



DEFENSE ADVANCED RESEARCH PROJECTS AGENCY
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DARPA Instruction 20

CMO

SUBJECT: Soliciting, Evaluating, and Selecting Proposals under Broad Agency Announcements and Research Announcements

- References:**
- (a) DARPA Instruction (DI) 13, "Program Funds Commitment and Acquisition Procedures," February 11, 2008
 - (b) DI 20, "Soliciting, Evaluating and Selecting Proposals under Broad Agency Announcements and Research Announcements," January 17, 2014 (hereby canceled)
 - (c) DARPA Guide to Broad Agency Announcements and Research Announcements, authorized by DI 20, current edition
 - (d) Federal Acquisition Regulation (FAR) 35.016, "Broad Agency Announcement," current edition
 - (e) DI 66, "Protection of Human Subjects in Research," current edition
 - (f) through (h), see Enclosure 1

1. PURPOSE

This Instruction extracts the discussion of Broad Agency Announcements (BAAs), Research Announcements (RAs) and Proposal Evaluation from Reference (a), superseding Sections 4.C., 4.D., 4.M.2., and 4.N. This Instruction reissues Reference (b) and authorizes the issuance of the Defense Advanced Research Projects Agency (DARPA) Guide to Broad Agency Announcements and Research Announcements (hereafter "the Guide") (Reference (c)).

2. APPLICABILITY AND SCOPE

This Instruction sets forth DARPA policy regarding soliciting, evaluating and selecting proposals under BAAs and RAs. This Instruction does not address policy for soliciting, reviewing and selecting proposals under Requests for Proposals or other solicitation methods. This Instruction also does not address the solicitation for or review of proposals under the Small Business Innovation Research program or the Small Business Technology Transfer program. The Instruction applies to all DARPA employees and support contractor personnel (e.g., Scientific Engineering and Technical Assistance (SETA) contractors). It also applies to DARPA contracting agents to the extent that they negotiate and make awards based on proposals submitted under DARPA BAAs and RAs.

3. POLICY

3.A. General

It is the policy of DARPA to use BAAs to fulfill requirements for scientific study and experimentation directed towards advancing the state of the art or increasing knowledge and understanding of defined areas of interest. In accordance with (IAW) Federal Acquisition Regulation (FAR) 35.016 (Reference (d)), DARPA shall use the Scientific Review Process described herein and in Reference (c) to evaluate and select proposals submitted for funding in response to a BAA. RAs will follow the same procedures. Reference (d) specifically calls out requirements for BAAs only. DARPA, however, applies these same requirements to RAs. The discussion of the Model BAA also applies to drafting RAs, and the Model BAA shall be used as a starting point for drafting all RAs. From this point forward, all references to BAAs, herein, also refers to RAs.

3.B. Broad Agency Announcements

3.B.1. Authority to Issue DARPA BAAs. All DARPA BAAs will be prepared and issued by DARPA. DARPA's contracting agents (except DARPA Contracts Management Office (CMO)) are not authorized to issue BAAs on behalf of DARPA. However, DARPA may accept and evaluate proposals submitted in response to other agencies' BAAs when such proposals meet DARPA program and mission requirements.

3.B.2. Content of DARPA BAAs. As early in the process as possible, the Program Manager (PM) must determine the elements and content of a clear and comprehensive BAA. IAW Reference (c), BAAs publicized by DARPA must, at a minimum:

- Describe DARPA's research interest;
- Describe criteria for selecting the proposals, their relative importance and the method of evaluation;
- Specify the period of time during which proposals (and abstracts if applicable) submitted in response to the BAA will be accepted; and
- Contain instructions for the preparation and submission of proposals and abstracts, as applicable.

Chapter 1, Section 4 of the Guide (Reference (c)) discusses the sections of the BAA and mandatory and optional content in greater detail.

3.B.2.a. DARPA maintains a model BAA that provides specific instructions for preparing BAAs, including mandatory language that must be included in all BAAs. Instructions for accessing a copy of the current model BAA are included in Reference (c).

3.B.2.b. At a minimum, BAAs must include the following three evaluation criteria:

- Overall scientific and technical merit
- Potential contribution and relevance to DARPA mission
- Cost realism

Other evaluation criteria may also be included should the PM believe they are helpful in determining which proposal(s) are selectable. The Model BAA includes suggested language for optional evaluation criteria.

3.B.3. Publishing DARPA BAAs. BAAs soliciting proposals where procurement contracts may be awarded must be publicized on the Federal Business Opportunities website (www.fbo.gov), unless an exception to FAR 5.202, "Exceptions" applies. For BAAs where procurement contracts are not anticipated to be awarded, posting BAAs on www.fbo.gov is optional. Additionally, all BAAs that include opportunities for assistance awards (e.g., grants, cooperative agreements and Other Transactions for Research (also known as Technology Investment Agreements) must also be publicized at www.Grants.gov. BAAs that will remain open for more than a year must be publicized no less frequently than annually, unless an exception to FAR 5.202 applies.

3.B.4. Review and Approval of DARPA BAAs. Each DARPA Technical Office may establish its own internal review and approval process for BAAs. However, all BAAs must, at a minimum, be reviewed by the assigned PM; Assistant Director/Program Management (ADPM); Technical Office Director (OD); DARPA General Counsel (GC); the Program Director of the Small Business Programs Office (SBPO); the Director, Mission Services Office (MSO)/Security and Intelligence Directorate (SID); the Contracting Officer (CO); and the Director, CMO. The Director, CMO, or his/her designee approves all BAAs prior to their posting to www.fbo.gov and/or Grants.gov. In parallel action, an informational copy must be provided to the Director, Strategic Communications once it has been approved by the OD. The CO will also notify the Director, Strategic Communications and any other personnel the CO/Technical Office requires, including the Congressional Affairs Liaison, when the BAA has been published to www.fbo.gov or Grants.gov.

3.C. Scientific Review Process

3.C.1. General. A proposal or abstract received in response to a BAA that does not comply with its requirements may be rejected as nonconforming. All abstracts received and deemed conforming will be reviewed per Technical Office procedure and as outlined in the BAA. All proposals received and deemed conforming to solicitation requirements must be evaluated IAW the evaluation criteria specified therein through DARPA's Scientific Review Process. IAW Reference (d), written evaluation reports must be prepared for each individual proposal. In addition, proposals should not be evaluated against one another, as per FAR 35.016(d).

3.C.2. Disclosure and Protection of Source Selection Information. Preproposal submissions (including abstracts, white papers, and executive summaries, hereafter referred to solely as abstracts), proposals, and scientific review documentation shall be presumed to be source selection information IAW FAR 2.101 and 3.104 (References (f) and (g), respectively), and must be protected as such by each individual having access to the proposals. All scientific review documentation (e.g., evaluation reports, PM summary sheets, Scientific Review Official (SRO) memoranda) will be marked on every page with the following: "Source Selection Information – See FAR 2.101 and FAR 3.104." IAW FAR 3.104-4, no person or other entity may disclose source selection information to any other person unless authorized by the Director's Office ("DIRO," as defined in Reference (c), "Definitions" section) or the CO.

3.C.3. Review Team Composition. The Review Team comprises the PM (and Delegates, as necessary), SRO (and Delegates, as necessary), reviewers and subject matter experts (SMEs), as necessary. See Reference (c), Chapter 2, Section 3, for guidance on the required number of reviewers. The roles and responsibilities of the Review Team Members and how to document such are defined in Chapter 2, Section 2 of the Guide (Reference (c)). Individuals on the team are referred to as Review Team Members.

3.C.4. Abstracts. At a minimum, one Review Team Member must review all abstracts. The PM will respond to abstracts IAW the procedures outlined in the Guide, Chapter 2, Section 3.A. (Reference (c)). If the PM does not recommend submission of a full proposal, his or her response must include feedback regarding the rationale for this decision.

3.C.5. Financial, Personal and Business Conflicts of Interest (COIs). Review Team Members with a COI are disqualified from participating in the Scientific Review Process. However, after consultation with the CO and GC and with appropriate approvals as detailed in Chapter 2, Section 2.C. of the Guide (Reference (c)), Review Team Members may review all but the conflicted proposals and make scientific review determinations for all but the conflicted proposals. For PMs and SROs, an approved Delegate will review all conflicted proposals. Reviewers and SMEs will not have access to any conflicted proposals. See the Guide, Chapter 2, Section 2.C. (Reference (c)) for further guidance on obtaining approvals, selecting a Delegate PM or Delegate SRO, and determining the timing and extent of a conflicted party's participation.

3.C.5.a. Determining What Constitutes a COI. Review Team Members cannot participate in any matter that may have a direct and predictable effect on the member's financial interests or on financial interests imputed to the team member (e.g., reviewing proposals or any document where the reviewer makes a direct funding decision submitted under a BAA). Financial interests imputed to the team member include the financial interests of a spouse, minor child, general partners from outside businesses, and any organization in which the member is serving as an officer, director, trustee, general partner, or employee, or any person or organization with whom the team member is negotiating or has any arrangement concerning

prospective employment. Review Team Members may have an appearance of a COI if a reasonable person with knowledge of the relevant circumstances would question the member's impartiality in participating in the Scientific Review Process. Review Team Members who know or believe they have a COI or appearance of a COI will immediately disqualify themselves from viewing the conflicted proposal by notifying the PM, SRO, CO, and GC.

3.C.6. Review Team Kick-Off Meeting. Once proposals are received in response to a program-specific BAA and prior to the beginning of proposal review, the Review Team will hold a kick-off meeting, with GC and the CO in attendance, as necessary. For office-wide BAAs, the Technical Office may hold kick-off meetings ad hoc as proposals come in or through another process deemed acceptable by the Technical Office, GC, and CMO that best achieves the goal of ensuring a proper briefing to all participants and minimizing any administrative burdens. This meeting may be held in person or via telephone or video conference. During the kick-off meeting, all Review Team Members will receive training from the CO on how to properly document proposal reviews. The Review Team Members will also receive a briefing prepared and conducted by GC regarding integrity, financial COIs, and personal and business relationship laws (appearance) and regulations relevant to the Scientific Review Process. For program-specific BAAs, this meeting may involve the PM distributing review assignments following the self-certification and identification of any potential COIs. All Review Team Members are required to review, sign and submit a written self-certification regarding their known or believed COIs related to reviewing the submitted BAA proposals or otherwise participating on the Scientific Review Team. Once the Review Team Member has self-certified and GC has reviewed and agreed the Review Team Member does not have a conflict for proposals submitted under the BAA, the Review Team Member may be granted access to the proposals submitted under that BAA. If a Review Team Member is uncertain whether he or she has a conflict, he or she should seek ethics advice from GC before signing and submitting their self-certification. For more information on the kick-off meeting, ethics briefing, and self-certification process, see the Guide, Chapter 2, Section 2.F. (Reference (c)).

3.C.7. Evaluation of Abstracts and Proposals. The Review Team Members will review all abstracts and proposals, as assigned, IAW Chapter 2, Section 3 of the Guide (Reference (c)).

3.C.8. Designating Recommended Proposals for Funding. It is the PM's (and/or Delegate PM's) responsibility to designate proposals recommended for funding. The PM's recommendation shall represent his or her independent judgment. The PM shall recommend funding the proposal(s) that best meet his or her program objectives based on assessment of the proposal(s) against the publicized evaluation criteria, the Reviewer's evaluations and SME comments (if any), consideration of available funding, and program balance. The PM will provide his or her recommendations to the SRO.

3.C.9. Documenting the PM's Recommendation for Funding. The PM (and/or Delegate PM, as appropriate) will document the rationale supporting his or her designation of proposals for funding. The rationale must address how each recommended proposal meets the publicized evaluation criteria. IAW Reference (e), DI 66, "Protection of Human Subjects in Research," the PM must inform the SRO should there be any recommendations of proposals involving human subjects in research.

3.C.10. SRO Selection of Proposals for Funding. The SRO (or Delegate SRO, as appropriate) has final proposal funding authority. The SRO reviews the Recommendation Package (evaluation report(s), SME worksheets (as applicable), and the PM summary sheet) to ensure the PM has adequately justified and documented the rationale for selecting proposals for award. The SRO may concur with the PM's recommendations, require additional effort by the PM, make a different selection, or withdraw funding for the program altogether. Additional detail regarding the SRO review can be found in Chapter 2, Section 3.C of the Guide, (Reference (c)).

3.C.11. Informal Feedback Sessions. FAR Part 35 allows for informal feedback sessions after proposers have been officially notified in writing of the funding decision for their proposal(s). Such feedback sessions may be requested only by proposers, not their subcontractors. Subcontractors may attend the feedback session at the invitation of the proposer, but they may not initiate the meeting request. In feedback sessions, the PM and other Government representatives may discuss only the strengths and weaknesses of the proposal that is the subject of that feedback session. PMs shall not disclose information from other proposals. Likewise, the PM shall not discuss how many proposals were received in response to the BAA, how many proposals were selected for funding, or who was on the Scientific Review Team. The CO shall provide advice to the PM and other Government representatives regarding appropriate responses that may be given during the informal feedback session, but the CO is not required to attend. If the proposer plans to include its legal counsel in the feedback session, GC must be present, and the CO should attend as well.

4. RESPONSIBILITIES

4.A. The Director, DARPA, or the Deputy Director, DARPA, shall review and approve any requests from conflicted SROs and other Review Team Members, as necessary, to participate (except as concerning conflicted proposals) in the Scientific Review Process, as permitted.

4.B. Technical Office Directors (ODs) shall act as SRO for all BAAs except when a COI has been identified. If a COI is identified, a Delegate SRO must be assigned, IAW Reference (c). Duties of the SRO (and/or Delegate SRO) are described in Reference (c). When functioning as SROs, ODs shall ensure the integrity of the Scientific Review Process by:

4.B.1. Reviewing all BAAs issued by their Technical Office.

4.B.2. Giving permission for a conflicted PM to review all but the conflicted proposals.

4.B.3. Reviewing the PM's recommendations for funding.

4.B.4. Signing Procurement Requests (PRs)/Military Interdepartmental Purchase requests (MIPRs).

4.B.5. Appointing Delegate PMs when necessary.

4.C. Program Managers (PMs) (or Delegate PMs, as applicable) shall:

4.C.1. Manage the BAA process IAW this Instruction.

4.C.2. Prepare BAAs IAW the procedures outlined herein and within Reference (c) using the Model BAA template current at the time the BAA is released.

4.C.3. Coordinate with MSO/SID for all BAAs to ensure proper instructions are included in each BAA, specifically regarding but not limited to whether classified information is anticipated to be required during performance of the BAA effort or if the proposals resulting from the BAA will include international participants or export control issues, including International Traffic in Arms Regulations (ITAR) or Export Administration Regulations (EAR) requirements. Further guidance is provided within the Guide, (Reference (c)).

4.C.4. Recommend Reviewers and SMEs and document these recommendations in the Scientific Review Memorandum (SRM).

4.C.5. Ensure the protection of source selection information and maintain the integrity of the procurement process. Further guidance is provided within Reference (c).

4.C.6. Review, in concert with the CO, any proposer questions and coordinate with the CO on answers to be sent to proposers. Further guidance is provided within Reference (c).

4.C.7. Make determinations on whether a proposals is deemed conforming.

4.C.8. Review all conforming proposals submitted under a program-specific BAA for which he or she serves as the PM and any assigned proposals under an office-wide BAA.

4.C.9. Recommend proposals for funding, IAW the procedures within Reference (c).

4.C.10. Serve as a Reviewer or SME, if needed, on other DARPA BAAs. Duties of Reviewers and SMEs are described in Reference (c).

4.D. DARPA General Counsel (GC) shall:

4.D.1. Review all DARPA BAAs.

4.D.2. Serve as legal advisor for the Review Team and CO.

4.D.3. Attend informal feedback sessions when a proposer's legal counsel is present and attend other sessions as requested.

4.D.4. Prepare and/or deliver ethics briefing(s) to the Review Team regarding COIs and procurement integrity.

4.E. The Director, CMO, shall:

4.E.1. Approve all BAAs prior to their publication.

4.E.2. Ensure DARPA compliance with Reference (d) and provide oversight of the process for scientific review of proposals.

4.F. DARPA Contracting Officers (COs) shall:

4.F.1. Review all assigned DARPA BAAs.

4.F.2. Consult with GC and any potentially conflicted Review Team Member concerning potential COI issues and provide guidance concerns procurement integrity, as necessary throughout the process.

4.F.3. Coordinate communications with proposers, including approving FAQs on BAAs.

4.F.4. Determine whether each proposal is conforming and coordinate with the PM and GC, as necessary, before notifying proposers of nonconforming proposals.

4.F.5. Prepare the PM for informal feedback sessions and attend sessions, when necessary or upon request.

4.F.6. Prepare and/or deliver briefing(s) to the Review Team regarding proper documentation of the Scientific Review Process.

4.F.7. Review and sign, as applicable, the DD Form 2579, "Small Business Coordination Record," associated with routing BAAs.

4.G. The Director, SBPO, shall review all DARPA BAAs and approve the accompanying DD Form 2579.

4.H. The Director, MSO/SID, shall ensure the appropriate MSO/SID personnel complete the following tasks:

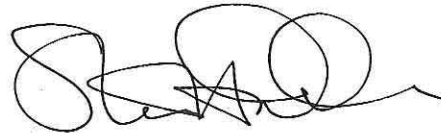
4.H.1. Review all DARPA BAAs and assist PM with security classification requirements.

4.H.2. Assist with issues that may arise when international participants are identified or anticipated to be included in the BAA.

4.H.3. Review and assist when export control issues are identified in the BAA, to include ITAR and EAR requirements.

5. RELEASABILITY. UNLIMITED. This Instruction is authorized for public release.

6. EFFECTIVE DATE. This Instruction is effective immediately and is IAW DI 1, "DARPA Instructions, Guides and Policy Memorandums," (Reference (h)).

A handwritten signature in black ink, appearing to read 'Steven H. Walker', with a stylized, cursive flourish extending to the right.

Steven H. Walker, Ph.D.
Deputy Director

Enclosures-1

E1. References, continued

E1: ENCLOSURE 1
References, continued

- (f) FAR 2.101, "Definitions," current edition
- (g) FAR 3.104, "Procurement Integrity," current edition
- (h) DI 1, "DARPA Instructions, Guides and Policy Memorandums," current edition
- (i) DI 70, "Contractor Relationships: Inherently Governmental Functions, Prohibited Personal Services, and Organizational Conflicts of Interest," current edition