



BAA Process

**DARPA
Contracts Management Office (CMO)**



Broad Agency Announcement

- DoD's preferred approach to acquiring R&D
- Diverse solutions expected, "apples-to-apples" comparison not possible
- Idea driven vs. procedure driven
- See Federal Acquisition Regulation (FAR)
Part 35 <http://farsite.hill.af.mil/>



Broad Agency Announcement

- Planned BAA 09-33 will:
 - Describe the Agency's research interest
 - Describe the criteria for selecting proposals
 - Specify the period of time during which proposals may be submitted
 - Contain proposal preparation and submission instructions
 - BAA covers all info needed to propose



BAA PROCESS

- BAA and any amendments posted in FEDBIZOPPS
- TIME PERIOD – BAA is open for **1 year from date of publication**
- **Initial Selection Round Proposals - TBD**
- Instructions are detailed in the BAA (**Follow closely**)
- **Following the proposal instructions assists the evaluation team to clearly understand what is being proposed and supports a timely negotiation.**
- **ALL** questions to DARPA-BAA-09-33@darpa.mil



Applicant Eligibility

- All interested/qualified sources may respond
- Foreign participants/resources may participate to the extent authorized by applicable Security Regulations, Export Laws, etc.
- Government agencies/labs, FFRDC's, are subject to applicable direct competition limitations



Applicant Eligibility

- Government agencies/labs, FFRDCs cannot propose to this BAA in any capacity, **UNLESS** they can clearly demonstrate the work is not otherwise available from the private sector AND they also provide written documentation citing the specific statutory authority (as well as, where relevant, contractual authority) establishing their eligibility to propose to government solicitations



Award Instruments

- Procurement Contract

<http://farsite.hill.af.mil/>

- OTA for Prototype may be proposed in addition to a contract, but must adhere to OTA guidance

<http://www.acq.osd.mil/dpap/Docs/policy/otherTransactions/current%20otguideconformed%20Jan%202001.doc>



Cost Sharing

- Encouraged where there is a reasonable probability of potential commercial application
- Not required unless “Traditional Defense Contractor” proposes an Other Transaction under the authority of 10 U.S.C. § 2371



Conflict of Interest

- Be aware:
 - Organizational Conflict of Interest & Procurement Integrity (SETA/Performer, Other)
 - Federal Acquisition Regulation Part 9.5
 - “Contractor performance of or assistance in technical evaluations.”
- Performers must fully disclose potential conflicts of interest and provide a mitigation plan. If unknown at the time of proposal submission they must be addressed after selection.



Intellectual Property

CMO

- Data Rights Assertions - Assert rights to all technical data & computer software generated, developed, and/or delivered to which the Government will receive less than Unlimited Rights
 - Assertions that apply to Prime and Subs
 - Use defined “Basis of Assertion” and “Rights Category”
 - Justify “Basis of Assertion”
 - This information is assessed during evaluations



Intellectual Property

- Include documentation proving your ownership of, or possession of, appropriate licensing rights to all patented inventions (or inventions for which a patent application has been filed) that will be utilized under your proposal for the DARPA program.
- i-Edison – All patent reports and notifications must be submitted electronically:

<https://s-edison.info.nih.gov/iEdison/>



Publication Approval

- It is anticipated that the performance of research resulting from this BAA will not be fundamental research.
- Pre-publication approval will be required



BAA PROCESS

- EVALUATION/AWARD
 - Government reserves the right to select for award all, some, or none of the proposals received and to award without discussions; # of awards subject to availability of funds
 - No common Statement of Work - Proposals evaluated on individual merit and relevance as it relates to the stated research goals/objectives in accordance with the evaluation criteria rather than against each other
 - Only a duly authorized Contracting Officer may obligate the Government



Cost Proposal

- Address all cost elements required by the BAA
- Not a price competition, cost realism is assessed
- Supporting information to substantiate the proposed cost elements must be provided
- Certification of cost and pricing data required for proposals > than \$650K



BAA PROCESS

- COMMUNICATIONS

- After Issuing the BAA – No restrictions, however Gov't (PM/PCO) shall not dictate solutions or transfer technology.

- **ALL** questions to DARPA-BAA-09-33@darpa.mil

- After Receipt of Proposals – Government (PM/PCO) may communicate with offerors in order to understand the meaning of some aspect of the proposal that is not clear or to obtain confirmation or substantiation of a proposed approach, solution, or cost estimate



BAA Process

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- Informal feedback may be provided once selection(s) are made
 - Requests for informal feedback sessions should be addressed to the Contracting Officer