

**U.S. ARMY SPACE AND MISSILE DEFENSE COMMAND (USASMDC)
SPACE AND MISSILE DEFENSE TECHNICAL CENTER (SMDTC)
BROAD AGENCY ANNOUNCEMENT FOR
SCIENCE, TECHNOLOGY, AND TEST AND EVALUATION RESEARCH**



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ISSUED BY:

U.S. Army Contracting Command-Redstone (ACC-RSA)
Space, Missile Defense and Special Programs (SMD/SP)

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I. Overview of the Funding Opportunity

The purpose of this combined Broad Agency Announcement (BAA) under Federal Acquisition Regulation (FAR) Part 35 and Funding Opportunity Announcement under 2 Code of Federal Regulations (CFR) 200.204 (henceforth referred to as “BAA”) is to solicit research proposals for submission to the United States (U.S.) Army Space and Missile Defense Command (USASMDC) Space and Missile Defense Technical Center (SMDTC) for funding consideration.

The SMDTC supports the joint warfighter by providing science, technology, and test and evaluation expertise to enable warfighter dominance today and in the future. As part of the Army Science and Technology enterprise, the SMDTC contributes to the current fight and enables the next generation to prevail in conflicts to come. The SMDTC focuses on three essential tasks: executing science and technology, research and development, and test and evaluation; managing and operating the Ronald Reagan Ballistic Missile Defense Test Site; and conducting space operations and space domain awareness.

The SMDTC contributes to the success of the warfighter and joint force in four major technology areas of interest: tactical responsive space and high-altitude technologies, test and evaluation, strategic weapon technologies, and hypersonic defeat.

White papers for initial concept reviews and full proposals are sought from institutions of higher education, nonprofit organizations, state and local governments, and for-profit organizations (i.e., large and small businesses) for scientific research that supports the SMDTC mission and the published SMDTC research topics of interest. White papers and full proposals are expected to be for cutting-edge innovative research that could produce discoveries having a significant impact on enabling new and improved Army operational capabilities and related technologies.

In an effort to provide SMDTC's topics of interest and related information, USASMDC has published the following public webpage listing all current SMDTC research topics: <https://www.smdc.army.mil/ORGANIZATION/TC/>, hereafter referenced as the SMDTC webpage. Changes to these topics will be made using this website on an as-needed basis. A change to SMDTC's published BAA topics is not an amendment to this BAA and will not be posted on <https://www.grants.gov/> and <https://www.SAM.gov/>. A change to this document (i.e., the BAA itself) will be considered an amendment and will be posted on <https://www.grants.gov/> and <https://www.SAM.gov/>.

Interested parties are encouraged to continually browse the SMDTC BAA topics for white paper and proposal topics that SMDTC desires to explore. These specific topics should be viewed as suggestive, rather than limiting. SMDTC is always interested in considering other innovative research concepts of relevance to the Army if those concepts align with SMDTC's mission. Interested parties should also review <https://www.grants.gov/> and <https://www.SAM.gov/> to obtain the latest version of the BAA for white paper and proposal submission requirements.

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To conserve valuable applicant and Government resources, and to facilitate determining whether a proposed research idea meets the guidelines described herein, prospective applicants contemplating submission of a white paper are strongly encouraged to contact the ACC-RSA SMD/SP POCs identified in “Agency Contacts” of this BAA, who will provide an SMDTC Technical Point of Contact (TPOC) to first discuss the concept. The TPOCs’ names and contact information will be provided to the prospective applicant by the ACC-RSA SMD/SP POC.

After initial contact with an SMDTC TPOC, if an applicant elects to submit a white paper (Step 1), it should be prepared in accordance with the instructions contained in this BAA. Upon receipt, the white paper will be reviewed by the SMDTC TPOC and a recommendation will be provided to the applicant with either “encouraged to submit a proposal” or “not encouraged to submit a proposal” based on the review and availability of funding. Proposal submission (Step 2) should also be prepared in accordance with the instructions contained in this BAA. Note that a recommendation by the government for proposal submittal does not guarantee award or obligate the government for proposal cost.

The proposal submission guidelines differ for each legal instrument; therefore, applicants are advised to follow the specific applicable guidelines listed in this BAA for the type of instrument they are proposing. This BAA provides submission guidelines for proposals for FAR-based procurement contracts, as well as assistance instruments and other transactions. Upon review of a proposal, the Government will advise applicants on the most appropriate instrument for the proposed work.

In accordance with federal statutes, regulations, and Department of Defense (DoD) and Army policies, no person on grounds of race, color, age, sex, national origin, or disability shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving financial assistance from the Army.

Applicants submitting proposals are cautioned that only a Contracting Officer, Grants Officer, or Agreements Officer can obligate the Government to any legal instrument involving federally appropriated funds.

All administrative inquiries regarding this BAA shall be submitted to the cognizant ACC-RSA SMD/SP Contracts Specialist POC. Scientific and technical questions should be referred to the TPOCs. Interested parties are encouraged to periodically check any of the following websites for updates and amendments to this BAA:

<https://www.grants.gov/>, <https://www.SAM.gov/>, or the SMDTC BAA topics posted at <https://www.smdc.army.mil/ORGANIZATION/TC/>.

A. General Information

Agency Name: U.S. Army Space and Missile Defense Command

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Issuing Acquisition Office: U.S. Army Contracting Command-Redstone (ACC-RSA), Space, Missile Defense and Special Programs (SMD/SP)

Research Opportunity Title: SMDTC Broad Agency Announcement (BAA) for Science, Technology, and Test and Evaluation Research

Research Opportunity Number: W9113M-24-R-BAA1

Catalog of Assistance Listing Numbers (ALN) Number and Title:

12.431 – Basic Scientific Research

12.630 – Basic, Applied, and Advanced Research in Science and Engineering

ALNs can be found on <https://sam.gov/content/assistance-listings>.

Key Dates: The BAA is a continuously open announcement valid throughout the period from the date of issuance through 23 August 2029, unless announced otherwise.

B. Additional Overview Information

This publication constitutes a BAA for awards as contemplated in Federal Acquisition Regulation (FAR) 6.102(d)(2) and FAR 35.016 as well as a merit-based, competitive procedure in accordance with the Department of Defense Grant and Agreement Regulations (DoDGARs) at 32 CFR 22.315(a) and the Office of the Under Secretary of Defense for Acquisition and Sustainment Other Transactions Guide version 2.0 dated July 2023.

This BAA document, and the online list of research topics found on the SMDTC webpage at <https://www.smdc.army.mil/ORGANIZATION/TC/>, sets forth SMDTC's topics of interest for white papers and proposals. This BAA is issued under FAR 6.102(d)(2), which provides for the competitive selection of basic and applied research proposals, and 10 United States Code (U.S.C.) 4001, 10 U.S.C. 4021, and 10 U.S.C. 4022, which provide the authorities for issuing awards under this announcement for basic and applied research. The definitions of basic and applied research may be found at 32 CFR 22.105.

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

Use of a BAA to solicit for research and development is recommended when:

1. The Government desires new and creative solutions to problem statements.
2. Using a conventional statement of work could result in unintentionally stifling ideas and concepts given many possible approaches.

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3. Fulfilling requirements for scientific study and experimentation directed toward advancing the state-of-the-art or increasing knowledge or understanding rather than focusing on a specific system or hardware solution.

4. The Government must be able to state its objectives in terms of areas of need or interest rather than specific solutions or outcomes.

5. Meaningful proposals with varying technical/scientific approaches are reasonably anticipated.

SMDTC reserves the right to select for award all, some, or none of the proposals submitted in response to this announcement. SMDTC will provide no funding for direct reimbursement of white paper or proposal development costs and such costs are not considered an allowable direct charge to any award resulting from this BAA or any other award. However, these costs may be an allowable expense to the normal bid and proposal indirect costs specified in FAR 31.205-18 for FAR-based awards.

White papers and technical and cost proposals (or any other material) submitted in response to this BAA will not be returned to the applicant. It is the policy of the Government to treat all proposals as sensitive, competitive information and to mark and disclose their contents only for the purposes of evaluation.

An applicant may withdraw a proposal at any time before the award by written notice or by email sent to the Government TPOC.

(End of Section)

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II. Detailed Information About the Funding Opportunity

A. Research Topics of Interest

The SMDTC is interested in receiving white papers and/or proposals for the basic and applied research efforts described under this BAA. This announcement is an expression of interest only and does not commit the Government to make any award or to pay for any response preparation costs. The cost of white paper and/or proposal preparation for response to a BAA is not considered an allowable direct charge to any resultant contract or any other contract; however, it may be an allowable expense to the normal bid and proposal indirect cost specified in FAR 31.205-18.

Certain white papers and/or proposals are not appropriate under this BAA and are not desired. For example, white papers and/or proposals applying effort toward a broadly identified task usually on a level-of-effort basis, rather than delivery of an end item such as a final report or demonstrating a new technology or applied research are usually not appropriate. This BAA seeks white papers and/or proposals for scientific study and experimentation directed toward advancing the state-of-the-art or increasing knowledge or understanding for basic and applied research and that part of development not related to the maturation of a specific system or hardware procurement. White papers and/or proposals related to the development of a specific system or to satisfy specific hardware/software requirements are also not appropriate. A determination of appropriateness will be made as part of the BAA submission screening process.

In an effort to provide SMDTC's research and development topics, USASMDC has published the following public webpage listing all current SMDTC topics: <https://www.smdc.army.mil/ORGANIZATION/TC/age>. Interested parties are encouraged to continually browse this webpage to see the topics SMDTC is interested in.

To support SMDTC's mission, SMDTC will consider white papers that may not directly align to a topic published by SMDTC but can demonstrate a strong alignment to SMDTC's core competencies. SMDTC is always interested in innovative research white papers outside of the published topics on the SMDTC webpage that demonstrate a strong alignment to SMDTC's core competencies. To learn more about SMDTC's core competencies visit the SMDTC webpage at <https://www.smdc.army.mil/ORGANIZATION/TC/>. SMDTC has no established targeted opportunities outside of the topics considered for funding proposals submitted under this BAA. Discussion with the cognizant SMDTC TPOC is strongly recommended before submission of a white paper or proposal.

B. Award Instrument Types

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Subject to availability of funds, ACC-RSA SMD/SP has the authority to award a variety of instruments on behalf of SMDTC. Anticipated awards will be made in the form of procurement contracts, grants, cooperative agreements, Technology Investment Agreements (TIA), other transactions (OTs) for research, or OTs for prototypes. ACC-RSA SMD/SP will select the type of instrument most appropriate for the effort proposed. Applicants should familiarize themselves with these instrument types and the applicable regulations before submitting a proposal. The following are brief descriptions of the possible award instruments:

1. Procurement Contract. A legal instrument, consistent with 31 U.S.C. 6303, which reflects a relationship between the Federal Government and a state government, a local government, or other entity/contractor when the principal purpose of the instrument is to acquire property or services for the direct benefit or use of the Federal Government. Contracts are primarily governed by the following regulations:

- a. Federal Acquisition Regulation (FAR)
- b. Defense Federal Acquisition Regulation Supplement (DFARS)
- c. Army Federal Acquisition Regulation Supplement (AFARS)

Procurement contracts awarded under this BAA will result in a contract using the North American Industry Classification System (NAICS) code of 541715 -- Research & Development in the Physical, Engineering, and Life Sciences [except Nanotechnology and Biotechnology] Exception 3 Guided Missiles and Space Vehicles, Their Propulsion Units and Propulsion Parts, with a small business (SB) size standard of 1,300 employees. Technical and cost proposals submitted under this BAA will be protected from unauthorized disclosure in accordance with FAR 3.104-4 and FAR 15.207.

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

- a. The principal purpose of which is to transfer a thing of value to the recipient to carry out a public purpose of support or stimulation authorized by a law of the United States, rather than to acquire property or services for the Federal Government's direct benefit or use.
- b. In which substantial involvement is not expected between the Federal Government and the recipient when carrying out the activity contemplated by the grant.
- c. No fee or profit is allowed.

3. Cooperative Agreement. A legal instrument, consistent with 31 U.S.C. 6305, is used to enter into the same kind of relationship as a grant (see definition "grant"), except that substantial involvement is expected between the Federal Government and the recipient when carrying out the activity contemplated by the cooperative agreement. The term does not include "cooperative research and development agreements" as defined in 15 U.S.C. 3710a. No fee or profit is allowed.

4. Technology Investment Agreement. An assistance instrument as described in 32 CFR Part 37. A TIA may be a cooperative agreement or an Other Transaction for

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Research under 10 U.S.C. 4021 both with provisions tailored for involving commercial firms or research involving commercial application. To the maximum extent practicable, TIAs shall provide for a 50/50 cost share between the Government and the applicant. No fee or profit is allowed on TIAs.

5. Other Transaction for Research. A legal instrument, consistent with 10 U.S.C. 4021, which may be used for basic, applied, and advanced research projects. The research covered under this instrument cannot be duplicative of research being conducted under an existing DoD program. To the maximum extent practicable, OTs for research are to provide for a 50/50 cost share between the Government and the applicant. An applicant's cost share may take the form of cash, independent research and development (IR&D), foregone intellectual property rights, equipment, access to unique facilities, and/or other means. Due to the extent of cost share, and the fact that an OT for research does not qualify as a "funding agreement" as defined at 37 CFR 401.2(a), the intellectual property provisions of this instrument can be negotiated to provide expanded protection to an applicant's intellectual property. No fee or profit is allowed on OTs for research. Please refer to the Office of the Under Secretary of Defense for Acquisition and Sustainment Other Transaction Guide version 2.0 dated July 2023 for additional information. This document, along with additional other transaction agreement (OTA) resources, may be accessed at the following link: <https://www.acq.osd.mil/asda/dpc/cp/policy/other-policy-areas.html>

6. Other Transaction for Prototype or Production. A legal instrument, consistent with 10 U.S.C. 4022, which provides DoD the flexibility necessary to adopt and incorporate business practices that reflect commercial industry standards and best practices into its award instruments. OTs for prototypes or production are not FAR-based procurement contracts, grants, cooperative agreements, or OTs for Research. OTs for prototypes or production have specific applications and conditions for use (see Appendix C of the Other Transactions Guide linked below). The effort covered under an OT cannot be duplicative of effort being conducted under an existing DoD program. Follow-on production contracts and/or an OT may be awarded to a Prototype Other Transaction Awardee, if applicable. Please refer to the Office of the Under Secretary of Defense for Acquisition and Sustainment, Other Transaction Guide, version 2.0, dated July 2023 for additional information. This document, along with other OTA resources, may be accessed at the following link: https://www.acq.osd.mil/asda/dpc/cp/policy/docs/guidebook/TAB%20A1%20-%20DoD%20OT%20Guide%20JUL%202023_final.pdf

C. Eligibility Information

1. Eligible Applicants. As dictated by the award instrument type, eligible applicants under this BAA include institutions of higher education, nonprofit organizations, state and local governments, and for-profit organizations (i.e., large and small businesses). For specific Other Transactions for Prototypes eligibility requirements, please see the "Other Transaction for Prototype or Production" section within Section II.B.6.

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2. Cost Sharing or Matching. Generally, there is no requirement for cost sharing, matching, or cost participation to be eligible for award under this BAA. Cost sharing and matching is not an evaluation factor used under this BAA. Exceptions may exist if the applicant is proposing the use of an OT for research or prototype as an award instrument. Cost-sharing requirements may be found at 32 CFR Part 37 and in the DoD Other Transaction Guide for Prototype Projects (https://www.acq.osd.mil/asda/dpc/cp/policy/docs/guidebook/TAB%20A1%20-%20DoD%20OT%20Guide%20JUL%202023_final.pdf)

3. Other.

Federally Funded Research and Development Centers (FFRDCs). FFRDCs are subject to applicable direct competition limitations and cannot propose to this solicitation in any capacity unless they meet the following conditions: (1) FFRDCs must clearly demonstrate that the proposed work is not otherwise available from the private sector; and (2) FFRDCs must provide a letter, on official letterhead from their sponsoring organization, that (a) cites the specific authority establishing their eligibility to propose to Government solicitations and compete with industry, and (b) certifies the FFRDC's compliance with the associated FFRDC sponsor agreement's terms and conditions. These conditions are a requirement for FFRDCs proposing to be awardees or sub-awardees.

University-Affiliated Research Centers (UARCs). UARCs are eligible to submit proposals under this BAA if their proposal contains a letter, on official letterhead, from their primary sponsor concurring with the UARC's proposal submission.

Teaming. Teams are encouraged to submit proposals in any and all areas. Offerors must be willing to cooperate and exchange software, data, and other information in an integrated program with other contractors.

D. Unique Entity Identifier (UEI) and System for Award Management (SAM)

1. Each applicant (unless the applicant is an individual or Federal awarding agency that is exempt from those requirements under 2 CFR 25.110(b) or (c), or has an exemption approved by the Federal awarding agency under 2 CFR 25.110(d)) is required to:

- a. Provide a valid UEI in its application. Please verify the accuracy of your UEI in SAM at <https://www.sam.gov>;
- b. Be registered in SAM prior to submitting its application; and
- c. Maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency.

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2. The Federal awarding agency may not make a Federal award to an applicant until the applicant has complied with all applicable UEI and SAM requirements. If an applicant has not fully complied with the requirements by the time the Federal awarding agency is ready to make a Federal award, the Federal awarding agency may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant.

(End of Section)

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III. Application and Submission Information

A. Two-Step Solicitation Process

1. General Information. Hard copies of this solicitation will not be issued. The Government reserves the right to fund all, some, or none of the proposals in response to this BAA and to create and maintain a reserve list of proposals for potential funding if sufficient funding becomes available. Funding will not be provided to Offerors for reimbursement of costs incurred to respond to this solicitation. White papers, technical, and cost or price proposals (or any other material) submitted in response to this BAA will not be returned. All submissions will be treated as sensitive competitive information and their contents will be disclosed only to authorized personnel for the purposes of evaluation.

2. E-mail Addresses. It is the Offerors' responsibility to ensure: (1) correct e-mail addresses are provided at the time of submission, (2) e-mail notifications reach the intended recipient(s), and (3) the e-mail is not blocked by the use of 'spam blocker' software or other means that the recipient's Internet Service Provider may have implemented as a means to block the receipt of certain e-mail messages.

3. Application Process. Applicants are encouraged to conduct a preliminary inquiry with an SMDTC TPOC, and are required to follow the two-step process below:

- Step 1: Submit a white paper to an SMDTC TPOC for review, and
- Step 2: Submit a Full Proposal if selected.

4. Classified Submissions. Proposals containing classified information are not accepted under this BAA. However, proposals may discuss the need to access or generate controlled unclassified information (CUI) or classified information for the proposed work. Where an award requires access to classified information, FAR Clause 52.204-2, Security Requirements, will be included in the award, as well as a DD Form 254, if issued. When an award requires access to CUI, DFARS Clause 252.204-7012, Safeguarding Covered Defense Information and Cyber Incident Reporting, will be included in the award, as well as additional SMDTC specific requirements as determined necessary. For questions regarding the potential for access to classified information and/or controlled unclassified information, please coordinate with the TPOC for that topic area prior to white paper or proposal submission.

B. Preliminary Inquiries

Interested applicants are strongly encouraged to make a preliminary inquiry by first contacting the SMDTC TPOC to discuss your ideas and the interests of SMDTC. SMDTC receives several hundred research proposals annually and can provide support for only a limited number of the proposals received. SMDTC realizes the preparation of a research proposal often represents a substantial investment of time and effort by the

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applicant. Therefore, to minimize this burden, SMDTC TPOCs are available to discuss the general need for the type of research effort contemplated and availability of funding before an interested applicant expends extensive effort in preparing a white paper or full proposal. The TPOC names, telephone numbers, and email addresses are listed with each research Topic at the SMDTC BAA topics website, <https://www.smdc.army.mil/ORGANIZATION/TC/>, and they should be contacted, as appropriate, prior to the submission of white papers or proposals.

Note that the Government will not be obligated by any discussion that arises out of preliminary inquiries.

C. Step 1: White Paper Preparation and Submission

Prospective proposers are required to submit white papers prior to the submission of a complete, more detailed proposal. The purpose of white papers is to minimize the labor and cost associated with the production of detailed proposals that have very little chance of being selected for funding. White papers are not full proposals and are meant to provide the SMDTC TPOC with enough information to determine if there is interest on the part of SMDTC to receive a full proposal.

Any proprietary data must be clearly marked. The applicant must also identify any technical data or computer software contained in the white paper that is to be managed by the Government with restrictions, limited rights in technical data, and restricted rights in computer software. In the absence of such identification, the Government will conclude there are no limitations or restrictions on technical data or computer software included in the white paper. Records or data bearing a restrictive legend may be included in the white paper.

It is the intent of the Army to treat all white papers as procurement sensitive and to disclose their contents with a Government evaluation panel for the purpose of evaluating received responses. Additionally, the Government may use selected non-Government contracted support/personnel to assist in the evaluation and administrative handling of white papers submitted in response to this announcement. These persons are bound by appropriate non-disclosure agreements and organizational conflict of interest statements to proprietary and source selection information. Non-Government advisers are limited to reviewing white papers and providing technical advice to the Government and are prohibited from making recommendations for selection. Submission of white papers in response to this BAA constitutes the offeror's acknowledgement and consent to use of non-Government personnel during the evaluation process.

White papers shall address one of the topics of interest posted at <https://www.smdc.army.mil/ORGANIZATION/TC/>.

1. White Paper Structure.

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a. Sections. A complete white paper consists of two sections: a cover sheet (section 1) and a technical description (section 2; to include cost).

b. Page Count. White paper submissions are limited to five (5) pages: a one-page cover sheet, and a four-page technical description (to include cost).

c. Text, Font, and File Format. A standard, Arial 12-point minimum font size shall be used. Charts, tables, or graphs may use a reduced font size, no less than 8-point, and may be produced in landscape orientation. Margins shall not be less than one inch (1") on both sides, and top and bottom of pages. Headers and/or footers may be included in the margin parameters. Single line spacing shall be used for all paragraphs. Except as authorized by this announcement, all white paper pages shall be presented in portrait page layout orientation. All electronic data proposal submissions shall be MS 365 compatible or Adobe Acrobat Pro Document Cloud (DC) and virus free. Do not provide self-extracting archive files (e.g., zip files). Macros, movies, or sound files shall not be used in any part of the white papers. If files contain links, the links must be intact and maintained through all revisions. Files shall not be read/write/password protected (i.e., must be unlocked, non-password protected, and/or unprotected).

d. Virus Check. Perform a virus check before submitting the white paper. If a virus is detected, it may cause rejection of the file.

e. Section 1 – Cover Sheet. The cover sheet should include at a minimum the title of the white paper, the name of the individual and organization submitting the white paper, the research topic name, topic identification (ID) number, and the TPOC name against which the white paper is submitted.

f. Section 2 – Technical Description. White papers should focus on describing the objective and approach of the proposed research, including how it is innovative, and how it could substantially increase the scientific state of the art. White papers should contain a brief cost estimate to understand a rough order of magnitude of the proposal cost, and any biographical information to highlight applicant's qualifications and experience.

(1) Technical Approach. Describe how the proposed technical approach is innovative, feasible, achievable, complete, and supported by a technical team that has the expertise and experience to accomplish the proposed tasks, including:

- Project objectives and scope;
- Overview of tasks and methods planned to achieve each objective;
- The final product to be delivered;
- Key personnel (including subcontractors and consultants);
- Facilities/equipment necessary to carry out the proposed effort; and
- Related prior or current work.

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(2) Schedule. Propose a project schedule and describe how the schedule is achievable for the projected technical approach.

(3) Costs. White papers should contain a brief cost estimate to understand a rough order of magnitude of the proposal cost and any risk management controls.

2. White Paper Submission

White papers should be submitted via e-mail to the contract specialist for the topic proposed against. White papers shall be submitted as a single portable document format (PDF) file as an email attachment.

The Government anticipates making multiple awards subject to availability of funds. Issuance of this BAA does not obligate the Government to pay any proposal preparation costs. Offerors that include data in their proposals which they do not want disclosed to the public for any purpose or used by the Government except for review/evaluation purposes by SMDTC, shall be specifically identified in the white paper and marked in accordance with FAR 52.215-1, Instructions to Offerors-Competitive Acquisition. SMDTC TPOCs will receive and consider all white papers submitted and will provide a response of either “encouraged to submit a proposal” or “not encouraged to submit a proposal.” If a white paper is selected for further consideration, the contracting officer will generally notify offerors within four (4) months of white paper receipt if a full proposal is required. White papers not selected for full proposal submission or proposals not selected for immediate funding will be disposed/destroyed in a manner that protects proprietary data.

3. White Paper Evaluations.

a. White Paper Review Criteria. All white papers will be reviewed using the following criteria.

(1) Technical Approach/Qualifications. The degree to which the technical approach is innovative, feasible, achievable, complete and supported by a technical team that has the expertise and experience to accomplish the proposed tasks. This includes an assessment of the probability for transition of this effort into an acquisition program, a military system, or other military capability.

(2) Schedule. The degree to which the proposed schedule is achievable within 24 months from award.

(3) Cost Estimating Methods, Risks and Controls. The degree to which the proposed costs are realistic for the technical approach and the methods used to demonstrate the offeror’s ability to complete the total project for the amount requested. This includes an assessment of the potential cost risks and controls used to mitigate those risks.

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b. Adjectival Ratings. During the review of white papers, adjectival ratings will not be used. White papers will receive a “Go” or “No Go” determination as to whether it will receive further consideration.

D. Step 2: Proposal Preparation and Submission.

The Government will provide a recommendation of “encouraged to submit a proposal” for those white paper submissions that merit further consideration. Proposals shall expand on the white paper submission providing sufficient detail that represents an innovative approach to accelerating the transition of defense-related technologies. An applicant that does not receive a recommendation to submit a proposal is not eligible to submit a proposal. Recommendations to submit a proposal will be sent from respective DoD Component contracting officers to the eligible applicants. The anticipated due date and time for proposals will be included in the proposal recommendation.

Offerors are advised only properly warranted Government contracting officers are legally authorized to contractually bind or otherwise commit the Government. The Government reserves the right to request any additional, necessary documentation once it makes the award instrument determination. Offerors may be removed from award consideration should the parties fail to reach agreement on award terms, conditions, and cost/price within a reasonable time, or if the Offeror fails to timely provide requested additional information.

If the Offeror is granted approval to submit a proposal to the Government, the following instructions shall be followed (additional instructions may be required and provided by the Contracting Activity when authorization to submit a proposal is granted):
Text, Font, and File Format. A standard, Arial 12-point minimum font size shall be used. Charts, tables, or graphs may use a reduced font size, no less than 8-point, and may be produced in landscape orientation. Margins shall not be less than one inch (1”) on both sides, and top and bottom of pages. Headers and/or footers may be included in the margin parameters. Single line spacing shall be used for all paragraphs. Except as authorized by this announcement, all proposal pages shall be presented in portrait page layout orientation. All electronic data proposal submissions shall be MS 365 compatible or Adobe Acrobat Pro Document Cloud (DC) and virus free. Do not provide self-extracting archive files (e.g., zip files). Macros, movies, or sound files shall not be used in any part of the proposals. If files contain links, the links must be intact and maintained through all revisions. Files shall not be read/write/password protected (i.e., must be unlocked, non-password protected, and/or unprotected).

Virus Check. Perform a virus check before submitting the proposal. If a virus is detected, it may cause rejection of the file.

1. Proposal Structure

Proposals shall include the basic effort and options (if applicable). All proposals should clearly indicate limitations on the disclosure of their contents. In presenting the proposal

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material, prospective offerors are advised that the quality of the information is significantly more important than the quantity. Therefore, offerors are requested to confine their submissions to essential matters, providing sufficient information to define their offer and establish an adequate basis for the Government to conduct its evaluation.

A complete proposal consists of a cover sheet and two volumes. Volume I contains the Technical and Management Approach. Volume II contains the Cost/Price Proposal. The cost/price proposal volume shall be submitted in the Microsoft (MS) Office Excel spreadsheet format provided by the Government. Offerors shall not "hard code" spreadsheet data if the resulting data is based on a formula. Offerors shall include all formulas in the proposed spreadsheets and include any notes deemed necessary to add clarity to the spreadsheets. Spreadsheets shall include the roll up summary at the contract line-item number (CLIN) level and also a total roll up summary sheet of all of the CLINs.

a. Cover Sheet. The cover sheet shall include the following information:

- (1) BAA number given in the announcement;
- (2) SMDTC Core Competency;
- (3) Lead organization submitting proposal;
- (4) Type of business, selected from among the following categories: large business, Small Business (SB), Small Disadvantaged Business (SDB), Veteran-Owned Small Business (VOSB), Service-Disabled Veteran-Owned Small Business (SDVOSB), Women-Owned Small Business (WOSB), Economically Disadvantaged Women-Owned Small Business (EDWOSB), Historically Underutilized Business Zone (HUBZone), Historically Black Colleges and Universities and Minority-Serving Institutions (HBCU/MI), and other educational or other nonprofit;
- (5) Offeror's reference number (if any);
- (6) Proposal title;
- (7) Technical POC to include: salutation, last name, first name, street address, city, state, zip code, telephone, and e-mail address;
- (8) Administrative POC to include: salutation, last name, first name, street address, city, state, zip code, telephone, and e-mail address;
- (9) Date proposal was prepared;
- (10) Place(s) and period(s) of performance;
- (11) Name, mailing address, e-mail address, telephone number, and POC of the offeror's cognizant audit office if known (e.g., Defense Contract Audit Agency (DCAA)/High Risk Review);
- (12) Commercial and Government Entity (CAGE) code;
- (13) Valid UEI;
- (14) Taxpayer Identification Number;
- (15) Whether you will require the use of Government property in the performance of the contract, and, if so, what property; and
- (16) If certified cost and pricing data are required pursuant to FAR 15.403-4, Required Certified Cost or Pricing Data, you must clearly identify on your cover sheet

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that certified cost and pricing data are included as part of the proposal in accordance with FAR 15.408, Table 15-2, Section I, General Instructions, (C)(1).

b. Volume I, Section 1: Technical Approach. This section shall include the Executive Summary, Nature of Research, Meets BAA Requirements, Milestone Schedule, Prior Experience, and Statement of Work (SOW)/Deliverables as further described below. This section shall be limited to 18 pages.

(1) Executive Summary. The first page of Volume I shall be an executive summary of the proposed technical and management approaches.

(2) Nature of Research. The technical portion of the proposal must include a full discussion of the nature and scope of the research effort contemplated, including the method of approach and the expected results.

(3) Meets BAA Requirements. The proposal shall fully discuss how the initiative falls within the definition of Basic or Applied Research and follows the procedures of FAR 35.016, Broad Agency Announcement. Note that, for this BAA, subcomponent development should not exceed Technology Readiness Level 6 which is a system/subsystem model or prototype demonstration in a relevant environment. The proposal shall discuss the potential contribution of the proposed research to the SMDTC. The offeror shall certify that the initiative is not submitted to fulfill the requirements of any specific system or sub-system.

(4) Milestone Schedule. The offerors shall discuss the merits of each phase of the initiative proposed and conditions upon which each phase will be assessed. A program milestone chart, which includes a detailed list of tasks and subtasks and the duration of same, must be provided. Offerors are to clearly identify a list of contract deliverables which are traceable to the milestone chart. These milestones should include the timeframes for preparation, delivery, review, and approval for all draft and final reports, as appropriate.

(5) Prior Experience. Offerors must include any information pertaining to prior significant and related work experience as well as a description of available facilities and the resumes of all key personnel who will be participating in the effort.

(6) SOW/Deliverables. Offerors must keep in mind that portions of the technical proposal will usually be incorporated by reference into any resultant contract; it serves as the basis for work to be accomplished. Therefore, the technical proposal must include a SOW that describes the work to be accomplished and any deliverables. Each task description should be written to facilitate evaluation and acceptance without the need for major rewrites prior to incorporation into the resultant contract.

c. Volume I, Section 2: Management Approach. This section shall include the management approach, capabilities/qualifications, and any required Government

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resources (equipment, facilities, computer time, etc.) This section shall be limited to 12 pages.

(1) Management Approach. The offeror should provide the necessary scheduling and planning documentation that fully describes the proposed program, which should include the offeror's approach for controlling expenditures and labor hours. Include in the proposal a summary description of management planning and control systems and product assurance.

(2) Capabilities/Qualifications. The proposal should discuss the offeror's capabilities and qualifications including discussion of: 1) key personnel; 2) adequacy of offeror's facilities and instrumentation; and 3) identification of plans for any potential safety and environmental concerns.

d. Volume I, Section 3: Other Documents. This section may be provided with no page limitation. This section shall include:

(1) The offeror shall provide separate SOW, bearing no proprietary markings, suitable for contractual incorporation. If options are proposed, the SOW must clearly differentiate between the basic period and option periods. To aid in insertion of the SOW in the contractual instrument, request the following guidelines be followed in formatting the electronic file:

(a) All auto numbering and bullets should be removed;

(b) All text should be in Arial 12-point font;

(c) Bolding and underlining is not recommended;

(d) All graphics should be removed;

(e) All files inserted from other applications in the Microsoft (MS) Word file should be removed. The submission of other supporting materials along with the proposal is strongly discouraged and will not be considered for review;

(2) Prime Contractor Small Business Subcontracting Plan (applicable to other than small business concerns, reference FAR 19.702(b), Statutory Requirements): (It is noted that educational institutions are considered other than small business concerns.) In accordance with FAR 19.702(a)(1), if the total amount of the proposal exceeds the specified dollar threshold and has subcontracting possibilities, a small business subcontracting plan must be submitted. FAR part 52.219-9, Small Business Subcontracting Plan, defines the subcontracting plan and its requirements. The subcontracting plan shall be submitted with the proposal. It is the policy of the Government to provide maximum practicable opportunities in its acquisitions to SB, SDB, VOSB, SDVOSB, WOSB, EDWOSB, and HUBZone small business concerns to participate in the performance of the contract. Such concerns must also have the

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maximum practicable opportunity to participate as subcontractors in the contracts awarded by any executive agency, consistent with efficient contract performance. Offerors are cautioned that the Government will not execute a contract unless the contracting officer determines that the negotiated subcontracting plan is acceptable in accordance with (IAW) applicable regulations;

(3) Representations and Certifications: Prospective contractors shall complete electronic representations and certifications at <https://www.SAM.gov>. The representations and certifications must be updated as necessary, but at least annually to ensure they are kept current, accurate, and complete (reference FAR subpart 4.11; FAR subpart 4.12; DFARS subpart 204.11; DFARS subpart 204.12; and DFARS Procedures, Guidance and Information (PGI) 204.11). These representations and certifications will need to be supplemented by other representations and certifications, to include DFARS 252.227-7017, Identification and Assertion of Use, Release, or Disclosure Restrictions; and DFARS 252.227-7028, Technical Data or Computer Software Previously Delivered to the Government. In addition, offerors shall identify any commercial technical data and commercial computer software or computer software documentation that will be delivered to the Government. Offerors shall describe and provide copies of licenses applicable to the Government;

(4) Information required Data Rights and Intellectual Property; and

(5) Grant and Cooperative Agreement Proposals. Applicants should show the location of each section of the proposal, as well as major subdivisions of the project description that is affected by the Army Research Risk Assessment Program and shall include any required risk management security program supporting documentation (e.g., Privacy Act Statement and Standard Form (SF) 424).

(6) The offeror may include an attached bibliography of relevant technical papers or research notes (published and unpublished), that document the technical ideas and approach upon which the proposal is based. Copies of not more than three (3) relevant papers may be included with the submission. The three relevant papers may be in portable document format (PDF).

e. Volume II: Cost/Price Proposal. This volume shall include a cover sheet; is excluded from page limitations; and shall follow the guidance in accordance with FAR 15.408, Table 15-2. The cost proposal shall contain a summary showing the overall contract price and include details by cost element for the Base Year and Option Year(s). In addition, both the base period and any options shall include separate cost/schedule information. The cost proposal shall contain data in MS Excel spreadsheet format to include formulas.

(1) The offeror should prepare its cost proposal in a clear, concise manner that accurately reflects its financial plan for accomplishing the proposed technical effort. The costs should be tied to the milestone schedule, clearly allocating costs to each phase of the initiative, and a breakdown of cost data is required under this BAA. If "cost or

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pricing data” are required to be submitted in accordance with FAR 15.403-4, the offeror shall provide the information identified in FAR 15.408, Table 15-2, as well as the information required in this section. When cost of money is being proposed, the offeror shall submit a DD Form 1861, Contract Facilities Capital Cost of Money.

(2) In accordance with FAR 16.301-3, Limitations, a cost-reimbursement contract may be used only when the contractor’s accounting system is adequate for determining costs applicable to the contract. Offerors will submit a summary description of their accounting system, including indirect rate structure, and whether it is compliant with Generally Accepted Accounting Principles (GAAP). The submittal should reference current DCAA audit reports that reflect upon the adequacy of the accounting system and/or Defense Contract Management Agency (DCMA) approval letters of the accounting system. The audit reports or letters should be dated within 4 years of the offeror’s cost proposal. If the offeror cannot reference a DCAA audit or DCMA letter reflecting acceptance of their cost system, the offeror should submit a plan to become approved and in compliance with the full performance start date. This should include the submission of a completed standard form (SF) 1408, Pre-award Survey of Prospective Contractor (Accounting System) (included as Appendix X). If a DCAA audit or DCMA letter is not available, the offeror may provide reviews of the adequacy of their accounting system by an independent third party. The same documentation shall be submitted for any subcontractor with which the offeror intends to establish a cost type subcontract.

(3) The breakdown of “cost or pricing data” or “other than cost or pricing data” shall include all costs expected to be incurred under the contract. Proposed costs and rates should be fully supported to include all back-up documentation to all cost elements proposed.

(4) Subcontracts. Prime contractors are responsible for ensuring each proposed subcontract is supported by “cost or pricing data” when it is, both, in excess of the specified dollar threshold in accordance with FAR 15.403-4 and not covered by an exception or waiver in accordance with FAR 15.403-1, Prohibition on Obtaining Certified Cost or Pricing Data. Particular attention is directed to the importance of furnishing complete detailed information and supporting data as required by FAR 15.408, Table 15-2. Include an itemization of the final negotiated subcontracts (labor, travel, materials, and other direct costs) and equipment purchases, as well as an analysis, performed by the prime contractor, of the subcontract proposal. Specifically address subcontract proposed hours in the prime analysis.

(5) Subcontractor Proposal. The prime contractor or subcontractor is responsible for the requirements in accordance with FAR 15.404-3, Subcontract Pricing Considerations. Under this BAA, the Prime contractor shall collect and submit to the contracting officer a copy of the subcontracting plan in accordance with the following:

(a) documentation indicating the subcontractor has an approved accounting/purchasing system in accordance with FAR 15.404-3(a).

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(b) certified “cost or pricing data” and copies of the subcontractor’s final negotiated and agreed to proposal (broken down by labor hours, rates, categories, indirect costs, material, etc.) for subcontracts that are the lower of either:

(i) the required threshold at FAR 15.404-3(c)(1)(i); or

(ii) both, more than the threshold for obtaining certified “cost or pricing data” as required by FAR 15.403-4(a)(1) AND more than percentage of the prime contractor’s proposed price as required by FAR 15-404-3(c)(1)(ii), unless the contracting officer believes such submission is unnecessary.

(c) The contractor shall submit to the contracting officer, any subcontractor certified “cost or pricing data” and data other than certified “cost or pricing data” that the contracting officer considers necessary for adequately pricing the prime contract.

(d) If an item or subcontract effort is selected by a competitive process, provide quotes or backup documentation received from all eligible offerors and discuss how the best value determination was made.

(e) Subcontractor certified “cost or pricing data” shall be current, accurate, and complete as of the date of price agreement, or, if applicable, an earlier date agreed upon by the parties and specified on the contractor’s Certificate of Current “Cost or Pricing Data.” The contractor shall update subcontractor’s data, as appropriate, during source selection and negotiations.

(f) The subcontract proposal should include the cover sheet information detailed above under “Proposal Structure” (1.a). (See page 17).

2. Proposal Submission

All proposals should clearly indicate limitations on the disclosure of their contents. Any proprietary data which the offeror intends to be used by the Government only for evaluation purposes must be specifically identified in the proposal and marked in accordance with FAR 52.215-1(e).

Both prime and subcontractor fully disclosed proposals (i.e., unsanitized proposals) shall be electronically submitted directly to the Government contracting officer and contract specialist. Should the prime and/or subcontractor have difficulty sending its proposal using the method specified above, one electronic version (CDs/DVDs) of the prime proposal (incorporating all sanitized subcontractor proposals) and each unsanitized subcontractor proposal shall be delivered to the contracting officer and the contract specialist. Proposals shall follow the guidance set forth in the BAA, and as provided in the BAA’s “Application and Submission Information” Section III.

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All proposals for Assistance Instruments (Grants, Cooperative Agreements, and Technology Investment Agreements) must be submitted electronically through Grants.gov using the Workspace system. Proposals for Procurement Contracts, OTs for Research that are not Technology Investment Agreements, and OTs for Prototypes or Production may be submitted via either Grants.gov or email to kayla.m.james15.civ@army.mil.

3. Proposal Evaluation

The Government selection of the proposal(s) for award will be based on an assessment of proposal(s) that are most advantageous to the Government considering technical and management relative merit in accordance with the evaluation criteria, cost, best value considerations, availability of funds, and program balance.

a. Evaluation Criteria. The Evaluation Factors are: (1) Technical, (2) Management, and (3) Cost/Price. The technical factor is significantly more important than the management factor. The management factor is more important than the cost/price factor. The cost/price factor is a substantial evaluation factor; however, it is less important than each of the technical and management factors.

(1) Factor 1: Technical.

(a) Overall Scientific/Technical Quality: The offeror will be evaluated on the overall scientific/technical merits of the proposed research and development. The degree to which new and creative solutions to technical issues important to USASMDC are proposed, and feasibility and the offeror's understanding of the proposed approach and technical objectives will be evaluated.

(b) Qualifications: The offeror's ability to implement the proposed approach as demonstrated by specific accomplishments in the technical field to be studied, by the qualifications (including past and current experience) of the proposed principal investigator as well as other "key" personnel, and availability of appropriate facilities will be evaluated.

(c) Research and Development Contribution: Potential contribution of the proposed research to USASMDC as identified in the list of technology areas of interest in Section I of the BAA. The scientific/technical merits include potential for state-of-the-art improvement, with special emphasis on innovation, originality, and uniqueness will also be evaluated.

(2) Factor 2: Management.

(a) Overall Scheduling and Planning: The offeror's approach will be evaluated based on the overall scheduling and planning for performance of the effort.

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(b) Expenditure Control: The approach for controlling expenditures and labor hours.

(3) Factor 3: Cost/Price. The cost area evaluation will consider the realism and reasonableness of the proposed cost. Cost reasonableness will consider the price proposed in conjunction with program objectives and the availability of funding. Cost realism will assess the likelihood that the technical and management approaches proposed can be successfully accomplished for the cost proposed.

b. Evaluation Ratings. During the evaluation of proposals, the following ratings will be used for each of the non-price factors. If during evaluation any factor is deemed "Marginal" or "Unacceptable," that proposal will be considered unawardable.

Outstanding (O) - Excellent in all significant respects; offers significant advantages in key areas; excellent probability of success. The proposed work does not duplicate ongoing or completed work, and the proposed work is not within the scope of an existing known contract or agreement. Based on present and past performance, the capabilities of the proposing institution and qualifications of the research team are exemplary.

Good (G) – The proposed research is high quality in most respects, though some minor areas are lacking or not sufficiently covered. The probability of success is above average; generally, exceeds minimum requirements; improvement possible; could be further detailed. There is minimal duplication with ongoing or completed work, and the proposed work is not within the scope of an existing known contract or agreement.

Acceptable (A) – Adequate overall presentation, but some areas are lacking in thorough analysis or detail; fair probability of success; generally, meets minimum requirements; improvement possible in some major areas. While there is some duplication with ongoing or completed work, duplicate tasks can be easily separated. The proposed work is not within the scope of an existing known contract or agreement.

Marginal (M) - The proposed research is of average quality. Fails to meet some requirements; significant deficiencies/disadvantages, but correctable; low probability of success; substantial improvement necessary.

Unacceptable (U) - Inadequate presentation. The proposed research is of poor quality. Fails to meet minimum requirements needs a major revision to the proposal to make it correct. Technical Proposal is nearly total duplication of ongoing or completed work or is within the scope of an existing known contract or agreement.

c. Army Research Risk Assessment. Each proposal with a recommendation to "select" in accordance with all the proposal evaluation factors above, whose costs have been determined to be reasonable and realistic in accordance with the evaluation factors above, for which funds are available, and where a grant or cooperative agreement will be the award instrument type, will be subject to an Army Research Risk Assessment

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prior to award.

(1) The Army Research Risk Assessment Program. The Army Research Risk Assessment Program (ARRAP) is an adaptive risk management security program applied to Army-funded research designed to help protect Army Science and Technology (S&T) by identifying possible vectors of undue foreign influence.

In order to identify and mitigate undue foreign influence as required by federal law and policy, the Army will perform a research risk assessment of each proposal selected based on the criteria above for consideration of a fundamental research grant or cooperative agreement award. ARRAP risk assessments for these subject proposals will be developed for all proposed Senior/Key personnel, (also referred to as “Covered Individuals”). These risk assessments will be based on information disclosed in the Standard Form (SF) 424 (e.g., “Senior/Key Person Profile (Expanded),” any of its accompanying or referenced documents, publicly available information, and information contained in internal Army databases¹. Nationality or citizenship is not a factor in risk assessment.

ARRAP has a risk matrix which identifies risk factors and resulting risk ratings. The matrix generally looks at four factors, or risk areas: participation in foreign talent programs; denied entity list affiliation or association (see <https://www.bis.doc.gov/index.php/the-denied-persons-list>); funding sources to include conflict of interest or conflict of commitment, or funding from a strategic competitor; and foreign influence showing a pattern or history of affiliation, association, or collaboration with a foreign institution, person or entity from a U.S. strategic competitor.

(2) The risk rating matrix is set forth below.

Rating	Identified Specific Actions of the Senior/Key Personnel			
	Foreign Talent Program	Denied Entities	Funding	Foreign Instructions
HIGH	Indicators of active (ongoing) participation or sponsorship in a strategic competitor Foreign Talent Program	Indicators of an active (ongoing) affiliation or past affiliation or present association with an entity on the U.S. Gov't denied entity or person list or EO 13959 or subsequent similar issuances	Indicators of active (ongoing) conflict of interest, conflict of commitment, or pattern of direct funding from a strategic competitor or country with history of targeting U.S. research or technology	Indicators of active (ongoing) direct affiliation, association or collaboration with a foreign institution, person, or entity from a strategic competitor

¹ To access the Application for Federal Assistance (SF-424) for 2025, you can visit: www.Grants.gov. For detailed instructions on filling out the SF-424 form, refer to the Grants.gov instructions page. For additional information related to the ARRAP policies and frequently asked questions visit: [DEVCOM ARL Implementation of Army Futures Command \(AFC\) Army Research Risk Assessment Protection Program \(ARRP\) - DEVCOM Army Research Laboratory](#)

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MODERATE	Indicators of past participation in a Foreign Talent Program with a U.S. strategic competitor, or country with a history of targeting U.S. research or technology	Indicators of past association with an entity identified in the U.S. Gov't denied entity or person list or EO 13959 or subsequent similar issuances	Indicators of any history or nonconsecutive pattern of conflict of interest, conflict of commitment, or funding from a strategic competitor or country with history of targeting U.S. research or technology	Indicators of a history or pattern of association or collaboration with foreign institutions, person, or entity from a strategic competitor or country with a history of targeting U.S. research or technology
LOW	No participation in a Foreign Talent Program	No indicators of past or current association or affiliation with an entity on the U.S. Gov't denied entity or person list or EO 13959 or subsequent similar issuances	No indicators of past funding from a strategic competitor or country with history of targeting U.S. research or technology	No indicators of an association or collaboration with a foreign institution, person, or entity from a strategic competitor or country with history of targeting U.S. research or technology

Affiliation is academic, professional, or institutional appointments or positions with a foreign government-connected entity, whether full-time, part-time, or voluntary (including adjunct, visiting, honorary, or lectures/visits) where direct monetary or non-monetary reward is involved.

Association is academic, professional, or institutional appointments or positions with a foreign government-connected entity, whether full-time, part-time, or voluntary (including adjunct, visiting, honorary, or lectures/visits) where no direct monetary or non-monetary reward is involved.

Collaboration is an academic, professional, or institutional agreement to jointly work together with a foreign government- connected entity, whether full-time, part-time, or voluntarily, in an official or unofficial capacity. Co-authorship in research endeavors is an example of collaboration.

Strategic competitors are those adversaries identified in the current year Annual Threat Assessment report from Director of National Intelligence. The 2021 assessment was published on April 9, 2021 and can be found at <https://www.dni.gov>.

Conflict of Interest and Conflict of Commitment are defined in NSPM-33 and in the CONOP as well as the ARRAP Policy memorandum.

Senior/Key Personnel are those who (a) contribute to a substantive, meaningful way to the scientific development or execution of a research and development project proposed to be carried out with a research and development award from a Federal research agency; and (b) are designated as a covered individual by the Federal research agency concerned.

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ARRAP risk ratings range from LOW to HIGH depending on the amount, type, and timing of foreign associations or affiliations that could constitute a foreign-influenced "Conflict of Interest" or "Conflict of Commitment," as defined by National Security Presidential Memorandum 33 (NSPM-33).

(3) Once the research risk assessments are performed, the Army risk acceptance authority has several courses of action available for consideration. These courses of action are as follows:

Course of Action 1 - The Army risk acceptance authority may accept the risk rating that results from the risk assessment process and proceed with the award. This typically happens with proposals with risk ratings of "LOW" but could also happen with the other risk ratings. In Course of Action 1, the applicant will not be required to do anything related to the risk assessment process or the assigned risk rating.

Course of Action 2 - The Army risk acceptance authority may accept the risk rating with some research protection requirements added to the grant or cooperative agreement award. This typically happens with proposals with risk ratings of "MODERATE" but could also happen with the other risk ratings. Also, typically, these added research protection requirements could include, but be limited to the following in the grant or cooperative agreement award:

- The vendor (including universities) Security Office shall provide the Principal Investigator and key personnel related to this award training on foreign talent recruitment programs and threat awareness and reporting requirements;
- The vendor (including universities) shall disclose to the Army Research Laboratory Security Office and Grants Officer all international travel, i.e., all international travel completed as part of any university business, by the Principal Investigator and key personnel related to this award instrument prior to travel;
- The vendor (including universities) shall report to the Army Research Laboratory Security Office and Grants Officer all inquiries by foreign operatives or suspected foreign operatives into research associated with the award; and
- The vendor (including universities) is encouraged to utilize students without potential conflicts of interest or conflicts of commitment as identified in U.S. National Security Presidential Memorandum (NSPM-33).

Under Course of Action 2, the applicant will be asked to sign the grant or cooperative agreement prior to award, confirming agreement to these added requirements. Should the applicant not agree to these added research protection requirements, the Army risk assessment authority may decide not to award.

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Course of Action 3 - The Army risk acceptance authority is not willing to accept the risk assigned as a result of the assessment process. In this case, the applicant will be provided an opportunity to provide a risk mitigation plan. This typically happens with proposals with risk ratings of "HIGH" but could also happen with the other risk ratings. In Course of Action 3, the applicant will be informed of the risk rating assigned during the risk assessment process as well as the block(s) on the matrix where the review resulted in some type of finding that contributed to the assigned risk rating. Should the applicant choose not to submit a risk mitigation plan, the Army risk assessment authority may decide not to award. Should the applicant choose to submit a risk mitigation plan, the Army will review such plan. As a result of this review, the Army risk acceptance authority may then be willing to accept the risk assigned with the mitigation plan and proceed with the award or the Army risk acceptance authority may not be willing to accept the risk and may decide not to award. Further, should the risk mitigation plan include proposal revisions that affect those aspects of the proposal evaluation process, the original proposal evaluation will be reviewed and revised as appropriate based on the proposal revisions.

(4) Actions required by Applicants.

(a) By submission of the proposal and authorized signature on the SF 424 (R&R) Form, the Applicant agrees to comply with the following requirements:

(i) To certify that each covered individual who is listed on the application has been made aware: (1) of all relevant disclosure requirements, including the requirements of 42 U.S.C. § 6605; and (2) that false representations may be subject to prosecution and liability pursuant to, but not limited to, 18 U.S.C. §§287, 1001, 1031 and 31 U.S.C. §§ 3729- 3733 and 3802. See National Science and Technology Council Guidance for Implementing National Security Presidential Memorandum 33 (NSPM-33) on National Security Strategy for United States Government-Supported Research and Development (January 2022).

(ii) To establish and maintain an internal process or procedure to address foreign talent programs, conflicts of commitment, conflicts of interest, and research integrity.

(iii) To exercise due diligence to identify Foreign Components or participation by Senior/Key Personnel in Foreign Government Talent Recruitment Programs and agree to share such information with the Government upon request.

(b) With the application, the Applicant must provide a completed "Privacy Act Statement" consent form for each Covered Individual that is also signed by the Applicant as that Individual's Sponsor. The "Privacy Act Statement" form is included as Attachment 1 of this BAA.

(i) During the award period of performance:

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- If, at any time, during performance of this award, the Recipient learns that its Senior/Key Research Personnel (including any subawardee personnel who receive this designation) are or are believed to be participants in a Foreign Government Talent Program or have Foreign Components with a strategic competitor or country with a history of targeting U.S. technology for unauthorized transfer, the recipient will notify the Government or Grants Officer within 5 business days of awareness;
- This disclosure must include specific information as to the personnel involved and the nature of the situation and relationship. The Government will review this information and conduct any necessary fact-finding or discussion with the Recipient. The Government's determination on disclosure may include acceptance, mitigation, or termination of the award;
- Failure of the Recipient to reasonably exercise due diligence to discover or ensure that neither it nor any of its Senior/Key Research Personnel involved in the subject award are participating in a Foreign Government Talent Program or have a Foreign Component with a strategic competitor or country with a history of targeting U.S. technology for unauthorized transfer may result in the Government exercising remedies in accordance with federal law and regulation;
- The provisions concerning this disclosure will be included in each award; and
- The Recipient will be required to flow down this provision to all subawardees who have personnel designated as Senior/Key Research Personnel as a result of their involvement in the performance of the research.

(5) Actions Required by Covered Individuals. Federal law requires that all current and pending research support, as defined by 42 U.S.C. §6605, must be disclosed at the time of proposal submission, for all covered individuals. The Government may require an updated disclosure during the performance of any research project selected for funding. The Government will require an updated disclosure whenever covered individuals are added or identified as performing under the funded project. Covered Individuals are also required to sign the "Privacy Act Statement" and provide such signed statement to the applicant for submission with the proposal.

Any decision to accept a proposal for funding under this announcement will include full reliance on the individual's statements. Failure to report fully and completely all sources of project support and outside positions and affiliations may be considered a material statement within the meaning of the False Claims Act, 31 U.S.C. 3729, and constitute a violation of Federal law.

(6) Privacy Act Compliance. All information collected and developed for the purpose of conducting ARRAP risk assessments will be maintained in accordance with the following authorities:

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(a) Office of Personnel Management (OPM) System of Records Notice (SORN) GOVT-1. This SORN governs information collected from federal grantees for the purpose of conducting a national security investigation or carrying out other lawful statutory, administrative, or investigative purposes of the agency, to the extent the information is relevant and necessary to the requesting agency's decision.

(b) Department of the Army (DA) SORN A0381-20b-DAMI (Feb. 10, 2009, 74 F.R. 6596). This SORN applies to information contained in systems used by the Department of the Army to develop ARRAP risk assessments.

(c) 32 C.F.R. Appendix A to Part 310, Paragraph N: DoD Blanket Routine Uses. Pursuant to this provision, a record from a system of records maintained by a Component may be disclosed as a routine use outside the DoD or the U.S. Government for the purpose of counterintelligence activities authorized by U.S. law or Executive order or for the purpose of enforcing laws that protect the national security of the United States.

(7) Definitions.

Covered Individual. An individual who contributes in a substantive, meaningful way to the scientific development or execution of a research and development project proposed to be carried out with a research and development award from a Federal research agency; and is designated as a covered individual by the Federal research agency concerned. See 42 U.S.C. § 6605, Definitions. (For purposes of this BAA, "covered individuals" are all Senior/Key Personnel.)

Senior/Key Research Personnel. This term includes the Principal Investigator (PI) and other individuals who contribute to the scientific development or execution of a project in a substantive, measurable way, whether or not they receive salaries or compensation under the award. These include individuals whose absence from the project would be expected to impact the approved scope of the project. (For purposes of this BAA, "Senior/Key Personnel" are all considered "covered individuals.")

Foreign Associations and Affiliations. Association is defined as collaboration, coordination or interrelation, professionally or personally, with a foreign government-connected entity where no direct monetary or non-monetary reward is involved. Affiliation is defined as collaboration, coordination, or interrelation, professionally or personally, with a foreign government-connected entity where direct monetary or non-monetary reward is involved.

Foreign Government Talent Recruitment Programs. In general, these programs include any foreign-state-sponsored attempt to acquire U.S. scientific-funded research or technology through foreign government-run or funded recruitment programs that target scientists, engineers, academics, researchers, and entrepreneurs of all nationalities working and educated in the U.S. Distinguishing features of a Foreign Government Talent Recruitment Program may include:

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- Compensation, either monetary or in-kind, provided by the foreign state to the targeted individual in exchange for the individual transferring their knowledge and expertise to the foreign country. In-kind compensation may include honorific titles, career advancement opportunities, promised future compensation or other types of remuneration or compensation;
- Recruitment, in this context, refers to the foreign-state-sponsor's active engagement in attracting the targeted individual to join the foreign-sponsored program and transfer their knowledge and expertise to the foreign state. The targeted individual may be employed and located in the U.S. or in the foreign state;
- Contracts for participation in some programs that create conflicts of commitment and/or conflicts of interest for researchers. These contracts include, but are not limited to, requirements to attribute awards, patents, and projects to the foreign institution, even if conducted under U.S. funding, to recruit or train other talent recruitment plan members, circumventing merit-based processes, and to replicate or transfer U.S.-funded work in another country;
- Many, but not all, of these programs aim to incentivize the targeted individual to physically relocate to the foreign state. Of particular concern are those programs that allow for continued employment at U.S. research facilities or receipt of U.S. Government research funding while concurrently receiving compensation from the foreign state; and
- Foreign Government Talent Recruitment Programs do not include research agreements between the University and a foreign entity, unless that agreement includes provisions that create situations of concern addressed elsewhere in this section; agreements for the provision of goods or services by commercial vendors; or invitations to attend or present at conferences.

Conflict of Interest. A situation in which an individual, or the individual's spouse or dependent children, has a financial interest or financial relationship that could directly and significantly affect the design, conduct, reporting, or funding of research.

Conflict of Commitment. A situation in which an individual accepts or incurs conflicting obligations between or among multiple employers or other entities. Common conflicts of commitment involve conflicting commitments of time and effort, including obligations to dedicate time in excess of institutional or funding agency policies or commitments. Other types of conflicting obligations, including obligations to improperly share information with, or withhold information from, an employer or funding agency, can also threaten research security and integrity and are an element of a broader concept of conflicts of commitment.

Foreign Component. Performance of any significant scientific element or segment of a program or project outside of the U.S., either by the University or by a researcher

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employed by a foreign organization, whether or not U.S. government funds are expended. Activities that would meet this definition include, but are not limited to: involvement of human subjects or animals; extensive foreign travel by University research program or project staff for the purpose of data collection, surveying, sampling, and similar activities; collaborations with investigators at a foreign site anticipated to result in co-authorship; use of facilities or instrumentation at a foreign site; receipt of financial support or resources from a foreign entity; or any activity of the University that may have an impact on U.S. foreign policy through involvement in the affairs or environment of a foreign country.

Strategic Competitor. A nation, or nation-state, that engages in diplomatic, economic or technological rivalry with the United States where the fundamental strategic interests of the U.S are under threat.

E. Submission Dates and Time

1. White papers will be considered until and including the closing date of this announcement (see cover page of this announcement for opening/closing dates). White papers submitted after the closing date will not be considered by the Government under this announcement.
2. Proposals will be considered only if the Government provided a recommendation to submit a proposal. The proposal closing date will be established by the authorized Contracting Officer. Proposals submitted after the closing date will not be considered by the Government under this announcement.
3. **E-mail Submission.** After a proposal is submitted to Tiffany A. Moody, email tiffany.a.moody.civ@army.mil, the applicant will receive an email confirming time of receipt of the proposal by the receiving agency. For the purposes of this BAA, an applicant's proposal is not considered received until the applicant's authorized organization representative (AOR) receives the email confirming receipt of the proposal.

F. Other Information

1. The Government anticipates any contract resulting from this BAA will be funded on an incremental basis as prescribed by FAR 32.703-1(b), General, and FAR 32.704, Limitation of Cost or Funds, under the authority of FAR clause 52.232-22, Limitation of Funds.
2. Any necessary coordination of facility use will be performed by the offeror.
3. Any requests by offerors for Government furnished property, test equipment, material, or information must be clearly identified in the proposal. The Government, however, is under no obligation to comply with such requests; therefore, offerors should make provision for alternate technical approaches in the event the Government is

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unwilling to provide the property requested. The Government will not entertain requests for general office equipment and/or office supplies.

4. Unless specifically identified under the BAA, all the proposals received, and all work to be performed under any resultant contract will be unclassified and will not involve access to classified information.

5. Contract Data Requirements List (CDRL). As a minimum, all contractors will be required to deliver funds and manpower expenditure reports, financial reports, technical status reports, and a final technical report. The Government will negotiate an appropriate CDRL with each successful contractor. Monthly expenditure plan and disbursement rate reports are required and may be included in the financial report. The disbursement report must include the forecast of billings to the Government and the total cumulative amounts billed through the report month. The reports that are delivered in connection with awards under this BAA may be made available to subsequent acquisitions, subject to applicable data rights. The number and types of reports will be specified in the award document. The following is an example of the Data Item Description (DID) numbers and frequency of data items anticipated to be delivered during contract performance:

CDRL Title	DID Reference	Frequency of Submission
Status Report	DI-MGMT-80368A	Monthly
Funds and Man-Hours Expenditure Report	DI-FNCL-80331A	Monthly
Technical Report – Study/Services	DI-MISC-80508B	Final Report Submission (at the end of each contract period of performance)
Operational Security (OPSEC) Plan	DI-MGMT-80934C	One-time (as required)
Computer Software Product End Items	DI-AVCS-80700A	As required
Software User Manual (SUM)	DI-IPSC-81443A	One-time (as required)
Software Development Plan (SDP)	DI-IPSC-81427B	One-time (as required)
Software Product Specification (SPS)	DI-IPSC-81441A	One-time (as required)
Test Plan	DI-NDTI-80566A	As required
Briefing Material	DI-MGMT-81605	As required
Report, Record of Meeting/Minutes	DI-ADMN-81505	As required

6. Program Reviews. Depending on the nature of the research program and the duration of same, the Government may require the contractor attend program reviews at SMDTC or within CONUS. In addition to these formal program reviews, informal reviews may be scheduled as deemed necessary by cognizant technical personnel.

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Requirements for program reviews will be determined when proposals are selected for an award.

7. In accordance with Federal Acquisition Regulation (FAR) Clause 52.204-14, Service Contract Reporting Requirements, the contractor shall report all contractor labor hours (including subcontractor labor hours) required for performance of services provided as a result of contracts issued under this BAA via a secure data collection site. The contractor is required to completely fill in all required data fields using the following web address: <https://www.sam.gov/SAM/>. Reporting inputs will be for the labor executed during the period of performance during each Government fiscal year, which runs October 1 through September 30. While inputs may be reported any time during the fiscal year, all data shall be reported no later than October 31 of each calendar year. Contractors may direct questions to the help desk at: <https://www.fsd.gov>.

8. Security Requirements/Antiterrorism/Operations Security (OPSEC).

(a) While non-classified work is relevant, research at SMDTC often leads to military applications and development or use of data that can be classified. This cannot always be anticipated in advance, and when applicable the applicant must be prepared to handle classified information. The possession of a SECRET facility clearance is recommended. Additionally, non-U.S. citizen access to information under the cognizance of USASMDC must be approved by the USASMDC Foreign Disclosure Officer. Requests for non-U.S. citizen access should be submitted to the contracting officer using USASMDC Form 380-10c.

(b) All contractor employees, to include subcontractor employees, requiring access to Army installations, facilities, and controlled access areas shall complete Antiterrorism (AT) Level I awareness training within 30 calendar days after contract start date or effective date of incorporation of this requirement into the contract, whichever is applicable. The contractor shall submit certificates of completion for each affected contractor employee and subcontractor employee to the contracting officer representative or to the contracting officer.

9. Data Rights and Intellectual Property

(a) Noncommercial Technical Data, Computer Software, and Computer Software Documentation: The offeror shall provide the information required by Defense Federal Acquisition Regulation Supplement (DFARS) 252.227-7017, Identification and Assertion of Use, Release, or Disclosure Restrictions and 252.227-7028, Technical Data or Computer Software Previously Delivered to the Government, in the formats specified therein. Indicate whether development was accomplished exclusively or partially at private expense. Provide evidence of private expenses, such as IR&D account numbers. Indicate whether the item, component, process, or the software will be further developed with Government funding. If so, indicate whether (and explain how) the new development is segregable from the original. If a contract, grant, or agreement is issued

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as a result of this BAA, the associated data rights assertions will become an attachment to the contract, grant, or agreement and shall be updated as circumstances change.

(b) Commercial Technical Data: DFARS 252.227-7015, Technical Data—Commercial Products and Commercial Services, applies to all commercial technical data to be delivered or furnished pursuant to a contract, grant, or agreement issued as a result of this BAA. The proposal shall include a list titled “Commercial Technical Data—Government Use Restrictions.” The list shall provide the following information regarding all commercial technical data that the offeror, its subcontractors, and suppliers intend to deliver with other than unrestricted rights: (1) identification of the data and the item, component, or process to which it pertains; (2) basis for asserting restrictions; (3) rights asserted; (4) entity asserting restrictions; and (5) terms under which the Government, if necessary, can acquire additional rights pursuant to a Special License Agreement. For each entry citing asserted rights other than the standard license rights per DFARS 252.227-7015, the offeror shall provide a complete description of the asserted rights and attach copies of any applicable licenses. The list shall be signed and dated by an official authorized to contractually obligate the offeror. If there is no information to be included in the list, the offeror shall enter “None” as the body of the list. If a contract, grant, or agreement is issued as a result of this solicitation, the list will become an attachment to the contract, grant, or agreement and shall be updated as circumstances change.

(c) Commercial Computer Software and Computer Software Documentation: The proposal shall include a list, titled “Commercial Computer Software and Computer Software Documentation—Identification and Licensing,” providing information on all commercial computer software (including and specifically identifying Open-Source Software) to be delivered or furnished under the contract. The list shall provide the following information: (1) identification of the software, including title and version number; (2) purpose/proposed use; (3) applicable license and maintenance fees; (4) whether the license can be transferred to the Government or other Government contractors and whether it will satisfy the ultimate user’s needs; and (5) copy of the license applicable to the Government. For Open-Source Software, also identify if the software has been or will be modified, and, if so, by whom; and, whether such modification occurred or will occur by incorporating it into any third-party software (if so, identify). The list shall be signed and dated by an official authorized to contractually obligate the offeror. If there is no information to be included in the list, the offeror shall enter “None” as the body of the list. If a contract, grant, or agreement is issued as a result of this solicitation, the list will become an attachment to the contract and shall be updated as circumstances change.

(d) Background Inventions: The proposal shall include a list, titled “Background Inventions—Identification and Licensing,” providing information concerning all background inventions. A “background invention” is any invention, other than a subject invention (i.e., an invention of the Contractor conceived of or first actually reduced to practice in the performance of work under a contract, grant, or agreement that may be issued as a result of this BAA), that is covered by any patent or pending patent application in which the offeror, its subcontractors, or suppliers (1) have any right, title,

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or interest; and (2) propose to incorporate into any items, components, or processes (ICP) to be developed or delivered, or that will be described or disclosed in any technical data, computer software, or computer software documentation to be developed or delivered, under a contract, grant, or agreement that may be issued as a result of this BAA. For each background invention, the list shall identify: (1) the invention, by serial number, title, and date of the patent application or issued patent; (2) the ICP, technical data, computer software, or computer software documentation that will incorporate or disclose the invention; (3) the nature of the offeror's right, title, or interest in the invention; and (4) whether the offeror is willing to sell to the Government a license to practice the invention, and if so, a complete description of the terms of such proposed license. The list shall be signed and dated by an official authorized to contractually obligate the offeror. If there is no information to be included in the list, the offeror shall enter "None" as the body of the list. If a contract, grant, or agreement is issued as a result of this BAA, the list will become an attachment to the contract, grant, or agreement and shall be updated as circumstances change.

(e) Explanation of Impact on Proposed Effort: The offeror shall provide a detailed discussion of the degree to which asserted data rights restrictions, as well as any proposed option(s) for additional data rights, affect the proposed technical solutions and the Government's ability to use, modify, reproduce, release, perform, display, or disclose the resulting technical data and computer software for Government purposes as defined in DFARS 252.227-7013(a)(12), Rights in Technical Data – Other Than Commercial Products and Commercial Services, and DFARS 252.227-7014(a)(11), Rights in Other Than Commercial Computer Software and Other Than Commercial Computer Software Documentation.

10. Research and Technology Protection. In the event a contract, grant, or agreement is awarded, the contractor shall assist the Government in the identification of any inherited and new Critical Program Information (CPI). The contractor shall implement security measures, as directed by the Government, for any identified CPI to prevent unauthorized disclosure. CPI is defined in DoD Instruction 5200.39 as “U.S. capability elements that contribute to the warfighters’ technical advantage, which if compromised, undermines U.S. military preeminence. U.S. capability elements may include, but are not limited to, software algorithms and specific hardware residing on the system, its training equipment, or maintenance support equipment. CPI aims to determine what information is needed to protect US capabilities. DoDI 5200.39 establishes policies and responsibilities for the identification and protection of CPI.” The contractor will be subject to internal and external audits of the implementation of security measures for handling CPI and will provide audit results to SMDTC upon request.

11. Any effort awarded as a result of this BAA must use the International System of Units (SI) metric units exclusively.

IV. Award Information

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A. Basis for Award.

The Government intends to make multiple awards resulting from this announcement and reserves the right to select for award any, all, part, or none of the proposals received. In accordance with FAR 35.016(e), the primary basis for selecting proposals for acceptance shall be technical, importance to the Government, and fund availability. Cost realism and reasonableness shall also be considered to the extent appropriate. Since BAA proposals lack a common work statement, each proposal will be independently evaluated and will not be evaluated against other proposals. Awards will be made to the Offerors whose offer is determined to provide the “best value” to the Government based on the factors/preferences; this may not necessarily be the proposal offering the lowest cost/price or receiving the highest evaluated rating.

B. Award Notices

Applicants whose proposals are recommended for award may be contacted by a Contract/Grant Specialist to discuss additional information required for award. This may include representations and certifications, revised budgets or budget explanations, certificate of current cost or pricing data, subcontracting plan for small businesses, and/or other information as applicable to the proposed award. The anticipated start date will be determined at that time.

The notification email is not an authorization to commit or expend funds. The Government is not obligated to provide any funding until a Government Contracting/Grants Officer signs the award document.

The Government anticipates any contract resulting from this BAA will be funded on an incremental basis as prescribed by FAR 32.703-1(b) and FAR 32.704 under the authority of FAR clause 52.232-22, Limitation of Funds.

The award document signed by the Government Contracting/Grants Officer is the official and authorizing award instrument. The authorizing award instrument, signed by the Contracting/Grants Officer, will be emailed to the Principal Investigator and AOR.

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C. Funding Restrictions and Availability of Funds

Other than the restrictions referenced in Section II.A.3, there are no other funding restrictions associated with this BAA (e.g., direct costs, indirect costs, etc.). The Government will only recommend submission of proposals for those white paper submissions that merit further consideration once funding has been identified for the requirement.

D. Organizational Conflicts of Interest (OCI)

This announcement requires all current and pending research support, as defined by Section 223 of the FY21 National Defense Authorization Act, must be disclosed at the time of proposal submission, for all covered individuals. Such disclosure will be updated annually during the performance of any research project selected for funding, and whenever covered individuals are added or identified as performing under the funded project. Covered individuals are those who are listed as key personnel on proposals, including but not restricted to, the principal investigator or co-principal investigator.

Any decision to accept a proposal for funding under this announcement will include full reliance on the applicant's statements. Failure to report fully and completely all sources of project support and outside positions and affiliations may be considered a material statement within the meaning of the False Claims Act, 31 U.S.C. 3729, and constitute a violation of Federal law.

SMDTC may conduct a pre-award conflict of interest/conflict of commitment review, as defined in the National Security Presidential Memorandum 33, of any proposal selected for funding. Applicants are advised that any significant conflict of interest/conflict of commitment identified may be a basis for the rejection of an otherwise awardable proposal.

E. Administrative and National Policy Requirements

1. Required Representations and Certifications.

a. For Contract Proposals. Representations and certifications shall be completed by successful applicants prior to award. Representations and Certifications are to be completed through SAM at <https://www.SAM.gov>. As appropriate, DFARS and contract-specific certification packages will be provided to the contractor for completion prior to the award.

(1) FAR 52.203-18, Prohibition on Contracting with Entities that Require Certain Internal Confidentiality Agreements or Statements-Representation (JAN 2017)

(2) FAR 52.204-26, Covered Telecommunications Equipment or Services-Representation (OCT 2020)

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(3) FAR 52.209-11, Representation by Corporations Regarding Delinquent Tax Liability or a Felony Conviction under any Federal Law (FEB 2016)

b. For Grant and Cooperative Agreement Proposals.

(1) Grant awards greater than \$100,000 require a certification of compliance with a national policy mandate concerning lobbying. Statutes and Government-wide regulations require the certification to be submitted prior to award. When submitting your grant through Grants.gov, by completing blocks 18 and 19 of the SF 424 Research and Related (R&R) form, the grant applicant is providing the certification on lobbying required by 32 CFR Part 28; otherwise, a copy signed by the AOR must be provided. Below is the required certification:

CERTIFICATION AT APPENDIX A TO 32 CFR PART 28 REGARDING LOBBYING:

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

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

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

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

- This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required

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certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

c. In accordance with Section 743 of P.L. 113-235, none of the funds appropriated or otherwise made available by that or any other Act may be made available for a grant or cooperative agreement with an entity that requires its employees or contractors seeking to report fraud, waste, or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting those employees or contractors from lawfully reporting that waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive the information.

PROHIBITION ON CONTRACTING WITH ENTITIES THAT REQUIRED CERTAIN INTERNAL CONFIDENTIALITY AGREEMENTS – REPRESENTATION

Agreement with the representation below will be affirmed by checking the “I agree” box in block 17 of the SF424 (R&R) as part of the electronic proposal submitted via Grants.gov. The representation reads as follows:

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

*Note that: Section 743 of P.L. 113-235 states that it does not contravene requirements applicable to SF 312, Form 4414, or any other form issued by a Federal department or agency governing the nondisclosure of classified information.

d. Recipients are required to submit the following representation with the application package IAW the instructions at Section IV.E.a. of this BAA:

REPRESENTATIONS UNDER DOD ASSISTANCE AGREEMENTS:

APPROPRIATIONS PROVISIONS ON TAX DELINQUENCY AND FELONY CONVICTIONS

The applicant is ☐ is not ☐ a “Corporation” meaning any entity, including any institution of higher education, other nonprofit organization, or for-profit entity that has filed articles of incorporation.

If the applicant is a “Corporation” please complete the following representations:

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(1) The applicant represents that it is ☐ is not ☐ a corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.

(2) The applicant represents that it is ☐ is not ☐ a corporation that was convicted of a criminal violation under any Federal law within the preceding 24 months.

NOTE: If an applicant responds in the affirmative to either of the above representations, the applicant is ineligible to receive an award unless the agency suspension and debarment official (SDO) has considered suspension or debarment and determined that further action is not required to protect the Government's interests. The applicant therefore should provide information about its tax liability or conviction to the agency's SDO as soon as it can do so to facilitate completion of the required considerations before award decisions are made.

PROHIBITION ON CONTRACTING WITH ENTITIES USING CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT

Section 889 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2019 (Public Law 115-232) prohibits the head of an executive agency from obligating or expending loan or grant funds to procure or obtain, extend, or renew a contract to procure or obtain, or enter into a contract (or extend or renew a contract) to procure or obtain prohibited equipment, services, or systems as identified in section 889 of the NDAA for fiscal year (FY) 2019. For more information on how this applies to all grant recipients and sub-recipients after August 13, 2020, please see DoD Research General Terms and Conditions (SEP 2021) NP Article IV. Other national policy requirements, paragraph 18.

2. Protection of Human Subjects.

For Assistance Instruments:

a. The recipient must protect the rights and welfare of individuals who participate as human subjects in research under this award and comply fully with the requirements at 32 CFR part 219, Department of Defense Instruction (DoDI) 3216.02, 10 U.S.C. 980, the National Policy Requirements Concerning Live Organisms Terms and Conditions

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(Section A.1., Human Subjects, at 81 Federal Register 78380, Appendix C to Part 1122), and when applicable, Food and Drug Administration policies and regulations.

b. The recipient must not begin performance of research involving human subjects, also known as human subjects research (HSR), that is covered under 32 CFR part 219, or that meets exemption criteria under 32 CFR 219.101(b), or expends funding on such effort, until you receive a formal notification of approval from the cognizant DoD Human Research Protection Official (HRPO). Approval to perform HSR under this award is received after the HRPO has performed a review of the recipient's documentation of planned HSR activities and has officially furnished a concurrence with the recipient's determination as presented in the documentation.

c. In order for the HRPO to accomplish this concurrence review, the recipient must provide sufficient documentation to enable his or her assessment as follows:

(1) If the HSR meets an exemption criterion under 32 CFR 219.101(b), the documentation must include a citation of the exemption category under 32 CFR 219.101(b) and a rationale statement.

(2) If the recipient's activity is determined as "non-exempt research involving human subject", the documentation must include:

- Assurance of Compliance (a written assurance that an institution will comply with requirements of 32 CFR Part 219, as well as the terms of the assurance) appropriate for the scope of work or program plan; and
- Institutional Review Board (IRB) approval, as well as all documentation reviewed by the IRB to make their determination.

d. The HRPO retains final judgment on what activities constitute HSR, whether an exempt category applies, whether the risk determination is appropriate, and whether the planned HSR activities comply with the requirements in paragraph (a) of this section.

e. The recipient must notify the Grants Officer/Agreements Officer immediately of any suspensions or terminations of the Assurance of Compliance.

f. DoD staff, consultants, and advisory groups may independently review and inspect the recipient's research and research procedures involving human subjects and based on such findings, DoD may prohibit research that presents unacceptable hazards or otherwise fails to comply with DoD requirements.

g. Definitions for terms used in this section are found in DoDI 3216.02.

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For Contracts. DFARS Clause 252.235-7004, Protection of Human Subjects, is applicable to this solicitation and will be included in any resultant contract award that supports research that includes or may include HSR.

3. Biological Safety Program Requirements.

a. Assistance Instruments and Contracts. Awards may be subject to biological safety program requirements IAW:

(1) Army Regulation (AR) 385-10, Chapter 20
https://armypubs.army.mil/epubs/DR_pubs/DR_a/ARN34981-AR_385-10-000-WEB-1.pdf

(2) Department of Army (DA) Pamphlet (PAM) 385-69, Safety Standards for Microbiological and Biomedical Laboratories. This pamphlet requires the mandatory use of the latest edition of the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention (CDC) and National Institutes of Health's (NIH) Biosafety in Microbiological and Biomedical Laboratories (BMBL)
https://armypubs.army.mil/epubs/DR_pubs/DR_a/pdf/web/p385_69.pdf

(3) DoD Manual 6055.18-M, Enclosure 4, Section 13
<https://www.hsdl.org/?view&did=24365>

4. Military Recruiting.

a. Assistance Instruments. This is to notify potential applicants that each grant or cooperative agreement awarded under this announcement to an institution of higher education must include the following term and condition:

(1) As a condition for receiving funds available to the DoD under this award, you agree that you are not an institution of higher education (as defined in 32 CFR part 216) that has a policy or practice that either prohibits, or in effect prevents:

(a) The Secretary of a military department from maintaining, establishing, or operating a unit of the Senior Reserve Officer Training Corps (ROTC) at that institution (or any sub-element of that institution) in accordance with 10 U.S.C. 983 and other applicable Federal laws;

(b) Any student at that institution (or any sub-element of that institution) from enrolling in a unit of the Senior ROTC at another institution of higher education;

(c) The Secretary of a Military Department or Secretary of Homeland Security from gaining access to campuses, or access to students (who are 17 years of age or older) on campuses, for purposes of military recruiting in a manner that is at least equal in quality and scope to the campus and to students that is provided to any other employer; or

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(d) Access by military recruiters for purposes of military recruiting to the names of students (who are 17 years of age or older and enrolled at that institution or any sub- element of that institution); their addresses, telephone listings, dates and places of birth, levels of education, academic majors, and degrees received; and the most recent educational institutions in which they were enrolled.

(2) If you are determined, using the procedures in 32 CFR part 216, to be such an institution of higher education during the period of performance of this award, we:

(a) Will cease all payments to you of DoD funds under this award and all other DoD grants and cooperative agreements; and

(b) May suspend or terminate those awards unilaterally for material failure to comply with the award terms and conditions.

5. Subcontracting.

a. Assistance Instruments. N/A

b. Contracts. Subcontracting plans are determined to be acceptable or unacceptable based on the criteria established at FAR 19.705-4, DFARS 219.705-4, and AFARS 5119.705-4, Reviewing the Subcontracting Plan. Goals are established on an individual contract basis and should result in realistic, challenging, and attainable goals that, to the greatest extent possible, maximize small business participation in subcontracting for SB, SDB, WOSB, EDWOSB, SDVOSB, VOSB, and HUBZone Small Business consistent with applicants' make-or-buy policy, the pool of and availability of qualified and capable small business subcontractors, their performance on subcontracts, and existing relationships with suppliers.

Subcontracting goals should result in efficient contract performance in terms of cost, schedule, and performance and should not result in increased costs to the Government or undue administrative burden to the prime contractor. More information on the Subcontracting program and the DoD Subcontracting goals may be found at: <https://business.defense.gov/About/Goals-and-Performance/>

6. Export Control Laws.

a. Assistance Instruments. N/A

b. Contracts. Applicants should be aware of current export control laws and are responsible for ensuring compliance with all export control laws, including International Traffic in Arms Regulation (ITAR) (22 CFR 120 et. seq.) and the Export Administration Regulations (15 CFR 730 et. seq.) requirements, as applicable. In some cases, developmental items funded by the Department of Defense are now included on the

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United States Munition List (USML) and are therefore subject to ITAR jurisdiction. The USML is available online at <http://www.ecfr.gov/cgi-bin/text-idx?node=pt22.1.121>.

7. Drug-Free Workplace.

a. Assistance Instruments. The recipient must comply with drug-free workplace requirements in 32 CFR part 26, which is the DoD implementation of 41 U.S.C. 701, “Drug-free workplace requirements for federal contractors.”

b. Contracts. The appropriate clause(s) shall be added to the contract award.

8. Debarment and Suspension.

a. Assistance Instruments. The recipient must comply with requirements regarding debarment and suspension in Subpart C of 2 CFR part 180, as adopted by DoD at 2 CFR part 1125. This includes requirements concerning the recipient’s principals under an award, as well as requirements concerning the recipient’s procurement transactions and subawards that are implemented in DoD Research and Development General Terms and Conditions, which can be found at <https://www.nre.navy.mil/media/document/dod-research-and-development-rd-general-terms-and-conditions-september-2023>.

b. Contracts. The appropriate clause(s) shall be added to the award.

9. Reporting Subawards and Executive Compensation.

a. Assistance Instruments. The recipient must report information about subawards, and executive compensation as specified in the award term in Appendix A to 2 CFR Part 170, “Reporting subaward and executive compensation information,” modified as follows:

(i) To accommodate any future designation of a different Government wide website for reporting subaward information, the website “<http://www.fsrs.gov>” cited in paragraphs a.2.i. and a.3 of the award provision is replaced by the phrase “<http://www.fsrs.gov> or successor Office of Management and Budget designated website for reporting subaward information”;

(ii) To accommodate any future designation of a different Government wide website for reporting executive compensation information, the website “<http://www.sam.gov>” cited in paragraph b.2.i. of the award provision is replaced by the phrase “<https://www.sam.gov> or successor Office of Management and Budget designated website for reporting information on total compensation”; and

b. Contracts. The appropriate clause(s) shall be added to the award.

F. Reporting

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1. Additional reports including numbers and types will be specified in the award document but will include as a minimum monthly financial status reports. The reports shall be prepared and submitted in accordance with the procedures contained in the award document and mutually agreed upon before the award. Reports and briefing material will also be required as appropriate to document progress in accomplishing program metrics. A final report that summarizes the project and tasks will be required at the conclusion of the performance period for the award.

a. Service Contract Reporting (SCR).

For Contracts Only. See FAR Clause 52.204-14, Service Contract Reporting Requirements. Also see the SAM Users Guide and the DoD Guidebook for Service Contract Reporting in the System for Award Management at <https://dodprocurementtoolbox.com/cms/sites/default/files/resources/2020-10/SCR%20Guidebook%2021%20October%202020.pdf>.

b. If the total Federal share exceeds \$500,000 on any Federal award under a notice of funding opportunity, the post-award reporting requirements reflected in Appendix XII to 2 CFR 200 will be included in the award document. This requirement also applies to modifications of awards that: 1) increase the scope of the award; 2) are issued on or after January 1, 2016; and 3) increase the federal share of the award's total value to an amount that exceeds \$500,000.

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V. Other Information

A. Agency Contacts

1. Questions of a technical or programmatic nature shall be directed to the TPOC for each research topic.
2. Questions of a business or administrative nature are to be submitted through the Army Contracting Command - Redstone, Space, Missile Defense and Special Programs (ACC-RSA SMD/SP) contracting officer. Proprietary information should not be included in these contacts.

ACC-RSA SMD/SP POCs:

Contracting Officer: Tiffany A. Moody, email Tiffany.a.moody.civ@army.mil;
Contract Specialist: Adam R. Neely, email Adam.r.neely.civ@army.mil

3. Comments or questions submitted should be concise and to the point, eliminating any unnecessary verbiage. In addition, the relevant part and paragraph of the announcement should be referenced.
4. Request to withdraw a proposal shall be directed to ACC-RSA SMD/SP: Kayla M. James, email kayla.m.james15.civ@army.mil.

End Document

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Appendix A: Table of Acronyms

ACC-RSA SMD/SP	Army Contracting Command - Redstone, Space, Missile Defense and Special Programs
AFARS	Army Federal Acquisition Regulation Supplement
AOR	Authorized Organization Representative
ALN	Assistance Listing Numbers
AR	Army Regulation
ARRAP	Army Research Risk Assessment Program
BMBL	Biosafety in Microbiological and Biomedical Laboratories
CAGE	Commercial and Government Entity
CDC	Centers for Disease Control and Prevention
CFR	Code of Federal Regulations
CUI	Controlled Unclassified Information
DCAA	Defense Contract Audit Agency
DCMA	Defense Contract Management Agency
DFARS	Defense Federal Acquisition Regulation Supplement
DoD	Department of Defense
DoDGARS	Department of Defense Grant and Agreement Regulations
EDWOSB	Economically Disadvantaged Women-Owned Small Business
FAR	Federal Acquisition Regulation
FFRDC	Federally Funded Research and Development Center
FY	Fiscal Year
HBCU/MI	Historically Black Colleges and Universities and Minority - Serving Institutions
HRPO	Human Research Protection Official
HSR	Human Subjects Research
HUBZone	Historically Underutilized Business Zone
IR&D	Independent Research and Development
IRB	Institutional Review Board
ITAR	International Traffic in Arms Regulation
NDAA	National Defense Authorization Act
NIH	National Institutes of Health
OMB	Office of Management and Budget
OT	Other Transactions
OTA	Other Transaction Agreement
PAM	Pamphlet
PDF	Portable Document Format
P.L.	Public Law
POC	Point of Contact
R&R	Research and Related
ROTC	Reserve Officer Training Corps
SAM	System for Award Management

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SDB	Small Disadvantaged Business
SDO	Suspension and Debarment Official
SDVOSB	Service-Disabled Veteran-Owned Small Business
SF	Standard Form
SOW	Scope of Work
TIA	Technology Investment Agreement
TPOC	Technical Point of Contact
U.S.	United States
U.S.C.	United States Code
UARC	University-Affiliated Research Center
USML	United States Munition List
VOSB	Veteran-Owned Small Business
WOSB	Women-Owned Small Business

Appendix B: BAA Amendments

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