

BAA Process

DARPA Contracts Management Office

DARPA Robotics Challenge Proposers' Day

April 16, 2012





BAA Specifics

- BAA and any amendments posted in FEDBIZOPPS
- BAA covers all info needed to propose
- TIME PERIOD – BAA is open until May 31, 2012
- 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-12-39@darpa.mil



BAA Background

- Federal Acquisition Regulation (FAR) Part 35
<http://farsite.hill.af.mil>
- "A general announcement of an agency's research interest including criteria for selecting proposals of all offerors capable of satisfying the Government's needs."
- For the acquisition of basic and applied research not related to the development of a specific system or hardware procurement.



BAA Background (cont.)

- Used when proposals with varying technical and scientific approaches can be expected
- Proposals need not be evaluated against one another since they are not submitted in accordance with a common work statement.
- Primary basis for selecting proposals shall be technical, importance to agency programs, and fund availability.
- Cost realism shall also be considered



BAA Background (cont.)

- Contractors SHALL NOT subcontract technical or scientific work without the contracting officer's knowledge



IMPLICATIONS

- FAR PART 15 “Contracting By Negotiation” does not apply in full
 - No “competitive range” determination
 - No mandatory “discussions”
 - No opportunity for proposal revision
- “Cost and Pricing Data” (certification required for all FAR-based contract proposals greater than \$700K)
- Subcontract consent and key personnel clauses to be included in awards



Communications

- **ALL** questions to DARPA-BAA-12-39@darpa.mil
- After Receipt of Proposals – Government (PM/PCO) may communicate with proposers 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
- Informal feedback may be provided once selection(s) are made – no “ranking” provided



Applicant Eligibility

- All interested/qualified sources may respond
- International participants/resources may participate to the extent authorized by applicable Security Regulations, Export Laws, etc.
- Small Business Participation Encouraged, Teaming Not Required



Applicant Eligibility (cont.)

- 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



Organizational Conflict of Interest

- All facts relative to a potential conflict of interest must be disclosed.
- Examples of conflicts listed at FAR Part 9.505
- Provided Systems Engineering and Technical Direction
 - Contractors **MAY NOT** simultaneously provide SETA support and be a technical performer at DARPA without waiver approved by DARPA Director



Award Instrument

- Contract, Grant, Cooperative Agreement, Other Transaction
- <http://farsite.hill.af.mil/> (FAR Contracts)
- <http://www.dtic.mil/whs/directives/corres/html/321006r.htm> (Grants, Cooperative Agreements)
- www.acq.osd.mil/dpap/Docs/otguide.doc (Other Transactions)
- In all cases the Contracting Officer shall have sole discretion to select award type instrument



Rights to Technical Data and Computer Software

- Assert rights to all technical data & computer software generated, developed, and/or delivered to which the Government will receive less than Unlimited Rights
 - Assertions apply to Prime and Subs
 - Justify "Basis of Assertion"
 - Use defined "Basis of Assertion" and "Rights Category"
 - Assessed during evaluation under the "Potential to Accomplish Technology Transition" Evaluation Factor