.gov/size.)

Small businesses that are owned in majority part by multiple venture capital operating companies (VCOCs), hedge funds, or private equity funds may be eligible to submit applications or receive awards for opportunities under this BAA. Please review the topic solicitation requirements regarding if small businesses majority owned by VCOCs are eligible for an award.

Joint ventures and limited partnerships are permitted, provided that the entity created qualifies as a small business in accordance with the Small Business Act, 13 U.S.C. § 121.701.

Proposers must disclose joint ventures with existing (or planned) relationships/partnerships with any foreign entity or any foreign government-controlled companies.

- b. For SBIR proposals, a minimum of two-thirds of the research and/or analytical work in Phase I must be carried out by the proposing firm. For Phase II/DP2, a minimum of one-half (50%) of the research and/or analytical work must be performed by the proposing firm. The percentage of work is measured by both direct and indirect costs. The primary employment of the principal investigator (PI) must be with the small business firm at the time of the award and during the conduct of the proposed effort. Primary employment means that more than one-half of the PI's time is spent with the small business. Primary employment with a small business concern precludes full-time employment at another organization.
- c. For Phase I and Phase II/DP2 proposals, all research or research and development work must be performed by the small business concern and its subcontractors in the United States.
- d. Proposers with prior SBIR/STTR awards must meet two benchmark requirements for Progress towards Commercialization as determined by the Small Business Administration (SBA) on June 1 each year.
 - i. For all proposers with greater than 20 Phase I awards over the past five fiscal years excluding the most recent year, the ratio of Phase II/DP2 awards to Phase I awards must be at least 0.25.
 - ii. For all proposers with greater than 15 Phase II/DP2 awards over the last ten fiscal years excluding the last two years, the proposer must have received, to date, an average of at least \$100,000 of sales and/or investments per Phase II/Direct to Phase II award received, or have received a number of patents resulting from the SBIR work equal to or greater than 15% of the number of Phase II/Direct to Phase II awards received during the period.

Consequence of failure to meet the benchmarks:

- SBA will identify and notify Agencies on June 1st of each year the list of companies which fail to meet minimum performance requirements. These companies will not be eligible to submit a proposal for a Phase I award for a period of one year from that date.
- Because this requirement only affects a company's eligibility for new Phase I awards, a company that fails to meet minimum performance requirements may continue working on its current ongoing SBIR/STTR awards and may apply for and receive new Phase II and Phase III awards.
- To provide companies with advance warning, SBA notifies companies on April 1st if they are failing the benchmarks. If a company believes that the information used was not complete or accurate, it may provide feedback through the SBA Company Registry at www.sbir.gov.
- In addition, SBA has posted a Guide to SBIR/STTR Program Eligibility to help

small businesses understand program eligibility requirements, determine if they will be eligible at the time of award, and accurately complete necessary certifications.

- The benchmark information on the companies will not be available to the public.

3.2 Subcontract

A subcontract is any agreement, other than one involving an employer-employee relationship, entered into by an awardee of a funding agreement calling for supplies or services for the performance of the original funding agreement. This includes consultants.

3.3 Subcontractor

Subcontractor means any supplier, distributor, vendor, firm, academic institution, research center, or other person or entity that furnishes supplies or services pursuant to a subcontract, at any tier.

3.4 Foreign Entity

Foreign entity means any branch, partnership, group or sub-group, association, estate, trust, corporation or division of a corporation, non-profit, academic institution, research center, or organization established, directed, or controlled by foreign owners, foreign investors, foreign management, or a foreign government.

3.5 Foreign Government

Foreign government means any government or governmental body, organization, or instrumentality, including government owned-corporations, other than the United States Government or United States state, territorial, tribal, or jurisdictional governments or governmental bodies. The term includes, but is not limited to, non-United States national and subnational governments, including their respective departments, agencies, and instrumentalities.

3.6 Foreign Nationals

Proposers must report any and all individuals expected to be involved on this project that are considered a foreign national as defined below. Proposers may be asked to provide additional information during negotiations in order to verify the foreign citizen's eligibility to participate in the SBIR. The Government may withdraw from negotiations at any time for any reason to include matters of national security (foreign persons, foreign influence or ownership, inability to clear the firm or personnel for security clearances, or other related issues).

Foreign Nationals (also known as Foreign Persons) as defined by 22 CFR 120.16 means any natural person who is not a lawful permanent resident as defined by 8 U.S.C. § 1101(a)(20) or who is not a protected individual as defined by 8 U.S.C. § 1324b(a)(3). It also means any foreign corporation, business association, partnership, trust, society or any other entity or group that is not incorporated or organized to do business in the United States, as well as international organizations, foreign governments and any agency or subdivision of foreign governments (e.g., diplomatic missions).

“Lawfully admitted for permanent residence” means the status of having been lawfully accorded the privilege of residing permanently in the United States as an immigrant in accordance with the immigration laws, such status not having changed.

"Protected individual" means an individual who (A) is a citizen or national of the United States, or (B) is an alien who is lawfully admitted for permanent residence, is granted the status of an alien lawfully admitted for temporary residence under 8 U.S.C. § 1160(a) or 8 U.S.C. § 1255a(a)(1), is admitted as a refugee under 8 U.S.C. § 1157, or is granted asylum under Section 8 U.S.C. § 1158; but does not include (i) an alien who fails to apply for naturalization within six months of the date the alien first becomes eligible (by virtue of period of lawful permanent residence) to apply for naturalization or, if later, within six months after November 6, 1986, and (ii) an alien who has applied on a timely basis, but has not been naturalized as a citizen within 2 years after the date of the application, unless the alien can establish that the alien is actively pursuing naturalization, except that time consumed in the Service's processing the application shall not be counted toward the 2-year period.

3.7 Organizational Conflicts of Interest

FAR 9.5 Requirements

In accordance with FAR 9.5, proposers are required to identify and disclose all facts relevant to potential OCIs involving the proposer's organization and any proposed team member (sub-awardee, consultant). Under this Section, the proposer is responsible for providing this disclosure with each proposal submitted to the BAA. The disclosure must include the proposer's, and as applicable, proposed team member's OCI mitigation plan. The OCI mitigation plan must include a description of the actions the proposer has taken, or intends to take, to prevent the existence of conflicting roles that might bias the proposer's judgment and to prevent the proposer from having unfair competitive advantage. The OCI mitigation plan will specifically discuss the disclosed OCI in the context of each of the OCI limitations outlined in FAR 9.505-1 through FAR 9.505-4.

Agency Supplemental OCI Policy

In addition, the Army has a supplemental OCI policy that prohibits contractors/performers from concurrently providing Scientific Engineering Technical Assistance (SETA), Advisory and Assistance Services (A&AS) or similar support services and being a technical performer. Therefore, as part of the FAR 9.5 disclosure requirement above, a proposer must affirm whether the proposer or any proposed team member (sub-awardee, consultant) is providing SETA, A&AS, or similar support to any Army office(s) under: (a) a current award or sub-award; or (b) a past award or sub-award that ended within one calendar year prior to the proposal's submission date.

If SETA, A&AS, or similar support is being or was provided to any Army office(s), the proposal must include:

- The name of the Army office receiving the support;
- The prime contract number;
- Identification of proposed team member (sub-awardee, consultant) providing the support; and
- An OCI mitigation plan in accordance with FAR 9.5.

Government Procedures

In accordance with FAR 9.503, 9.504 and 9.506, the Government will evaluate OCI mitigation plans to avoid, neutralize or mitigate potential OCI issues before award and to determine whether it is in the Government's interest to grant a waiver. The Government will only evaluate OCI mitigation plans for proposals that are determined selectable under the BAA evaluation criteria

and funding availability.

The Government may require proposers to provide additional information to assist the Government in evaluating the proposer's OCI mitigation plan.

If the Government determines that a proposer failed to fully disclose an OCI; or failed to provide the affirmation of Army support as described above; or failed to reasonably provide additional information requested by the Government to assist in evaluating the proposer's OCI mitigation plan, the Government may reject the proposal and withdraw it from consideration for award.

4. Application and Submission Information

4.1 Proposal Preparation Instructions

Each ASO will (1) identify specific details regarding the research topic of interest, and (2) provide proposal content and submission instructions in addition to those outlined in this BAA, including the due date for proposal submissions. Proposals must only be submitted in response to an ASO. **Proposals submitted in response to this BAA without an active, corresponding ASO will not be evaluated.**

Classified proposals are not accepted under the DoD SBIR/STTR Program. If classified work becomes required during Phase II, the proposing firm must have a facility clearance in order to perform the Phase II work. For more information on facility and personnel clearance procedures and requirements, please visit the Defense Counterintelligence and Security Agency website at: <https://www.dcsa.mil/mc/ctp/fc/>.

Each ASO will identify the project phases (Phase I Feasibility Study/Phase II Proof of Concept/Direct to Phase II), periods of performance, specific technical objectives to be achieved, task descriptions, milestone payment schedule, and deliverables. Generally, the period of performance for the Phase I base effort will not exceed 12 months, and the period of performance for the Phase II or Direct to Phase II effort will not exceed 24 months. Combined Phase I and Phase II efforts, inclusive of option periods, for any ASO are not anticipated to exceed 36 months.

Each ASO will indicate the type of proposal accepted – Phase I, DP2, or both. **For Phase I Proposal Instructions, see Appendix A. For DP2 Proposal Instructions, see Appendix B.**

4.2 DP2 Requirements

Proposers interested in submitting a DP2 proposal in response to an eligible ASO must provide documentation to substantiate that the scientific and technical merit and feasibility described in the Phase I section of the topic has been met and describes the potential commercial applications. Documentation should include all relevant information including, but not limited to: technical reports, test data, prototype designs/models, and performance goals/results. Work submitted within the feasibility documentation must have been substantially performed by the proposer and/or the PI.

The Army will not evaluate the proposer's related Phase II proposal if it determines that the proposer has failed to demonstrate that technical merit and feasibility has been established or

the proposer has failed to demonstrate that work submitted in the feasibility documentation was substantially performed by the proposer and/or the PI.

Feasibility documentation cannot be based upon any prior or ongoing federally funded SBIR or STTR work and DP2 proposals MUST NOT logically extend from any prior or ongoing federally funded SBIR or STTR work.

4.3 Electronic Submission

Proposers are REQUIRED to submit UNCLASSIFIED proposals via the Defense SBIR/STTR Innovation Portal (DSIP) at <https://www.dodsbirsttr.mil/submissions/>. Firms submitting through this site for the first time will be asked to register. It is recommended that firms register as soon as possible upon identification of a proposal opportunity to avoid delays in the proposal submission process.

Submission deadlines are strictly enforced. Proposals submitted by any other means will be disregarded.

Technical support for DSIP is available Monday through Friday, 9:00 a.m. – 5:00 p.m. ET. Requests for technical support must be emailed to DoDSBIRSupport@reisystems.com.

4.4 Submission Deadlines

Full proposal packages (Proposal Cover Sheet, Technical Volume, Price/Cost Volume inclusive of supporting documentation, Company Commercialization Report, and supporting documentation as required) must be submitted via the Defense SBIR/STTR Innovation Portal (DSIP) per the instructions outlined herein no later than the due date and time listed in the ASO to which the proposal is submitted.

It is the proposing firm's responsibility to verify that the Technical Volume does not exceed the page limit after upload to DSIP, that all proposal volumes are complete and that the proposal package is certified. The proposer may add/modify proposal volumes or the Proposal Cover Sheet on DSIP until the due date and time listed in the ASO.

Proposals and proposal modifications, unless requested by the Contracts/Agreements Officer, received after the due date set forth in the ASO will be considered late and will not be evaluated. Proposers are warned that submission deadlines outlined in the ASO to which they are applying will be strictly enforced.

4.5 Communication

The Army SBIR Program office intends to use electronic mail for all correspondence regarding this announcement. Administrative, proposal preparation, and award questions should be emailed to usarmy.pentagon.hqda-asa-alt.mbx.army-applied-sbir-program@mail.mil. All questions must be in English and must include the name, email address, and the telephone number of a point of contact.

Each ASO will include instructions for submitting questions related to the technical aspect of the research objectives. The Army will attempt to answer questions in a timely manner; however,

questions submitted within 7 days of the proposal due date listed in the ASO may not be answered.

4.6 Marking Proprietary Proposal Information

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

(1) Mark the first page of each Volume of the proposal submission with the following legend:

"This proposal includes data that shall not be disclosed outside the Government and shall not be duplicated, used, or disclosed-in whole or in part-for any purpose other than to evaluate this proposal. If, however, a contract is awarded to this proposer as a result of-or in connection with-the submission of this data, the Government shall have the right to duplicate, use, or disclose the data to the extent provided in the resulting contract. This restriction does not limit the Government's right to use information contained in this data if it is obtained from another source without restriction. The data subject to this restriction are contained in pages [insert numbers or other identification of sheets]"; and

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

"Use or disclosure of data contained on this page is subject to the restriction on the first page of this volume."

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

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

4.7 Human Subjects Research/Animal Use

Companies should plan carefully for research involving animal or human subjects, or requiring access to government resources of any kind. Animal or human research must be based on formal protocols that are reviewed and approved both locally and through the Army's committee process. Resources such as equipment, reagents, samples, data, facilities, troops or recruits, and so forth, must all be arranged carefully.

Human Subject Research

All research involving human subjects shall be conducted in accordance with 32 C.F.R. § 219 "The Common Rule," 10 U.S.C. § 980 "Limitation on Use of Humans as Experimental Subjects," and DoDD 3216.02 "Protection of Human Subjects and Adherence to Ethical Standards in DoD-Supported Research," as well as other applicable federal and state law and regulations, and DoD component guidance. Proposers must be cognizant of and abide by the additional restrictions and limitations imposed on the DoD regarding research involving human subjects, specifically as they regard vulnerable populations (DoDD 3216.02), recruitment of military research subjects (DoDD 3216.02), and informed consent and surrogate consent (10

U.S.C. § 980) and chemical and biological agent research (DoDD 3216.02). Food and Drug Administration regulation and policies may also apply.

“Human use” protocols apply to all research that meets any of the following criteria:

- a. Any research involving an intervention or an interaction with a living person that would not be occurring or would be occurring in some other fashion but for this research.
- b. Any research involving identifiable private information. This may include data/information/specimens collected originally from living individuals (broadcast video, web-use logs, tissue, blood, medical or personnel records, health data repositories, etc.) in which the identity of the subject is known, or the identity may be readily ascertained by the investigator or associated with the data/information/specimens.

See DoDD 3216.02 for definitions of these terms and more information about the applicability of DoDI 3216.02 to research involving human subjects.

Animal Use

All activities involving animal subjects shall be conducted in accordance with DoDI 3216.01 “Use of Animals in DoD Programs,” 9 C.F.R. parts 1-4 “Animal Welfare Regulations,” National Academy of Sciences Publication “Guide for the Care & Use of Laboratory Animals,” as amended, and the Department of Agriculture rules implementing the Animal Welfare Act (7 U.S.C. §§ 2131-2159), as well as other applicable federal and state law and regulation and DoD instructions.

“Animal use” protocols apply to all activities that meet any of the following criteria:

- a. Any research, development, test, evaluation or training, (including experimentation) involving an animal or animals.
- b. An animal is defined as any living or dead, vertebrate organism (non-human) that is being used or is intended for use in research, development, test, evaluation or training.
- c. A vertebrate is a member of the subphylum Vertebrata (within the phylum Chordata), including birds and cold-blooded animals.

See DoDI 3216.01 for definitions of these terms and more information about the applicability of DoDI 3216.01 to work involving animals.

4.8 Research Involving Recombinant DNA Molecules

Recombinant DNA is defined as (i) molecules that are constructed outside living cells by joining natural or synthetic DNA segments to DNA molecules that can replicate in living cells or (ii) molecules that result from the replication of those described in (i) above. Any recipient performing research involving recombinant DNA molecules and/or organisms and viruses containing recombinant DNA molecules shall comply with the National Institutes of Health Guidelines for Research Involving Recombinant or Synthetic Nucleic Acid Molecules, found at: https://osp.od.nih.gov/wp-content/uploads/2016/05/NIH_Guidelines.pdf.

5. Evaluation of Proposals

5.1 Evaluation Criteria for Award

Proposals will be evaluated based on the criteria outlined below in descending order of importance:

- a. The soundness, technical merit, and innovation of the proposed approach and its incremental progress toward topic or subtopic solution.
- b. The potential for commercial (Government or private sector) application and the benefits expected to accrue from this commercialization.
- c. The qualifications of the proposed principal/key investigators, supporting staff, and consultants. Qualifications include not only the ability to perform the research and development but also the ability to commercialize the results.

Cost and/or price reasonableness and realism may also be considered to the extent appropriate. Evaluators will base their conclusions only on information contained in the proposal. It cannot be assumed that evaluators are acquainted with the firm or key individuals or any referenced experiments. Relevant supporting data such as journal articles, literature, including Government publications, etc., should be contained or referenced in Volume 5 Supporting Documents Volume of the proposal and will not count toward the Volume 3 Technical Volume page limit.

5.2 Evaluation and Selection Process

It is the policy of the Army to ensure equitable and comprehensive proposal evaluations based on the evaluation criteria listed above and to select the source (or sources) whose offer meets the Government's technical, policy, and programmatic goals.

All proposal evaluations will be based solely on the above evaluation criteria. The Army will conduct an evaluation of each conforming proposal. Proposals that do not comply with the requirements detailed in this BAA and the research objective(s) of the corresponding ASO are considered non-conforming and therefore are not evaluated nor considered for award.

Using the evaluation criteria, the Government will evaluate each proposal in its entirety, documenting the strengths and weaknesses relative to each evaluation criterion, and, based on these identified strengths and weaknesses, make a determination of the proposal's overall selectability. Proposals will not be evaluated against each other during the evaluation process, but rather evaluated on their own individual merit to determine how well the proposal meets the criteria stated in this BAA and the corresponding ASO.

Awards will be made to proposers whose proposals are determined to be the most advantageous to the Government, consistent with instructions and evaluation criteria specified in the BAA herein, subsequent ASOs issued, and availability of funding. Given the limited funding available for each ASO, not all proposals considered selectable will be necessarily selected for funding.

For the purposes of this proposal evaluation process, a selectable proposal is defined as follows:

Selectable: A selectable proposal is a proposal that has been evaluated by the Government against the evaluation criteria listed in the BAA and ASO, and the strengths of the overall proposal outweighs its weaknesses. Additionally, there are no accumulated weaknesses that would require extensive negotiations and/or a resubmitted proposal.

For the purposes of this proposal evaluation process, a non-selectable proposal is defined as

follows:

Non-Selectable: A proposal is considered non selectable when the proposal has been evaluated by the Government against the evaluation criteria listed in the BAA and ASO, and the strengths of the overall proposal do not outweigh its weaknesses.

5.3 Handling of Source Selection Information

It is the policy of the Army to treat all proposals as source selection information and to disclose their contents only for the purpose of evaluation. Restrictive notices notwithstanding during the evaluation process, submissions may be handled by support contractors for administrative purposes and/or to assist with technical evaluation. All Army support contractors are expressly prohibited from performing Army-sponsored technical research and are bound by appropriate nondisclosure agreements. Input on technical aspects of the proposals may be solicited by the Army from other Government and/or non-Government consultants/experts who are strictly bound by the appropriate non-disclosure requirements. No submissions will be returned. Upon completion of the evaluation and selection process, an electronic copy of each proposal received will be retained by the Army Applied SBIR Office.

Proposal titles, abstracts, anticipated benefits, and keywords of proposals that are selected for contract award will undergo an Army Policy and Security Review. Proposal titles, abstracts, anticipated benefits, and keywords are subject to revision and/or redaction by the Army. Final approved versions of proposal titles, abstracts, anticipated benefits, and keywords may appear on the DoD SBIR/STTR awards website and/or the SBA's SBIR/STTR award website (<https://www.sbir.gov/sbirsearch/award/all>).

6. Award Administration Information

6.1 Award Notices

The following notices will be provided as applicable:

- Notification of Proposal Receipt. Within 10 business days after the closing date of the ASO to which proposers are applying, the individual named as the Corporate Official on the Proposal Cover Sheet will receive a separate e-mail from the Army acknowledging receipt for each proposal received. Please make note of the proposal number for your records.
- Request for clarification (if applicable)
 - May occur at any time during the evaluation process
 - Proposal changes are not permitted
- Request for open communications (if needed)
 - Proposers shall be advised of any deficiencies and/or major weaknesses in their proposals and given an opportunity to respond, to include offering proposal revisions
- Notification of Proposal Status. The selection decision notice will be available no later than 90 days after the closing date of the ASO to which proposers are applying. The individual named as the Corporate Official on the Proposal Cover Sheet will receive an

email for each proposal with instructions for retrieving their official notification. Please read each notification carefully and note the proposal number referenced.

- **Technical Evaluation Narrative.** The Army promotes transparency regarding the technical evaluation for all Army Applied SBIR proposals. The Army will provide a technical evaluation narrative to the proposer in accordance with the SBA Policy Directive, Appendix I, paragraph 4. The selection decision notice contains instructions for retrieving the technical evaluation narrative.

6.2 Registrations and Certifications

Proposing firms must be registered in the Defense SBIR/STTR Innovation Portal (DSIP) at <https://dodsbirsttr.mil> in order to prepare and submit proposals.

Before the Army Contracting officials can award a contract, proposing firms must be registered in the System for Award Management (SAM). SAM replaced the Central Contractor Registration (CCR), Online Representations and Certifications Application (ORCA), and the Excluded Parties List System (EPLS). If you were previously registered in CCR, your information has been transferred to SAM. However, it is in the firm's interest to visit SAM and ensure that all of the firm's data is up to date from SAM and other databases to avoid delay in award. SAM allows firms interested in conducting business with the federal government to provide basic information on business capabilities and financial information. To register, visit <http://www.sam.gov/>.

Follow instructions found on the SAM website on how to obtain a Commercial and Government Entry (CAGE) code and Data Universal Numbering System (DUNS) number. Once a CAGE code and DUNS number are obtained, update the firm's profile on the Defense SBIR/STTR Innovation Portal (DSIP) at <https://dodsbirsttr.mil>.

In addition to the standard federal and DoD procurement certifications, the SBA SBIR & STTR Policy Directives require the collection of certain information from firms at time of award and during the award life cycle. Each firm must provide this additional information at the time of the Phase I and Phase II award, prior to final payment on the Phase I award, prior to receiving 50% of the total award amount for a Phase II award, and prior to final payment on the Phase II award.

6.3 Reporting – Final Technical Reports (Phase I through Phase III)

- a. **Content:** A final report is required for each project phase. In addition, monthly status and progress reports may be required. The reports must contain in detail the project objectives, work performed, results obtained, and estimates of technical feasibility. A completed SF 298, "Report Documentation Page," will be used as the first page of the report. (Refer to DTIC (Defense Technical Information Center) submission resources at http://www.dtic.mil/dtic/submit/guidance_on_submitting_docs_to_dtic.html.)
- b. **SF 298 Form "Report Documentation Page" Preparation:**

(1) If desirable, language used by the company in its Phase II proposal to report Phase I

progress may also be used in the Phase I final report.

- (2) For each unclassified report, the company submitting the report should fill in Block 12 (Distribution/Availability Statement) of the SF 298, "Report Documentation Page," with the following statement: "Distribution authorized to U.S. Government only; Proprietary Information, (Date of Determination). Other requests for this document shall be referred to the Component SBIR Program Office." *Note: Data developed under a SBIR contract is subject to SBIR Data Rights which allow for protection under DFARS 252.227-7018 (see Section 11.5, Technical Data Rights). The sponsoring DoD activity, after reviewing the company's entry in Block 12, has final responsibility for assigning a distribution statement.*

For additional information on distribution statements see the following Defense Technical Information Center (DTIC) website:

http://www.dtic.mil/dtic/pdf/distribution_statements_and_reasons.pdf

Block 14 (Abstract) of the SF 298, "Report Documentation Page" must include as the first sentence, "Report developed under SBIR contract for topic [insert BAA ASO topic number. [Follow with the topic title, if possible.]]" The abstract must identify the purpose of the work and briefly describe the work conducted, the findings or results and the potential applications of the effort. Since the abstract will be published by the DoD, **it must not contain any proprietary or classified data and type "UU" in Block 17.**

- (3) Block 15 (Subject Terms) of the SF 298 must include the term "SBIR Report".

- c. Submission: In accordance with DoD Directive 3200.12 and DFARS clause 252.235-7011, a copy of the final report shall be submitted (electronically or on disc) to:

Defense Technical Information Center
ATTN: DTIC-OA (SBIR)
8725 John J Kingman Road, Suite 0944
Ft. Belvoir, VA 22060-6218

Delivery will normally be within 30 days after completion of the technical effort. Other requirements regarding submission of reports and/or other deliverables will be defined in the Contract Data Requirements List (CDRL), or other appropriate areas, of each contract.

Special instructions for the submission of CLASSIFIED reports will be defined in the delivery schedule of the contract. DO NOT E-MAIL Classified or controlled unclassified reports, or reports containing SBIR Data Rights protected under DFARS 252.227-7018.

6.4 Invention Reporting

SBIR/STTR awardees must report inventions within two months of the inventor's report to the awardee. The award document for each proposal selected for funding will contain a mandatory requirement for patent reports and notifications to be submitted electronically through i-Edison

(<https://public.era.nih.gov/iedison>).

6.5 Technical Data Rights

Rights in technical data, including software, developed under the terms of any contract resulting from proposals submitted in response to this BAA generally remain with the contractor, except that the Government obtains a royalty-free license to use such technical data only for Government purposes during the period commencing with contract award and ending twenty years after completion of the project under which the data were generated. This data should be marked with the restrictive legend specified in DFARS 252.227-7018 Class Deviation 2020-O0007. Upon expiration of the twenty-year restrictive license, the Government has unlimited rights in the SBIR data. During the license period, the Government may not release or disclose SBIR data to any person other than its support services contractors except: (1) For evaluation purposes; (2) As expressly permitted by the contractor; or (3) A use, release, or disclosure that is necessary for emergency repair or overhaul of items operated by the Government. See [DFARS clause 252.227-7018 Class Deviation 2020-O0007](#), "Rights in Noncommercial Technical Data and Computer Software – Small Business Innovation Research (SBIR) Program."

If a proposer plans to submit assertions in accordance with DFARS 252.227-7017 Class Deviation 2020-O0007, those assertions must be identified and assertion of use, release, or disclosure restriction MUST be included with your proposal submission. The contract cannot be awarded until assertions have been approved.

Regardless of the final type of instrument for award (FAR-based contract or OTs for Prototypes agreement as determined by the Contracting Office or Agreements Officer), provide any assertions stated above.

6.6 Electronic Invoicing and Payments

Awardees will be required to submit invoices for payment electronically as indicated in the award instrument, typically using one of the two following systems:

- Wide Area Work Flow (WAWF) – The Contractor must have a designated electronic business point of contact in the System for Award Management (SAM) at <https://www.acquisition.gov>. WAWF registration and training available at <https://wawf.eb.mil>.
- IPP Disburser - Firms are enrolled into IPP once selected, an award is progress, and they are set-up/added in the system. The Contractor Government Business Point of Contact (as listed in SAM) will receive enrollment instructions via email from the Federal Reserve Bank of Boston (FRBB), no more than 3 – 5 business days of the contract award date.

6.7 Disclosure of Information and Compliance with Safeguarding Covered Defense Information Controls

The following provisions and clause apply to all solicitations and contracts; however, the definition of “controlled technical information” clearly exempts work considered fundamental research and therefore, even though included in the contract, will not apply if the work is fundamental research.

DFARS 252.204-7000, “Disclosure of Information”

DFARS 252.204-7008, “Compliance with Safeguarding Covered Defense Information Controls”
DFARS 252.204-7012, “Safeguarding Covered Defense Information and Cyber Incident Reporting”

Compliance with the above requirements includes the mandate for proposers to implement the security requirements specified by National Institute of Standards and Technology (NIST) Special Publication (SP) 800-171, “Protecting Controlled Unclassified Information in Nonfederal Information Systems and Organizations” (see <https://doi.org/10.6028/NIST.SP.800-171r1>) that are in effect at the time the BAA is issued.

For awards where the work is considered fundamental research, the contractor will not have to implement the aforementioned requirements and safeguards; however, should the nature of the work change during performance of the award, work not considered fundamental research will be subject to these requirements.

6.8 Disclosure of Ownership or Control by a Foreign Government

DFARS 252.209-7002, Disclosure of Ownership or Control by a Foreign Government (JUN 2010), is incorporated into this solicitation. In accordance with DFARS 252.209-7002, any SBC submitting a proposal in response to this solicitation is required to disclose, by completing Attachment 2 to this solicitation, Foreign Ownership or Control Disclosure, any interest a foreign government has in the SBC when that interest constitutes control by a foreign government, as defined in DFARS provision 252.209-7002. If the SBC is a subsidiary, it is also required to disclose any reportable interest a foreign government has in any entity that owns or controls the subsidiary, including reportable interest concerning the SBC’s immediate parent, intermediate parents, and the ultimate parent.

6.9 Prohibition on Contracting with Persons that have Business Operations with the Maduro Regime

Section 890 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2020 prohibits entering into a contract for the procurement of products or services with any person that has business operations with an authority of the government of Venezuela that is not recognized as the legitimate government of Venezuela by the United States Government, unless an exception applies. See [provision 252.225-7974 Class Deviation 2020-O0005](#) “Prohibition on Contracting with Persons that have Business Operations with the Maduro Regime.

APPENDIX A: PHASE I PROPOSAL INSTRUCTIONS

A.1 Introduction

A complete proposal submission consists of:

Volume 1: Proposal Cover Sheet

Volume 2: Technical Volume

Volume 3: Cost Volume

Volume 4: Company Commercialization Report (REQUIRED)

Volume 5: Supporting Documents

- a) Contractor Certification Regarding Provision of Prohibited Video Surveillance and Telecommunications Services and Equipment (REQUIRED)
- b) Foreign Ownership or Control Disclosure (Proposers must review Attachment 2: Foreign Ownership or Control Disclosure to determine applicability.)
- c) Other supporting documentation (Refer to Component-specific instructions for additional Volume 5 requirements)

Volume 6: Fraud, Waste and Abuse Training (REQUIRED)

NOTE: Beginning with the DoD 21.1 SBIR BAA, all proposers are required to submit Volume 4: Company Commercialization Report (CCR), Volume 5(a): Contractor Certification Regarding Provision of Prohibited Video Surveillance and Telecommunications Services and Equipment, Volume 5(b): Foreign Ownership or Control Disclosure (Proposers must review Attachment 2: Foreign Ownership or Control Disclosure to determine applicability), and Volume 6: Fraud, Waste and Abuse training.

The Defense SBIR/STTR Innovation Portal (DSIP) provides a structure for building the proposal volumes and submitting a consolidated proposal package. If this is your first time submitting an SBIR or STTR proposal using DSIP, please review detailed training guides at <https://www.dodsbirsttr.mil/submissions/learning-support/training-materials>. It is the responsibility of the proposing firm to ensure that a complete proposal package is certified and submitted by the close date listed in the ASO to which they are responding.

To assist in proposal development, templates for Volume 2: Technical Volume and Volume 3: Cost Volume have been provided as attachments to the announcement posted at <https://beta.sam.gov> and on DSIP at <https://www.dodsbirsttr.mil/submissions/learning-support/firm-templates>. Use of these templates is mandatory.

As required, Volume 5: Supporting Documents is provided for small businesses to submit additional documentation to support the Technical Volume (Volume 2) and the Cost Volume (Volume 3).

Volume 6: Fraud, Waste and Abuse Training, is not required by the Army at this time. Proposers are strongly encouraged to review the Fraud, Waste and Abuse Training materials provided during the proposal submission in DSIP. Knowingly and willfully making any false, fictitious, or fraudulent statements or representations may be a felony under the Federal Criminal False Statement Act (18 U.S.C. Sec 1001), punishable by a fine of up to \$10,000, up to five years in prison, or both. Understanding the indicators and types of fraud, waste, and abuse that can occur is critical for the SBIR/STTR awardees' role in preventing the loss of research dollars.

A.2 Proprietary Information

Proposers that include in their proposals data that they do not want disclosed to the public for any purpose, or used by the Government except for evaluation purposes, shall follow instructions in section 4.5 regarding marking propriety proposal information.

A.3 Phase I Proposal Instructions

a. Proposal Cover Sheet (Volume 1)

On the Defense SBIR/STTR Innovation Portal (DSIP) at <https://www.dodsbirsttr.mil/submissions/>, prepare the Proposal Cover Sheet.

The Cover Sheet must include a brief technical abstract of no more than 200 words that describes the proposed R&D project with a discussion of anticipated benefits and potential commercial applications. **Do not include proprietary or classified information in the Proposal Cover Sheet.** If your proposal is selected for award, the technical abstract and discussion of anticipated benefits may be publicly released.

b. Format of Technical Volume (Volume 2)

- Type of file: The Technical Volume must be a single Portable Document Format (PDF) file, including graphics. Perform a virus check before uploading the Technical Volume file. If a virus is detected, it may cause rejection of the proposal. **Do not lock or encrypt the uploaded file. Do not include or embed active graphics such as videos, moving pictures, or other similar media in the document.**

- Length: The length of the technical volume will be specified by the corresponding ASO. The Government will not consider pages in excess of the page count limitations.

- Layout: Number all pages of your proposal consecutively. Font size should not be smaller than 10-point on standard 8-1/2" x 11" paper with one-inch margins. The header on each page of the Technical Volume should contain your company name, topic number, and proposal number assigned by DSIP when the Cover Sheet was created. The header may be included in the one-inch margin. Please refer to the attachment titled Phase I Template – Volume 2: Technical Volume for additional details.

c. Content of the Technical Volume (Volume 2)

The content of the Technical Volume will be specified in the ASO. At a minimum, the Technical Volume should address the following:

- What are you trying to do? Articulate your objectives without jargon.
- How is it done today, and what are the limits of current practice?
- What is new in your approach and why do you think it will be successful?
- Who cares? If you are successful, what difference will it make?
- What are the risks?
- How much will it cost?

- How long will it take?
- How do you measure success?
- What team will accomplish your mission?
- What existing/related SBIR, STTR, or other research proposals support this technology?

The Technical volume should also address the commercialization strategy for the technology.

Commercialization Strategy. The ASA(ALT) is equally interested in dual use commercialization of SBIR/STTR project results to the U.S. military, the private sector market, or both, and expects explicit discussion of key activities to achieve this result in the commercialization strategy part of the proposal. Phase I is the time to plan for and begin transition and commercialization activities. The small business must convey an understanding of the preliminary transition path or paths to be established during the Phase I project.

The Phase I commercialization strategy page limits will be stated in each ASO. It should be the last section of the technical volume and include the following elements:

- A summary of transition and commercialization activities conducted during prior SBIR/STTR efforts if applicable, and the Technology Readiness Level (TRL) achieved.
 - Problem or Need Statement. Briefly describe the problem, need, or requirement, and its significance relevant to a Department of Defense application and/or a private sector application that the SBIR project results would address.
 - Description of Product(s) and/or System Application(s). Identify the commercial product(s) and/or DoD system(s), or system(s) under development, or potential new system(s). Identify the potential DoD end- users, Federal customers, and/or private sector customers who would likely use the technology.
 - Business Model(s)/Procurement Mechanism(s). Discuss your current business model hypothesis for bringing the technology to market. Describe plans to license, partner, or self-produce your product. How do you plan to generate revenue?
 - Target Market. Describe the market and customer sets you propose to target, their size, their growth rate, and their key reasons they would consider procuring the technology. Describe competing technologies existent today on the market as well as those being developed in the lab.
 - Funding Requirements. Describe your company's funding history. How much external financing have you raised? Describe your plans for future funding sources (internal, loan, angel, venture capital, etc.).
 - Commercialization Risks. Describe the major technology, market and team risks associated with achieving successful transition of the Army funded technology.
 - Expertise/Qualifications of Team/Company Readiness. Describe the expertise and qualifications of your management, marketing/business development and technical team that will support the transition of the technology from the prototype to the commercial market and into government operational environments. Has this team previously taken similar products/services to market? If the present team does not have this needed expertise, how do you intend to obtain it? What is the financial history and health of your company (e.g., availability of cash, profitability, revenue growth, etc.)?
 - Anticipated Commercialization Results. Include a schedule showing the anticipated quantitative commercialization results from the Phase II project at one year after the start of Phase II, at the completion of Phase II, and after the completion of Phase II (i.e.,

amount of additional investment, sales revenue, etc.). After Phase II award, the company is required to report actual sales and investment data in its Company Commercialization Report at least annually.

d. Format of Cost Volume (Volume 3)

Proposers are required to use the Phase I – Volume 3: Cost Proposal Template (Excel Spreadsheet) provided on the DSIP submission site.

e. Content of the Cost Volume (Volume 3)

Some items in the Cost Breakdown Guidance below may not apply to the proposed project. If such is the case, there is no need to provide information on each and every item.

ALL proposed costs should be accompanied by documentation to substantiate how the cost was derived. For example, if you proposed travel cost to attend a project-related meeting or conference, and used a travel website to compare flight costs, include a screen shot of the comparison. Similarly, if you proposed to purchase materials or equipment, and used the internet to search for the best source, include your market research for those items. You do not necessarily have to propose the cheapest item or supplier, but you should explain your decision to choose one item or supplier over another. It's important to provide enough information to allow contracting personnel to understand how the proposer plans to use the requested funds.

If selected for award, failure to include the documentation with your proposal will delay contract negotiation, and the proposer will be asked to submit the necessary documentation to the Contracting Officer to substantiate costs (e.g., cost estimates for equipment, materials, and consultants or subcontractors). It is important to respond as quickly as possible to the Contracting Officer's request for documentation.

Cost Breakdown Guidance:

- List all key personnel by name as well as by number of hours dedicated to the project as direct labor.
- Special tooling and test equipment and material cost may be included. The inclusion of equipment and material will be carefully reviewed relative to need and appropriateness for the work proposed. The purchase of special tooling and test equipment must, in the opinion of the Contracting Officer, be advantageous to the Government and should be related directly to the specific topic. These may include such items as innovative instrumentation and/or automatic test equipment. Title to property furnished by the Government or acquired with Government funds will be vested with the Army; unless it is determined that transfer of title to the contractor would be more cost effective than recovery of the equipment by the Army.
- Cost for travel funds must be justified and related to the needs of the project.
- Cost sharing is permitted for proposals under this announcement; however, cost sharing is not required nor will it be an evaluation factor in the consideration of a proposal.
- All subcontractor costs and consultant costs must be detailed at the same level as prime contractor costs in regard to labor, travel, equipment, etc. Provide detailed

substantiation of subcontractor costs in your cost proposal. Enter this information in the Explanatory Material section of the on-line cost proposal form. The Supporting Documents Volume (Volume 5) may be used if additional space is needed.

For more information about cost proposals and accounting standards associated with contract awards, see the DCAA publication titled “Audit Process Overview – Information for Contractors” available at: <http://www.dcaa.mil>.

f. Company Commercialization Report (Volume 4)

The Company Commercialization Report is prepared through DSIP. The Company Commercialization Report (CCR) allows companies to report funding outcomes resulting from prior SBIR and STTR awards. Completion of Volume 4: Company Commercialization Report in DSIP is required for all proposal submissions. During proposal submission, proposing firms with no prior DoD or non-DoD SBIR/STTR awards can select “No” for the question “Do you have a new or revised Company Commercialization Report to upload?”.

Proposing firms with prior DoD and/or non-DoD Phase I and/or Phase II SBIR/STTR awards must complete the CCR, regardless of whether the project has any commercialization to date, by logging into their account at <https://www.sbir.gov/>. To view or print the information currently contained in the Company Registry Commercialization Report, navigate to My Dashboard > My Documents. To create or update the commercialization record, from the company dashboard, scroll to the “My Commercialization” section, and click the create/update Commercialization tab under “Current Report Version”. Please refer to the “Instructions” and “Guide” documents contained in this section of the Dashboard for more detail on completing and updating the CCR.

Once the report is certified and submitted on SBIR.gov, click the “Company Commercialization Report” PDF under the My Documents section of the dashboard to download a PDF of the CCR. This PDF of the CCR must be uploaded to Volume 4: Company Commercialization Report in the Firm Information section of DSIP by the Firm Admin. All other firm users will have read-only access to the CCR from the proposal submission page, in order to confirm that the CCR has been uploaded by the Firm Admin to complete the Volume 4 requirement. The most recent version of the CCR that has been uploaded by the Firm Admin will be included in the proposal submission.

g. Supporting Documents (Volume 5)

Volume 5 is provided for proposers to submit additional documentation to support the Coversheet (Volume 1), Technical Volume (Volume 2), and the Cost Volume (Volume 3).

Beginning with the DoD 21.1 SBIR BAA, all proposers are REQUIRED to submit the following documents to Volume 5:

- Contractor Certification Regarding Provision of Prohibited Video Surveillance and Telecommunications Services and Equipment (REQUIRED)
- Foreign Ownership or Control Disclosure (BAA Attachment 2) (Proposers must review Attachment 2: Foreign Ownership or Control Disclosure to determine applicability)
- Any of the following documents may be included in Volume 5 if applicable to the proposal. Refer to Component-specific instructions for additional Volume 5 requirements.

- Additional Cost Information
- Funding Agreement Certification
- Technical Data Rights (Assertions)
- Lifecycle Certification
- Allocation of Rights
- Other

Contractor Certification Regarding Provision of Prohibited Video Surveillance and Telecommunications Services and Equipment

The DoD must comply with Section 889(a)(1)(B) of the National Defense Authorization Act (NDAA) for Fiscal Year 2019, and is working to reduce or eliminate contracts with entities that use any equipment, system, or service that uses covered telecommunications equipment or services (as defined in BAA Attachment 1) as a substantial or essential component of any system, or as critical technology as part of any system.

All proposals must include certifications in Federal Acquisition Regulation clauses 52.204-24, 52-204-25, and 52-204-26, executed by the proposer's authorized company representative. These Federal Acquisition Regulation clauses may be found in BAA Attachment 1. **These certifications must be signed by the authorized company representative and uploaded as a separate PDF file in the supporting documents sections of Volume 5 for all proposal submissions.**

The effort to complete the required certification clauses includes due diligence on the part of the proposer and for any contractors that may be proposed as a part of the submission including research partners and suppliers. Therefore, proposers are strongly encouraged to review the requirements of these certifications early in the proposal development process. Failure to submit or complete the required certifications as a part of the proposal submission process may be cause for rejection of the proposal submission without evaluation.

Foreign Ownership or Control Disclosure

In accordance with DFARS 252.209-7002, any SBC submitting a proposal in response to this BAA is required to disclose any interest a foreign government has in the SBC when that interest constitutes control by a foreign government, as defined in DFARS provision 252.209-7002. Proposers must review Attachment 2: Foreign Ownership or Control Disclosure to determine applicability. If applicable, an authorized firm representative must complete the Foreign Ownership or Control Disclosure (BAA Attachment 2). The completed and signed disclosure must be uploaded to Volume 5 of the proposal submission.

h. Fraud, Waste and Abuse Training (Volume 6)

The Fraud, Waste and Abuse (FWA) training is **required** for Phase I and Direct to Phase II proposals. FWA training provides information on what represents FWA in the SBIR/STTR program, the most common mistakes that lead to FWA, as well as the penalties and ways to prevent FWA in your firm. This training material can be found in the Volume 6 section of the proposal submission module in DSIP and must be thoroughly reviewed once per year. Plan

ahead and leave ample time to complete this training based on the proposal submission deadline.

APPENDIX B: DP2 PROPOSAL INSTRUCTIONS

B.1 Introduction

A complete proposal submission consists of:

Volume 1: Proposal Cover Sheet

Volume 2: Technical Volume (feasibility documentation and technical proposal) Volume

3: Cost Volume

Volume 4: Company Commercialization Report

Volume 5: Supporting Documents

- a. Contractor Certification Regarding Provision of Prohibited Video Surveillance and Telecommunications Services and Equipment (REQUIRED)
- b. Foreign Ownership or Control Disclosure (Proposers must review Attachment 2: Foreign Ownership or Control Disclosure to determine applicability.)
- c. Other supporting documentation (Refer to Component-specific instructions for additional Volume 5 requirements)

Volume 6: Fraud, Waste and Abuse Training (REQUIRED)

NOTE: Beginning with the DoD 21.1 SBIR BAA, all proposers are required to submit Volume 4: Company Commercialization Report (CCR), Volume 5(a): Contractor Certification Regarding Provision of Prohibited Video Surveillance and Telecommunications Services and Equipment, Volume 5(b): Foreign Ownership or Control Disclosure (Proposers must review Attachment 2: Foreign Ownership or Control Disclosure to determine applicability), and Volume 6: Fraud, Waste and Abuse training.

The Defense SBIR/STTR Innovation Portal (DSIP) provides a structure for building the proposal volumes and submitting a consolidated proposal package. If this is your first time submitting an SBIR or STTR proposal using DSIP, please review detailed training guides at <https://www.dodsbirsttr.mil/submissions/learning-support/training-materials>. It is the responsibility of the proposing firm to ensure that a complete proposal package is certified and submitted by the close date listed in the ASO to which they are responding.

To assist in proposal development, templates for Volume 2: Technical Volume and Volume 3: Cost Volume have been provided as attachments to the announcement posted at <https://beta.sam.gov> and on DSIP at <https://www.dodsbirsttr.mil/submissions/learning-support/firm-templates>. Use of these templates is mandatory.

As required, Volume 5: Supporting Documents is provided for small businesses to submit additional documentation to support the Technical Volume (Volume 2) and the Cost Volume (Volume 3).

Volume 6: Fraud, Waste and Abuse Training, is not required by the Army at this time. Proposers are strongly encouraged to review the Fraud, Waste and Abuse Training materials provided during the proposal submission in DSIP. Knowingly and willfully making any false, fictitious, or fraudulent statements or representations may be a felony under the Federal Criminal False Statement Act (18 U.S.C. Sec 1001), punishable by a fine of up to \$10,000, up to five years in prison, or both. Understanding the indicators and types of fraud, waste, and abuse that can occur is critical for the SBIR/STTR awardees' role in preventing the loss of research dollars.

B.2 Proprietary Information

Proposers that include in their proposals data that they do not want disclosed to the public for any purpose, or used by the Government except for evaluation purposes, shall follow instructions in section 4.5 regarding marking propriety proposal information.

B.3 DP2 Proposal Instructions

a. Proposal Cover Sheet (Volume 1)

On the Defense SBIR/STTR Innovation Portal (DSIP) at <https://www.dodsbirsttr.mil/submissions/>, prepare the Proposal Cover Sheet.

The Cover Sheet must include a brief technical abstract of no more than 200 words that describes the proposed R&D project with a discussion of anticipated benefits and potential commercial applications. **Do not include proprietary or classified information in the Proposal Cover Sheet.** If your proposal is selected for award, the technical abstract and discussion of anticipated benefits may be publicly released.\

b. Format of Technical Volume (Volume 2)

The Technical Volume must include two parts, PART ONE: Feasibility Documentation and PART TWO: Technical Proposal.

The Technical Volume must be a single Portable Document Format (PDF) file, including graphics. Perform a virus check before uploading the Technical Volume file. If a virus is detected, it may cause rejection of the proposal. Do not lock or encrypt the uploaded file. Do not include or embed active graphics such as videos, moving pictures, or other similar media in the document.

- c. The length of each part of the technical volume (Feasibility Documentation and Technical Proposal) will be specified by the corresponding ASO. The Government will not consider pages in excess of the page count limitations.

Number all pages of your proposal consecutively. Font size should not be smaller than 10-point on standard 8-1/2" x 11" paper with one-inch margins. The header on each page of the Technical Volume should contain your company name, topic number, and proposal number assigned by DSIP when the Cover Sheet was created. The header may be included in the one-inch margin.

i. Content of the Technical Volume: (Volume 2) PART ONE: Feasibility

- Provide documentation to substantiate that the scientific and technical merit and feasibility described in the Phase I section of the ASO has been met and describes the potential commercial applications. Documentation should include all relevant information including, but not limited to: technical reports, test data, prototype designs/models, and performance goals/results.

- Maximum page length for feasibility documentation will be specified by the ASO. If you have references, include a reference list or works cited list as the last page of the feasibility documentation. This will count towards the page limit.
- Work submitted within the feasibility documentation must have been substantially performed by the proposer and/or the PI.

If technology in the feasibility documentation is subject to Intellectual Property (IP), the proposer must either own the IP, or must have obtained license rights to such technology prior to proposal submission, to enable it and its subcontractors to legally carry out the proposed work. Documentation of IP ownership or license rights shall be included in the Technical Volume of the proposal.

Include a one page summary on Commercialization Potential addressing the following:

- Does the company contain marketing expertise and, if not, how will that expertise be brought into the company?
- Describe the potential for commercial (Government or private sector) application and the benefits expected to accrue from this commercialization.

DO NOT INCLUDE marketing material. Marketing material will NOT be evaluated.

ii. PART TWO: Technical Proposal

The format and length requirements for the DP2 or Phase II proposal will be specified in the ASO. At a minimum, the proposal should address:

- What are you trying to do? Articulate your objectives without jargon.
- How is it done today, and what are the limits of current practice?
- What is new in your approach and why do you think it will be successful?
- Who cares? If you are successful, what difference will it make?
- What are the risks?
- How much will it cost?
- How long will it take?
- How do you measure success?
- What team will accomplish your mission?
- What existing / related SBIR, STTR, or other research proposals support this technology?
- What is the commercialization strategy for the proposed technology?

Commercialization Strategy. The Army is equally interested in dual use commercialization of SBIR/STTR projects that result in products sold to the U.S. military, the private sector market, or both. The Army expects explicit discussion of key activities to achieve this result in the commercialization strategy part of the proposal. **The Technical Volume of each Direct to Phase II proposal must include a commercialization strategy section.** The Phase II commercialization strategy page limit shall be stated in each ASO, and will NOT count against the Volume 2 Technical Volume proposal page limit.

The commercialization strategy should include the following elements:

- A summary of transition and commercialization activities conducted during Phase I, and the Technology Readiness Level (TRL) achieved. Discuss how the preliminary

transition and commercialization path or paths may evolve during the Phase II project. Describe key proposed technical milestones during Phase II that will advance the technology towards product such as: prototype development, laboratory and systems testing, integration, testing in operational environment, and demonstrations.

- **Problem or Need Statement.** Briefly describe what you know of the problem, need, or requirement, and its significance relevant to a Department of Defense application and/or a private sector application that the SBIR/STTR project results would address.
- **Description of Product(s) and/or System Application(s).** Identify the commercial product(s) and/or DoD system(s), or system(s) under development, or potential new system(s). Identify the potential DoD end- users, Federal customers, and/or private sector customers who would likely use the technology.
- **Business Model(s)/Procurement Mechanism(s).** Discuss your current business model hypothesis for bringing the technology to market. Describe plans to license, partner, or self-produce your product. How do you plan to generate revenue? Understanding the Army's goal of creating and sustaining viable small businesses that support and generate advanced Army technologies, describe how you intend to develop your product and supply chains to enable this differentiation.
- **Target Market.** Describe the market and customer sets you propose to target, their size, their growth rate, and their key reasons they would consider procuring the technology. Describe competing technologies existent today on the market as well as those being developed in the lab.
- **Funding Requirements.** Describe your company's funding history. How much external financing have you raised? Describe your plans for future funding sources (internal, loan, angel, venture capital, etc.).
- **Commercialization Risks.** Describe the major technology, market and team risks associated with achieving successful transition of the Army funded technology.
- **Expertise/Qualifications of Team/Company Readiness.** Describe the expertise and qualifications of your management, marketing/business development and technical team that will support the transition of the technology from the prototype to the commercial market and into government operational environments. Has this team previously taken similar products/services to market? If the present team does not have this needed expertise, how do you intend to obtain it? What is the financial history and health of your company (e.g., availability of cash, profitability, revenue growth, etc.)?
- **Anticipated Commercialization Results.** Include a schedule showing the anticipated quantitative commercialization results from the Phase II project at one year after the start of Phase II, at the completion of Phase II, and after the completion of Phase II (i.e., amount of additional investment, sales revenue, etc.). After Phase II award, the company is required to report actual sales and investment data in its Company Commercialization Report at least annually.

d. Format of Cost Volume (Volume 3)

Proposers are required to use the Direct to Phase II – Volume 3: Cost Proposal Template (Excel Spreadsheet) provided as an attachment to this announcement. The Cost Volume (and supporting documentation) DOES NOT count toward the page limit of the Technical Volume.

e. Content of the Cost Volume (Volume 3)

Some items in the Cost Breakdown Guidance below may not apply to the proposed project. If such is the case, there is no need to provide information on each and every item.

ALL proposed costs should be accompanied by documentation to substantiate how the cost was derived. For example, if you proposed travel cost to attend a project-related meeting or conference, and used a travel website to compare flight costs, include a screen shot of the comparison. Similarly, if you proposed to purchase materials or equipment, and used the internet to search for the best source, include your market research for those items. You do not necessarily have to propose the cheapest item or supplier, but you should explain your decision to choose one item or supplier over another. It's important to provide enough information to allow contracting personnel to understand how the proposer plans to use the requested funds. If selected for award, failure to include the documentation with your proposal will delay contract negotiation, and the proposer will be asked to submit the necessary documentation to the Contracting Officer to substantiate costs (e.g., cost estimates for equipment, materials, and consultants or subcontractors). It is important to respond as quickly as possible to the Contracting Officer's request for documentation.

Cost Breakdown Guidance:

- List all key personnel by name as well as by number of hours dedicated to the project as direct labor.
- Special tooling and test equipment and material cost may be included. The inclusion of equipment and material will be carefully reviewed relative to need and appropriateness for the work proposed. The purchase of special tooling and test equipment must, in the opinion of the Contracting Officer, be advantageous to the Government and should be related directly to the specific topic. These may include such items as innovative instrumentation and/or automatic test equipment. Title to property furnished by the Government or acquired with Government funds will be vested with the Army; unless it is determined that transfer of title to the contractor would be more cost effective than recovery of the equipment by the Army.
 - Cost for travel funds must be justified and related to the needs of the project.
 - Cost sharing is permitted for proposals under this announcement; however, cost sharing is not required nor will it be an evaluation factor in the consideration of a proposal.
 - All subcontractor costs and consultant costs must be detailed at the same level as prime contractor costs in regard to labor, travel, equipment, etc. Provide detailed substantiation of subcontractor costs in your cost proposal. Enter this information in the Explanatory Material section of the on-line cost proposal form. The Supporting Documents Volume (Volume 5) may be used if additional space is needed.

For more information about cost proposals and accounting standards, see the DCAA publication titled "Audit Process Overview – Information for Contractors" available at: <http://www.dcaa.mil>.

The Company Commercialization Report (CCR) allows companies to report funding outcomes resulting from prior SBIR and STTR awards. The Company Commercialization Report (CCR) is **required** for Phase I and Direct to Phase II proposals.

Small businesses must complete the CCR by logging into their account at <https://www.sbir.gov/>. To view or print the information currently contained in the Company

Registry Commercialization Report, navigate to My Dashboard > My Documents. To create or update the commercialization record, from the company dashboard, scroll to the “My Commercialization” section, and click the create/update Commercialization tab under “Current Report Version”. Please refer to the “Instructions” and “Guide” documents contained in this section of the Dashboard for more detail on completing and updating the CCR.

Once the report is certified and submitted on SBIR.gov, click the “Company Commercialization Report” PDF under the My Documents section of the dashboard to download a PDF of the CCR. This PDF of the CCR must be uploaded to Volume 4: Company Commercialization Report in the Firm Information section of DSIP by the Firm Admin. All other firm users will have read-only access to the CCR from the proposal submission page, in order to confirm that the CCR has been uploaded by the Firm Admin to complete the Volume 4 requirement.

f. Company Commercialization Report (Volume 4)

The Company Commercialization Report (CCR) allows companies to report funding outcomes resulting from prior SBIR and STTR awards. Completion of Volume 4: Company Commercialization Report in DSIP is required for all proposal submissions. During proposal submission, proposing firms with no prior DoD or non-DoD SBIR/STTR awards can select “No” for the question “Do you have a new or revised Company Commercialization Report to upload?”.

Proposing firms with prior DoD and/or non-DoD Phase I and/or Phase II SBIR/STTR awards must complete the CCR, regardless of whether the project has any commercialization to date, by logging into their account at <https://www.sbir.gov/>. To view or print the information currently contained in the Company Registry Commercialization Report, navigate to My Dashboard > My Documents. To create or update the commercialization record, from the company dashboard, scroll to the “My Commercialization” section, and click the create/update Commercialization tab under “Current Report Version”. Please refer to the “Instructions” and “Guide” documents contained in this section of the Dashboard for more detail on completing and updating the CCR.

Once the report is certified and submitted on SBIR.gov, click the “Company Commercialization Report” PDF under the My Documents section of the dashboard to download a PDF of the CCR. This PDF of the CCR must be uploaded to Volume 4: Company Commercialization Report in the Firm Information section of DSIP by the Firm Admin. All other firm users will have read-only access to the CCR from the proposal submission page, in order to confirm that the CCR has been uploaded by the Firm Admin to complete the Volume 4 requirement. The most recent version of the CCR that has been uploaded by the Firm Admin will be included in the proposal submission.

g. Supporting Documents (Volume 5)

Volume 5 is provided for proposers to submit additional documentation to support the Coversheet (Volume 1), Technical Volume (Volume 2), and the Cost Volume (Volume 3).

Beginning with the DoD 21.1 SBIR BAA, all proposers are REQUIRED to submit the following documents to Volume 5:

- Contractor Certification Regarding Provision of Prohibited Video Surveillance

and Telecommunications Services and Equipment (REQUIRED)

- Foreign Ownership or Control Disclosure (BAA Attachment 2) (Proposers must review Attachment 2: Foreign Ownership or Control Disclosure to determine applicability)
- Any of the following documents may be included in Volume 5 if applicable to the proposal. Refer to Component-specific instructions for additional Volume 5 requirements.
 - Additional Cost Information
 - Funding Agreement Certification
 - Technical Data Rights (Assertions)
 - Lifecycle Certification
 - Allocation of Rights
 - Other

Contractor Certification Regarding Provision of Prohibited Video Surveillance and Telecommunications Services and Equipment

The DoD must comply with Section 889(a)(1)(B) of the National Defense Authorization Act (NDAA) for Fiscal Year 2019, and is working to reduce or eliminate contracts with entities that use any equipment, system, or service that uses covered telecommunications equipment or services (as defined in BAA Attachment 1) as a substantial or essential component of any system, or as critical technology as part of any system.

All proposals must include certifications in Federal Acquisition Regulation clauses 52.204-24, 52-204-25, and 52-204-26, executed by the proposer's authorized company representative. These Federal Acquisition Regulation clauses may be found in BAA Attachment 1. **These certifications must be signed by the authorized company representative and uploaded as a separate PDF file in the supporting documents sections of Volume 5 for all proposal submissions.**

The effort to complete the required certification clauses includes due diligence on the part of the proposer and for any contractors that may be proposed as a part of the submission including research partners and suppliers. Therefore, proposers are strongly encouraged to review the requirements of these certifications early in the proposal development process. Failure to submit or complete the required certifications as a part of the proposal submission process may be cause for rejection of the proposal submission without evaluation.

Foreign Ownership or Control Disclosure

In accordance with DFARS 252.209-7002, any SBC submitting a proposal in response to this BAA is required to disclose any interest a foreign government has in the SBC when that interest constitutes control by a foreign government, as defined in DFARS provision 252.209-7002. Proposers must review Attachment 2: Foreign Ownership or Control Disclosure to determine applicability. If applicable, an authorized firm representative must complete the Foreign Ownership or Control Disclosure (BAA Attachment 2). The completed and signed disclosure must be uploaded to Volume 5 of the proposal submission.

h. Fraud, Waste and Abuse Training (Volume 6)

The Fraud, Waste and Abuse (FWA) training is **required** for Phase I and Direct to Phase II proposals. FWA training provides information on what represents FWA in the SBIR/STTR program, the most common mistakes that lead to FWA, as well as the penalties and ways to prevent FWA in your firm. This training material can be found in the Volume 6 section of the proposal submission module in DSIP and must be thoroughly reviewed once per year. Plan ahead and leave ample time to complete this training based on the proposal submission deadline.

APPENDIX C: OT AUTHORITY

Other Transactions (OTs) for prototype projects are awarded under the authority of 10 U.S.C. § 2371b. This authority allows the Army to use OTs 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 (DoD), to the improvement of platforms, systems, components, or materials proposed to be acquired or developed by the DoD, or to the improvement of platforms, systems, components, or materials in use by the Armed Forces. For additional information on the Army's authority to award OT agreements for prototype projects, please see <https://aaf.dau.mil/ot-guide/>.

OTs for prototype projects are instruments that are generally not subject to the Federal laws and regulations governing procurement contracts. OTs for prototype projects are not subject to the Federal Acquisition Regulation (FAR) and the DoD supplement (DFARS) or applicable grant and cooperative agreement regulations, and the articles in OT awards can be negotiated between the awardee and the Government. Further, OT awardees are not subject to the FAR cost accounting standards. As a result, the use of OTs should streamline the award process, making it faster than the traditional Government contracting process and more akin to a commercial contract award timeline. Once the selections are made, the negotiation time will vary from contractor to contractor. Quick negotiations between responsive parties will enable fast awards.

With the passing of the National Defense Authorization Act (NDAA) of 2018, an update to the statutory language under 2371b(d)(1) permits the Army's OT authority to be used only when one of the following conditions are met:

- (A) There is at least one nontraditional defense contractor participating to a significant extent in the prototype project;
- (B) All significant participants in the transaction other than the Federal Government are small businesses (including small businesses participating in a program described under section H. R. 2810—213 9 of the Small Business Act (15 U.S.C. 638)) or nontraditional defense contractors;
- (C) At least one third of the total cost of the prototype project is to be paid out of funds provided by sources other than the Federal Government; or
- (D) The senior procurement executive for the agency determines in writing that exceptional circumstances justify the use of a transaction that provides for innovative business arrangements or structures that would not be feasible or appropriate under a contract, or would provide an opportunity to expand the defense supply base in a manner that would not be practical or feasible under a contract.

As defined by 10 U.S.C. § 2302(9), a nontraditional defense contractor, with respect to a procurement or with respect to a transaction authorized under section 2371b of this title, means an entity that is not currently performing and has not performed, for at least the one-year period preceding the announcement of sources by the Department of Defense for the procurement or transaction, any contract or subcontract for the Department of Defense that is subject to full coverage under the cost accounting standards prescribed pursuant to section 1502 of title 41 and the regulations implementing such section. To be considered as participating to a significant extent, the proposal should substantiate that the effort being performed by the nontraditional defense contractor is critical to the technical success of the project.

If the proposer requests award of an OT as a non-traditional defense contractor, as defined by section 2302 (9) of title 10, United States Code, or as a small business, as defined under section 3 of the Small Business Act (15 U.S.C. § 632), information must be included in the price/cost proposal to support the claim. Additionally, if the proposer requests award of an OT agreement without the required one-third (1/3) cost share, information must be included in the price/cost proposal supporting that there is at least one non-traditional defense contractor or small business participating to a significant extent in the proposed prototype project or that all significant participants in the transaction other than the Federal Government are small businesses or non-traditional defense contractors. Proposers shall provide in their price/cost proposal an explanation of why the proposer believes the non-traditional defense contractor is participating to a significant extent.

Rights in technical data, including software, developed under the terms of any agreement resulting from proposals submitted in response to this BAA generally remain with the contractor, except that the Government obtains a royalty-free license to use such technical data only for Government purposes during the period commencing with award and ending five years after completion of the project under which the data were generated. This data should be marked with the restrictive legend specified in DFARS 252.227-7018. Upon expiration of the five-year restrictive license, the Government has unlimited rights in the SBIR data. During the license period, the Government may not release or disclose SBIR data to any person other than its support services contractors except: (1) For evaluation purposes; (2) As expressly permitted by the contractor; or (3) A use, release, or disclosure that is necessary for emergency repair or overhaul of items operated by the Government. See DFARS clause 252.227-7018, "Rights in Noncommercial Technical Data and Computer Software – Small Business Innovation Research (SBIR) Program."

In accordance with 10 U.S.C. § 2371b(f), the Government may award a follow-on production contract or Other Transaction (OT) for any OT awarded under this BAA if: (1) that participant in the OT, or a recognized successor in interest to the OT, successfully completed the entire prototype project provided for in the OT, as modified; and (2) the OT provides for the award of a follow-on production contract or OT to the participant, or a recognized successor in interest to the OT.

The sample OT agreement provided as an attachment to this BAA is representative of the terms and conditions that the Army intends to award should an OT be the chosen award mechanism. Proposed milestone plan and schedule, and data rights assertions requested under proposal Volumes 2 and 3 will be included as attachments to the OT agreement upon negotiation and award.

ATTACHMENT 1

**DEPARTMENT OF THE ARMY
SMALL BUSINESS INNOVATION RESEARCH (SBIR) PROGRAM
SBIR 21.4 Broad Agency Announcement (BAA)
Small Business Opportunity (SBO) Announcement**

**CONTRACTOR CERTIFICATION REGARDING
PROVISION OF PROHIBITED VIDEO SURVEILLANCE AND
TELECOMMUNICATIONS SERVICES AND EQUIPMENT**

Contractor's Name	
Company Name	
Office Tel #	
Mobile #	
Email	

Name of person authorized to sign: _____

Signature of person authorized: _____

Date: _____

The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001.

FAR CLAUSES INCORPORATED IN FULL TEXT:

52.204-24 REPRESENTATION REGARDING CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT (AUG 2020)

The Offeror shall not complete the representation at paragraph (d)(1) of this provision if the Offeror has represented that it “does not provide covered telecommunications equipment or services as a part of its offered products or services to the Government in the performance of any contract, subcontract, or other contractual instrument” in the provision at 52.204-26, Covered Telecommunications Equipment or Services—Representation, or in paragraph (v) of the provision at 52.212-3, Offeror Representations and Certifications-Commercial Items.

(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.

(End of provision)

52.204-25 PROHIBITION ON CONTRACTING FOR CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT (AUG 2020)

(a) *Definitions.* As used in this clause—

Backhaul means intermediate links between the core network, or backbone network, and the small subnetworks at the edge of the network (*e.g.*, connecting cell phones/towers to the core telephone network). Backhaul can be wireless (*e.g.*, microwave) or wired (*e.g.*, fiber optic, coaxial cable, Ethernet).

Covered foreign country means The People's Republic of China.

Covered telecommunications equipment or services means—

(1) Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities);

(2) 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);

(3) Telecommunications or video surveillance services provided by such entities or using such equipment; or

(4) Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of 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.

Critical technology means—

(1) Defense articles or defense services included on the United States Munitions List set forth in the International Traffic in Arms Regulations under subchapter M of chapter I of title 22, Code of Federal Regulations;

(2) Items included on the Commerce Control List set forth in Supplement No. 1 to part 774 of the Export Administration Regulations under subchapter C of chapter VII of title 15, Code of Federal Regulations, and controlled—

(i) Pursuant to multilateral regimes, including for reasons relating to national security, chemical and biological weapons proliferation, nuclear nonproliferation, or missile technology; or

(ii) For reasons relating to regional stability or surreptitious listening;

(3) Specially designed and prepared nuclear equipment, parts and components, materials, software, and technology covered by part 810 of title 10, Code of Federal Regulations (relating to assistance to foreign atomic energy activities);

(4) Nuclear facilities, equipment, and material covered by part 110 of title 10, Code of Federal Regulations (relating to export and import of nuclear equipment and material);

(5) Select agents and toxins covered by part 331 of title 7, Code of Federal Regulations, part 121 of title 9 of such Code, or part 73 of title 42 of such Code; or

(6) Emerging and foundational technologies controlled pursuant to section 1758 of the Export Control Reform Act of 2018 (50 U.S.C. 4817).

Interconnection arrangements means arrangements governing the physical connection of two or more networks to allow the use of another's network to hand off traffic where it is ultimately delivered (e.g., connection of a customer of telephone provider A to a customer of telephone company B) or sharing data and other information resources.

Reasonable inquiry means an inquiry designed to uncover any information in the entity's possession about the identity of the producer or provider of covered telecommunications equipment or services used by the entity that excludes the need to include an internal or third-party audit.

Roaming means cellular communications services (e.g., voice, video, data) received from a visited network when unable to connect to the facilities of the home network either because signal coverage is too weak or because traffic is too high.

Substantial or essential component means any component necessary for the proper function or performance of a piece of equipment, system, or service.

(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. The Contractor is prohibited from providing to the Government 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, unless an exception at paragraph (c) of this clause applies or the covered telecommunication equipment or services are covered by a waiver described in FAR 4.2104.

(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, unless an exception at paragraph (c) of this clause applies or the covered telecommunication equipment or services are covered by a waiver described in FAR 4.2104. 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.

(c) *Exceptions.* This clause does not prohibit contractors from providing—

(1) A service that connects to the facilities of a third-party, such as backhaul, roaming, or interconnection arrangements; or

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

(d) *Reporting requirement.* (1) In the event the Contractor identifies covered telecommunications equipment or services used as a substantial or essential component of any system, or as critical technology as part of any system, during contract performance, or the Contractor is notified of such by a subcontractor at any tier or by any other source, the Contractor shall report the information in paragraph (d)(2) of this clause to the Contracting Officer, unless elsewhere in this contract are established procedures for reporting the information; in the case of the Department of Defense, the Contractor shall report to the website at <https://dibnet.dod.mil>. For indefinite delivery contracts, the Contractor shall report to the Contracting Officer for the indefinite delivery contract and the Contracting Officer(s) for any affected order or, in the case of the Department of Defense, identify both the indefinite delivery contract and any affected orders in the report provided at <https://dibnet.dod.mil>.

(2) The Contractor shall report the following information pursuant to paragraph (d)(1) of this clause:

(i) Within one business day from the date of such identification or notification: The contract number; the order number(s), if applicable; supplier name; supplier unique entity identifier (if known); supplier Commercial and Government Entity (CAGE) code (if known); brand; model number (original equipment manufacturer number, manufacturer part number, or wholesaler number); item description; and any readily available information about mitigation actions undertaken or recommended.

(ii) Within 10 business days of submitting the information in paragraph (d)(2)(i) of this clause: Any further available information about mitigation actions undertaken or recommended. In addition, the Contractor shall describe the efforts it undertook to prevent use or submission of covered telecommunications equipment or services, and any additional efforts that will be incorporated to prevent future use or submission of covered telecommunications equipment or services.

(e) *Subcontracts.* The Contractor shall insert the substance of this clause, including this paragraph (e), in all subcontracts and other contractual instruments, including subcontracts for the acquisition of commercial items.

(End of clause)

52.204-26 COVERED TELECOMMUNICATIONS EQUIPMENT OR SERVICES-REPRESENTATION (DEC 2019)

(a) *Definitions.* As used in this provision, “covered telecommunications equipment or services” has the meaning provided in the clause [52.204-25](#), Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment.

(b) *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”.

(c) *Representation.* The Offeror represents that it does, does not provide covered telecommunications equipment or services as a part of its offered products or services to the Government in the performance of any contract, subcontract, or other contractual instrument.

(End of provision)

ATTACHMENT 2

**DEPARTMENT OF THE ARMY
 SMALL BUSINESS INNOVATION RESEARCH (SBIR) PROGRAM
 SBIR 21.4 Broad Agency Announcement (BAA)
 Small Business Opportunity (SBO) Announcement**

**DISCLOSURE OF OFFEROR’S OWNERSHIP OR CONTROL BY A
 FOREIGN GOVERNMENT**

In accordance with DFARS provision 252.209-7002, an offeror is required to disclose, by completing this form (and adding additional pages, as necessary), any interest a foreign government has in the offeror when that interest constitutes control by a foreign government, as defined in DFARS provision 252.209-7002. If the offeror is a subsidiary, it is also required to disclose any reportable interest a foreign government has in any entity that owns or controls the subsidiary, including reportable interest concerning the offeror’s immediate parent, intermediate parents, and the ultimate parent.

DISCLOSURE		
Offeror’s Point of Contact for Questions about Disclosure	Name:	
	Phone Number:	
Offeror	Name:	
	Address:	
Entity Controlled by a Foreign Government	Name:	
	Address:	
Description of Foreign Government’s Interest in the Offeror		
Foreign Government’s Ownership Percentage in Offeror		
Identification of Foreign Government(s) with Ownership or Control		

(a) Definitions. As used in this provision—

(1) “Effectively owned or controlled” means that a foreign government or any entity controlled by a foreign government has the power, either directly or indirectly, whether exercised or exercisable, to control the election, appointment, or tenure of the Offeror’s officers or a majority of the Offeror’s board of directors by any means, e.g., ownership, contract, or operation of law (or equivalent power for unincorporated organizations).

(2) “Entity controlled by a foreign government”—

(i) Means—

(A) Any domestic or foreign organization or corporation that is effectively owned or controlled by a foreign government; or

(B) Any individual acting on behalf of a foreign government.

(ii) Does not include an organization or corporation that is owned, but is not controlled, either directly or indirectly, by a foreign government if the ownership of that organization or corporation by that foreign government was effective before October 23, 1992.

(3) “Foreign government” includes the state and the government of any country (other than the United States and its outlying areas) as well as any political subdivision, agency, or instrumentality thereof.

(4) “Proscribed information” means—

(i) Top Secret information;

(ii) Communications security (COMSEC) material, excluding controlled cryptographic items when unkeyed or utilized with unclassified keys;

(iii) Restricted Data as defined in the U.S. Atomic Energy Act of 1954, as amended;

(iv) Special Access Program (SAP) information; or

(v) Sensitive Compartmented Information (SCI).

(b) Prohibition on award. No contract under a national security program may be awarded to an entity controlled by a foreign government if that entity requires access to proscribed information to perform the contract, unless the Secretary of Defense or a designee has waived application of 10 U.S.C. 2536(a).

(c) Disclosure. The Offeror shall disclose any interest a foreign government has in the Offeror when that interest constitutes control by a foreign government as defined in this provision. If the Offeror is a subsidiary, it shall also disclose any reportable interest a foreign government has in any entity that owns or controls the subsidiary, including reportable interest concerning the Offeror’s immediate parent, intermediate parents, and the ultimate parent. Use separate paper as needed, and provide the information in the following format:

Offeror’s Point of Contact for Questions about Disclosure

(Name and Phone Number with Country Code, City Code and Area Code, as applicable)

Name and Address of Offeror

Name and Address of Entity Controlled by a Foreign Government

Description of Interest, Ownership Percentage, and Identification of Foreign Government

(End of provision)