

NAVAL INFORMATION WARFARE SYSTEMS COMMAND (NAVWAR) COMMERCIAL SOLUTIONS OPENING (CSO)

Abstract

This guide introduces the NAVWAR Commercial Solutions Opening (CSO), a streamlined process for non-traditional contractors to partner with the Department of Defense on innovative technology solutions. It details the two-step process, best practices for solution briefs and pitches, and the benefits of partnering with NAVWAR to accelerate product validation and access the DoD market.

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POC: Alex Holtet, (619) 455-1420

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1 Overview

- A. **Federal Agency Name:** Naval Information Warfare Systems Command (NAVWAR)
- B. **Announcement Name:** Commercial Solutions Opening (CSO)
- C. **Announcement Number:** N00039-25-S-XXXX
- D. **Announcement Period:** April XX, 2025 through April XX, 2030
- E. **CSO Process:** NAVWAR's CSO process leverages the authority of 10 U.S.C. 4022 to award prototype agreements and commercial contracts under a single overarching announcement. As areas of need, capability gaps, or technical attributes/objectives are identified, individual solicitations will be released under this overarching announcement. Offerors are encouraged to monitor this announcement for the release of individual solicitations which will include a specific technical description and identify a submission due date and time. **NO WHITE PAPERS, PROPOSALS OR RESPONSES SHOULD BE SUBMITTED TO THIS CSO.**
- F. **North America Industry Classification System (NAICS) Code:** This CSO covers a broad range of topics; applicable NAICS will be identified in individual solicitations issued against the CSO.
- G. **Agency Contact:** All communication regarding this announcement should be UNCLASSIFIED and submitted via email to NAVWAR-HQ-CSO-info@us.navy.mil. DO NOT EMAIL CLASSIFIED INFORMATION.

2 Commercial Solutions Opening (CSO) Background and Authority

Under the authority of 10 U.S.C. 4022 and 10 U.S.C. 3458 NAVWAR is interested in awarding other transaction agreements (OTAs) and/or commercial purchases using FAR Part 12 procedures to nontraditional and traditional defense contractors to carry out prototype projects that are directly relevant to enhancing the mission effectiveness of military personnel and the supporting platforms, systems, components, or materials proposed to be acquired or developed by the Department of Navy, or to improvement of platforms, systems, components, or materials in use by the armed forces. The information provided in this Commercial Solutions Opening (CSO) is intended to ensure that to the maximum extent practicable, competitive procedures are used when entering into agreements to carry out these prototype projects.

2.1 Intended Audience

Though traditional defense contractors are welcome to respond to this CSO announcement, the Government is particularly interested in hearing from: non-traditional Defense contractors, small business entities, non-profit organizations, governmental institutions, and academia. Venture Capital (VC) firms investing in or partnering with start-ups either explicitly tackling the defense market or with solutions that might have broad defense applications are encouraged to contact us.

2.2 Our Customers

Using this CSO, NAVWAR seeks commercial technologies that propose new or existing solutions or potential new capabilities that fulfill requirements held by Program Executive Office (PEO) Command, Control, Communications, Computers and Intelligence (C4I).

2.3 Awards

This CSO may result in the award of prototype projects, which include not only commercially-available technologies fueled by commercial or strategic investment, but also concept demonstrations, pilots, and agile development activities that can incrementally improve commercial technologies, existing government-owned capabilities, or concepts. Per 10 U.S.C. §3458 contracts or agreements entered into using the authority must be fixed-price, including fixed-price incentive contracts.

The Government reserves the right to award a FAR Part 12 contract and/or Other Transaction (OT) agreement for any purpose, to include prototyping, production, and deployment resulting from this CSO. Other Transaction authority under 10 U.S.C. §4022 allows for DoD entities to procure prototype solutions via a process that resides outside the FAR; an OT agreement is not a contract.

Note: Innovative products and services acquired via CSO ***do not*** require commercial product or service determinations that would otherwise be required for FAR part 12 solicitations and contracts.

2.4 The Difference

Per 10 U.S.C. §3458 CSO authority may be leveraged by military department to acquire innovative commercial products and commercial services. Many other DoD entities currently compete for mindshare in this space using CSOs, so why work with us?

Unlike our peers in this space, we are directly responsible for executing the requirement of the programs and projects that fall under PEO C4I. With a combined total of more than a hundred active programs of record (POR) and projects funded with more than \$1B in

annual appropriated funds, NAVWAR executes the Navy's information warfare capabilities to ensure continued supremacy in the maritime domain.

3 Areas of Interest

NAWWAR supports a wide and varying group of capabilities sought by the USN and allied forces. The NAVWAR CSO is available for use by any program or project within PEO C4I and is intended to be leveraged broadly to ensure speed to capability. Although the NAVWAR CSO portal will be the source for formal solicitations, vendors and industry partners working within the specified Areas of Interest (AOI) are advised to follow the site for upcoming opportunities within the listed Program Office. Solicitations under this announcement could be issued relative to any of the following AOI.

3.1 PEO C4I

PEO C4I delivers the Navy's tactical networks, radios, satellite communications, and command-and-control systems that connect and empower forces at sea, on land, and in the air. Capability areas include:

- **Multifunctional Information Distribution System (PMA/PMW-101).** The MIDS Program Office (MPO) is comprised of the MIDS International Program Office (IPO), MIDS Joint Tactical Radio System (JTRS), Advanced Tactical Data Links, and the Link 16 Waveform programs.
- **Battlespace Awareness & Information Operations (PMW 120).** PMW 120 delivers an integrated portfolio of battlespace awareness and Information Warfare capabilities that enable the Fleet to assess the battlespace and make better decisions faster.
- **Cybersecurity (PMW 130).** The Cybersecurity Program Office is the Navy's cybersecurity acquisition agent delivering cybersecurity products, capabilities, and services that protect and defend against cyber threats. PMW 130's mission is to enable Information Warfare by providing confidentiality, integrity, and availability of capabilities through innovative acquisition of maritime cybersecurity products.
- **Naval Command and Control Systems (PMW 150).** PMW 150 provides intuitive, innovative, and resilient Command and Control (C2) and Tactical Communications solutions to the warfighter to enable better decisions faster.
- **Tactical Networks (PMW 160).** PMW 160 is the Navy's program office for tactical networks, providing mission effective, affordable and cyber resilient networks for Navy tactical forces. PMW 160 delivers integrated wide area, local networking and

computing and data systems afloat to support a robust network of geographically dispersed Navy, joint service and coalition forces.

- **Communications & GPS Navigation (PMW/A 170).** PMW/A 170's is the premier provider of advanced, resilient, and adaptive communication and assured position, navigation, and timing capabilities.
- **International C4I Integration (PMW 740).** PMW 740 is the PEO C4I focal point for security cooperation efforts. Under the authority of U.S. Title 22 (Foreign Military Sales and Foreign Military Financing) cases, and U.S. Title 10 (Building Partner Capacity) cases, we acquire, integrate, test, deliver, and sustain tailored C4I solutions and services to foreign partners in support of US National Security and foreign policy objectives.
- **Carrier Air Integration (PMW 750).** PMW 750 delivers integrated and interoperable C4I capabilities to our Navy's aircraft carriers, amphibious assault ships, command ships, and aircraft by leading PEO C4I integration initiatives to improve system-of-system (SoS) interoperability during C4I modernization. PMW 750 delivers advanced planning to ensure the right capability goes to the right ship at the right time.
- **Ship Integration (PMW 760).** PMW 760 plans for the design, acquisition, test, integration, and installation of C4I capabilities developed by the various program offices within PEO C4I on New Construction and in-service U.S. Navy surface ships, Military Sealift Command (MSC) special mission and support ships, U.S. Coast Guard (USCG) Cutters, and AEGIS Ashore sites.
- **Undersea Communications and Integration (PMW 770).** PMW 770 delivers vital C4I capabilities to the Navy by connecting and integrating the architecture of undersea vehicles (Submarine and unmanned) and mobile communications to maximize joint warfighting command, control, and communications.
- **Shore & Expeditionary Integration (PMW 790).** PMW 790 delivers resilient, adaptable, interoperable and affordable shore and expeditionary C4I capability, enabling all domain mission success.

4 How NAVWAR's CSO Works:

4.1 Procedure

NAVWAR, via this CSO, seeks proposals for innovative, commercial technologies that accelerate attainment of asymmetric defense capabilities. In this context, innovative

means any new technology, process, or business practice, or any new application of an existing technology, process, or business practice that contributes to the sustainment of global peace and U.S. national security.

This is an open, two-step (solution brief/demonstration followed by proposal) CSO. This CSO is considered a competitive process. Solution briefs shall be submitted as specified in Section 4.3.1, Part A of this CSO. The Government will evaluate solution briefs against the criteria stated in this announcement. Those Companies whose solution briefs are evaluated to be of merit may, if funding is available, be invited to submit a formal proposal following the instructions provided in Section 4.3.2, Part B of this CSO. If the Company's solution brief is identified for funding during this period, they will be invited to submit a formal proposal following the instructions provided in Section 4.3.2, Part B of this CSO. The Government may also invite Companies to demonstrate their technology following a solution brief review. The Government does not anticipate paying Companies for demonstrations.

The Government may engage in discussions with Companies to include discussions during the development of the formal proposal.

The Government may add additional topics of interest at any time. Interested Companies are encouraged to frequently check the CSO for updates.

A prototype can generally be described as a physical or virtual model used to evaluate the technical or manufacturing feasibility or military utility of a particular technology or process, concept, end item or system. The quantity developed should be limited to that needed to prove technical or manufacturing feasibility or evaluate military utility. This CSO will result in the award of prototype projects, which include not only commercially-available technologies fueled by commercial or strategic investment, but also concept demonstrations, pilots, and agile development activities that can incrementally improve commercial technologies or concepts for defense application.

Benefits of the CSO process and OTAs include:

- A streamlined application process requiring only minimal corporate and technical information
- Fast track evaluation timelines for solution briefs; with notification made, in most cases, within 30 calendar days of topic closure
- Negotiable payment terms
- Capital is non-dilutive

- All intellectual property (IP) rights are negotiable and the Government does not plan to own any IP
- Direct feedback from operators, customers and users within the DoD to help product teams develop and hone product design and functionality
- Potential follow-on funding for promising technologies and sponsorship of user test cases for prototypes and possible follow-on production.

4.2 Definitions

"Other Transaction for Prototype Projects" refers to this type of Other Transaction Agreement (OTA). This type of OTA is authorized by 10 U.S.C. 4022 for prototype projects directly relevant to enhancing the mission effectiveness of military personnel and the supporting platforms, systems, components, or materials proposed to be acquired or developed by the DoD, or for the improvement of platforms, systems, components, or materials in use by the armed forces. This type of OTA is treated by DoD as an acquisition instrument, commonly referred to as an "other transaction" for a prototype project or a Section 4022 "other transaction".

"Prototype" can generally be described as a physical or virtual model used to evaluate the technical or manufacturing feasibility or military utility.

"Nontraditional Defense Contractor" means as the term is defined in 10 U.S.C 3014. With respect to applicable authority, means an entity that is not currently performing and has not performed, for at least the one-year period preceding the solicitation of sources by the Department of Defense for the procurement or transaction, any contract or subcontract for the Department of Defense that is subject to full coverage under the cost accounting standards prescribed pursuant to section 1502 of title 41 and the regulations implementing such section. This includes all small business concerns under the criteria and size standards in Title 13, Code of Federal Regulations, part 121 (13 CFR 121).

"Innovative" means--

- (1) any new technology, process, or method, including research and development;
or
- (2) any new application of an existing technology, process, or method.

4.3 Guidelines for preparation and submission of solutions briefs and proposals

The purpose of the solution brief is to identify innovative solutions for the Department and preclude effort on the part of the Company whose proposed work is not of interest to the Government. Accordingly, Companies are encouraged to submit solution briefs following the instructions detailed below (Part A). While proposal instructions for any follow-on complete proposal are detailed below (Part B) the Government will provide specific proposal instructions in the invitation to submit a full proposal. An invitation from the Government Contracting/Agreements Officer to submit a complete proposal, which includes a statement of work and a cost proposal, does not guarantee that the submitting organization will be awarded funding. Solution briefs should specifically identify the focused topic(s) category listed on the CSO website. This info will be posted on the NAVWAR CSO website, navwar.navy.mil/cso. In general, companies will be notified within 30 calendar days after the topic area of interest has closed whether or not their solution brief is of interest at this time.

Guidelines for Solution Brief Submissions:

- 1) It is generally desired that active R&D is underway for concepts submitted under this CSO. Active R&D includes analytical studies and laboratory studies to physically validate the analytical predictions of separate elements of the technology, as well as software engineering and development.
- 2) The costs of preparing and submitting solution briefs are not considered an allowable direct charge to any contract or agreement.
- 3) Unnecessarily elaborate brochures or proposals are not desired.
- 4) Use of a diagram(s) or figure(s) to depict the essence of the proposed solution is strongly encouraged.
- 5) Multiple solution briefs addressing different topic areas may be submitted by the same organization; however, each solution brief may only address one concept based on the stated Government topic area of interest. Companies may submit solution briefs at any time during the announcement period.
- 6) The period of performance for any solution brief or proposal submitted under this CSO should generally be no greater than 24 months.
- 7) Technical data with military application may require appropriate approval, authorization, or license for lawful exportation.

- 8) All solution briefs shall be unclassified. Solution briefs containing data that is not to be disclosed to the public for any purpose or used by the Government except for evaluation purposes shall include the following sentences on the cover page:

“This solution brief includes data that shall not be disclosed outside the Government, except to non-Government personnel for evaluation purposes, and shall not be duplicated, used, or disclosed -- in whole or in part -- for any purpose other than to evaluate this submission. If, however, an agreement is awarded to this Company as a result of -- or in connection with -- the submission of this data, the Government shall have the right to duplicate, use, or disclose the data to the extent agreed upon by both parties in the resulting agreement. This restriction does not limit the Government's right to use information contained in this data if it is obtained from another source without restriction. The data subject to this restriction are contained in sheets [insert numbers or other identification of sheets]”

Each restricted data sheet should be marked as follows:

“Use or disclosure of data contained on this sheet is subject to the restriction on the title page of this proposal.”

- 9) Foreign-Owned businesses may be a submitter alone or through some form of teaming arrangement with one or more United States-owned businesses. However, the ability to obtain an agreement based upon a submission may depend upon the ability of the Foreign Owned business to obtain necessary clearances and approvals to obtain proscribed information.
- 10) Questions regarding the objectives or preparation of the solution brief should be addressed to NAVWAR-HQ-CSO-info@us.navy.mil
- 11) Submissions must be submitted electronically via the NAVWAR CSO website: navwar.navy.mil/cso.

4.3.1 Part A: Solution Brief Preparation

(STEP 1 OF THE 2-PART CSO PROCESS)

The Solution Brief Preparation Step of this CSO is a two-phase process. In Phase 1, Submitter’s solution brief should not exceed five pages using 12-point font. Alternatively, solution briefs may take the form of slides, which should not exceed fifteen. These limits are not requirements, but strong recommendations.

PHASE 1 SOLUTION BRIEF CONTENT

Title Page (does not count against page limit)

Company Name, Title, Date, Point of Contact Name, E-Mail Address, Phone, and Address.

Executive Summary (one page)

Provide an executive summary of the technology.

Technology Concept

Describe the unique aspects of your technology and the proposed work as it relates to the topic area of interest. Identify whether the effort includes the pilot or demonstration of existing commercial technology (identified as commercially ready and viable technology), or the development of technology for potential defense application. If development or adaptation is proposed, identify a suggested path to mature the technology. Identify aspects which may be considered proprietary.

Company Viability

Provide a brief overview of the company. Provide a summary of current fundraising to date or a summary of the top line (gross sales/revenues). Provide a summary of product commercialization and go-to-market strategy.

PHASE 1 SOLUTION BRIEF BASIS OF EVALUATION

Individual solution briefs will be evaluated without regard to other submissions received under this announcement. The Government will aim to complete the Phase I evaluation of solution briefs within 30 calendar days of the closing of the submittal period and notify the Company of the status.

Phase 1 Solution briefs shall be evaluated on the basis of the technical merit of the proposed concept, i.e., the feasibility of the proposed solution to address the topic area of interest. The Government will further evaluate the relevancy of the proposed concept/technology/solution to the topic area of interest and the degree to which the proposed concept provides an innovative, unique and/or previously under-utilized capabilities. Finally, the Government will evaluate the strength of the company and business viability of the proposed solution. The Government may elect to use external market research in the evaluation of a company's viability.

Additional technical evaluation criteria specific to a particular project may be used. In these instances, the additional criteria will be posted with the topic area of interest on the NAVWAR CSO website.

Upon review of a solution brief, the Government may elect to invite a company into Phase 2 of the Solution Brief Step. In Phase 2, Companies will be invited to pitch and/or demonstrate their technology in person or request additional information from the Company.

PHASE 2 SOLUTION BRIEF CONTENT

In Phase 2, information may be provided to the Government during the in-person pitch/demonstration and/or in a written submission. The pitch should provide more details on the technical and business viability of the proposed solution submitted in phase one. Regardless of format, the Phase 2 Solution Brief must also address:

Estimated Price/Schedule

Provide a rough order of magnitude price and notional schedule for how this concept could be tested within the DoD.

Defense Utility

Operational Impact – if known, describe how the DoD will be impacted by your technology. Explain the beneficial impacts and quantify them as appropriate. Detail who the operational users of the technology are expected to be or could be.

Prototype

State how this effort fits the CSO definition of a prototype, and which one of the following best applies for this prototype project:

- There is significant participation by a small business or nontraditional defense contractor; or
- At least one third of the total cost of the prototype project is to be paid out of funds provided by parties to the transaction other than the Federal Government.

Data Rights Assertions

The solution brief will identify any intellectual property involved in the effort and associated restrictions on the Government's use of that intellectual property.

In addition to these required areas, the Government may request the Company provide additional information/detail with respect to the Technology Concept information provided in the Phase 1 Solution Brief.

PHASE 2 SOLUTION BRIEF BASIS OF EVALUATION

Individual solution briefs will be evaluated without regard to other submissions received under this announcement. The Government will aim to complete review of Phase 2 solution briefs within 30 calendar days of the in-person pitch/demonstration and/or receipt of additional written information, whichever is later, and notify the Company if they are invited to submit a full proposal or if their technology is not of interest to the Government at this time.

Phase 2 Solution Briefs shall be evaluated on the following factors:

- 1) The proposed concept is directly relevant to enhancing DoD mission effectiveness
- 2) A rough order of magnitude (ROM) price is acceptable
- 3) A notional schedule is acceptable
- 4) There is significant nontraditional and/or small business participation, or the company is prepared to provide a 1/3 cost share (see definitions, section two)
- 5) The proposed concept qualifies as a prototype effort
- 6) The potential impact of data rights assertions

In addition to the above factors, if additional information is provided by the Company in its Phase 2 Solution Brief with respect to the areas evaluated in Phase 1 (Technical merit of the proposed concept, the relevancy of the proposed concept to the topic area of interest, the degree to which the proposed concept provides innovative/unique and/or previously under-utilized capabilities, and the strength of the company and business viability of the proposed solution) the Phase 2 Evaluation will include these factors.

4.3.2 Part B: Proposal Preparation

(STEP 2 OF THE 2-PART CSO PROCESS)

When invited to do so by the Government, a Company may develop and submit a full proposal. Companies may discuss ideas and details of the proposal during the proposal writing process with the Government. Each proposal submitted shall consist of two sections: Section 1 shall provide the technical proposal and Section 2 shall address the price/cost/schedule portions of the proposal.

Proposals containing data that is not to be disclosed to the public for any purpose or used by the Government except for evaluation purposes shall include the following sentences on the cover page:

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

Each restricted data sheet should be marked as follows:

“Use or disclosure of data contained on this sheet is subject to the restriction on the title page of this proposal.”

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 NAVWAR CSO. If a patent application has been filed for an invention that your proposal utilizes, but the application has not yet been made publicly available and contains proprietary information, you may provide only the patent number, inventor name(s), assignee names (if any), filing date, filing date of any related provisional application, and a summary of the patent title, together with either: (1) a representation that you own the invention, or (2) proof of possession of appropriate licensing rights in the invention.

Provide a good faith representation that you either own or possess appropriate licensing rights to all other intellectual property that will be utilized under your proposal for NAVWAR CSO. Additionally, proposers shall provide a short summary for each item asserted with less than unlimited rights that describes the nature of the restriction and the intended use of the intellectual property in the conduct of the proposed research.

Section 1, Technical Proposal

Title Page

Company Name, Title, Point of Contact Name, Date, E-Mail Address, Phone, and Address and any subcontractors or team members. Include an abstract which provides a concise description of the proposal.

Propose a Technical Approach

Describe the background and objectives of the proposed work, the approach, deliverables, and the resources needed to execute it. Include the nature and extent of the anticipated results.

Include ancillary and operational issues such as certifications, algorithms, and any engineering/software development methodologies to be used. This proposal must include a Statement of Work (SOW) identifying the work to be performed and the deliverables. Provide a detailed project schedule that outlines the various phases of work to be accomplished within 24 months. You may refer to the solution brief that prompted this proposal request, but do not duplicate it.

Government Support Required

Identify the type of support, if any, the Company requests of the Government in general such as facilities, equipment, data, and information or materials.

Section 2, Price Proposal

The Company shall propose the total price to complete the prototype project and shall provide any other data or supporting information as the parties agree is necessary for the determination of a fair and reasonable price.

BASIS FOR PROPOSAL REVIEW

Proposals will be evaluated as they are received through a Government subject matter expert panel. Proprietary information will be protected from potential competitors. Proposals will be reviewed under the following criteria:

- 1) The degree to which the proposal is relevant to disruptive defense capabilities, including the degree to which it enhances and / or accelerates innovative development contributing toward third offset strategies.
- 2) Technical merit of the proposal with an emphasis on innovative solutions.
- 3) Realism and adequacy of the proposal performance schedule

4) Realism and reasonableness of the price

4.4 Awards

Upon favorable review and available funds, the Government may choose to make an award. Awards will be fixed price and will be made using either Other Transaction Agreements (OTAs) via 10 U.S.C. 4022 authority or commercial contracts using Federal Acquisition Regulation (FAR) Part 12 procedures. In accordance with 10 U.S.C. 3458(b), the use of the solicitation procedures described herein are considered to be of competitive procedures for the purpose of chapter 221 of title 10, United States Code. Therefore, should the parties choose to execute a FAR Part 12 based contract as the method of award no further requirements for competition are required prior to award.

OTAs allow federal agencies to implement faster and streamlined methods and do not carry all the requirements of traditional Federal Acquisition Regulation-based procurement contracts. The Agreements Officer will negotiate directly with the Company on the terms and conditions of the OTA, including payments

To receive an OTA award, one of the following must be present:

- Significant participation by non-traditional defense companies; or
- One-third cost share of the total agreed-upon price unless an exception under section 4022(d)(1)(C) applies.

To receive an award, Companies must have a Dunn and Bradstreet (DUNS) number and must register in the System for Award Management (SAM). This system verifies identity and ensures that payment is sent to the right party. In general, to invoice and receive payment after award of an OTA, Companies must register in Wide Area Work Flow. The Agreements Officer will provide assistance to those Companies from whom a full proposal is requested. The company must be considered a responsible party by the Agreements Officer and is not suspended or debarred from such agreement by the Federal Government, and is not prohibited by Presidential Executive Order, or law from receiving such award.

Awards under this CSO will be made to proposers on the basis of the evaluation criteria listed above, and program balance to provide overall value to the Government.

COMPTROLLER GENERAL ACCESS TO INFORMATION

In projects that provide for payments in a total amount in excess of \$5,000,000, the agreement may include a clause that provides for the Comptroller General the ability to examine the records of any party to the agreement or any entity that participates in the performance of the agreement.

4.5 Follow-On Work

Upon completion of the prototype project under the OTA, the Government and Company may agree to additional work. If this additional work logically follows from the original prototype project, the Government may request a new proposal from the Company. This proposal may be negotiated with the Agreements Officer without the need to submit a new solution brief.

4.6 Non-Government Advisors

- 1) Solution briefs - Non-Government advisors may be used in the evaluation of solution briefs and will have signed non-disclosure agreements (NDAs) with the Government. The Government understands that information provided in response to this CSO is presented in confidence and may contain trade secret or commercial or financial information, and it agrees to protect such information from unauthorized disclosure to the maximum extent permitted or required by Law, to include-
 - a. 18 USC 1905 (Trade Secrets Act);
 - b. 18 USC 1831 et seq. (Economic Espionage Act);
 - c. 5 USC 552(b)(4) (Freedom of Information Act);
 - d. Executive Order 12600 (Pre-disclosure Notification Procedures for Confidential Commercial Information); and
 - e. Any other statute, regulation, or requirement applicable to Government employees.
- 2) Proposals - Non-Government advisors may also be used in the evaluations of proposals. In these cases, Companies will be notified of the name and corporate affiliation of these advisors in the request from the Government to submit a full proposal. Companies will be afforded the opportunity to enter into a specific NDA with the corporate entity prior to submission of the proposal.

NAVWAR CSO policy is to treat all submissions as source selection information, and to disclose their contents only for the purpose of evaluation. Restrictive notices notwithstanding, during the evaluation process, submissions may be handled by support contractors for administrative purposes and/or to assist with technical evaluation. All NAVWAR and DoD support contractors performing this role are expressly prohibited from performing NAVWAR-sponsored technical research and are bound by appropriate nondisclosure agreements.

Submissions will not be returned. The original of each submission received will be retained at NAVWAR and all other non-required copies destroyed. A certification of destruction may be requested, provided the formal request is received at this office within 5 days after notification that a proposal was not selected.

4.7 Contact Information

General questions regarding the NAVWAR CSO platform, upcoming announcements or future calls/opportunities should be submitted via email to:

NAVWAR-HQ-CSO-info@us.navy.mil

Be advised, only an Agreements Officer has the authority to enter into a binding agreement on behalf of the Government. He or she will sign the agreement, and only an Agreements Officer has the authority to change the terms of the agreement.

5 General Information

5.1 Communication

All communication regarding this announcement should be UNCLASSIFIED and submitted via email to NAVWAR-HQ-CSO-info@us.navy.mil. DO NOT EMAIL CLASSIFIED INFORMATION.

Dialogue with any Government representative related to this announcement shall not constitute a commitment by the Government. Any dialogue that takes place will not be taken into consideration during the submission or evaluation of responses to individual solicitations. Only Contracting and Agreements Officers are legally authorized to make commitments on behalf of the Government.

5.2 Eligible Offerors

Offeror should review individual solicitations for information regarding eligible offerors.

5.3 System for Award Management (SAM)

Offerors responding to any individual solicitation under this announcement must be registered in the System for Award Management (SAM) at <https://www.SAM.gov> at time of response and prior to any award. This includes completion of any required representations and certifications.

5.4 Security Requirements

Individual solicitations issued under this announcement will specify whether responses are expected at the unclassified or CLASSIFIED level. Individual solicitations will specify the desired level of performance along with the applicable security requirements.

5.5 Export Control

The technical areas in this announcement and any individual solicitation may contain export-controlled technologies that are subject to U.S. Export Control laws, including the Arms Export Control Act (22 USC Chapter 39), the International Traffic in Arms Regulation (ITAR) 22 CFR § 120-130 and/or the Export Administration Regulation (EAR) 15 CFR § 730-774). Offerors are advised the proposed performance of any foreign nationals (FNs) may be restricted due to the nature of the technical data. All offerors must disclose any proposed use of FNs, their country(ies) of origin, the type of visa or work permit possessed, and the tasks intended for accomplishment by the FN. Only NAVWAR approved FNs may perform on any efforts solicited under this announcement. It is encouraged for the proposed Program Manager (PM) and/or Principal Investigator (PI) to be a U.S. person, as defined by 22 CFR § 120.62.

5.6 Safeguarding Covered Defense Information and Cyber Incident Reporting

Protection of Covered Defense Information (CDI), to include Controlled Unclassified Information (CUI) and Controlled Technical Information (CTI) is of paramount importance to NAVWAR and can directly impact the ability of NAVWAR to successfully conduct its mission. Individual solicitations may include certain regulations related to protection of CDI that resides on awardee information systems and requirements for rapid reporting of any cyber incident involving CDI. CDI, CUI and CTI are defined in DFARS Subpart 204.7301.

Awardee information systems may be subject to the security requirements in National Institute of Standards and Technology (NIST) Special Publication (SP) 800-171, "Protecting Controlled Unclassified Information in Nonfederal Information Systems and

Organizations” (available at <https://csrc.nist.gov/publications/sp800>) in effect at the time the solicitation is issued.

5.7 Organizational Conflicts of Interest

It is NAVWAR policy to ensure all appropriate measures are taken to resolve Organizational Conflicts of Interest (OCIs) and unfair competitive advantages to prevent the existence of conflicting roles that might bias an offeror’s judgement and deprive NAVWAR of objective advice or assistance, and to prevent offerors from gaining an unfair competitive advantage. All offerors are responsible for identifying and analyzing any potential or actual OCIs that exist as a result of responding to any solicitations under this announcement.

All offerors, regardless of award type, are subject to the OCI rules, procedures and responsibilities described in FAR Subpart 9.5 “Organizational and Consultant Conflicts of Interest” and DFARS Subpart 209.5 “Organizational and Consultant Conflicts of Interest”. These regulations prescribe responsibilities, general rules and procedures for identifying, evaluating and resolving OCIs. All offerors, regardless of award type, are also subject to the rules in FAR 3.101-1 “Standards of Conduct – General” and the cases implementing it (See Health Net Fed. Svcs., B-401652.3 and others), which address unfair competitive advantages that can result from contractors hiring or associating with former Government employees.

5.8 Rights in Intellectual Property to include Technical Data and Computer Software

All offerors, to the maximum extent practicable, should be prepared to appropriately define the rights of the Government regarding Intellectual Property, including but not limited to rights in technical data and/or computer software to be delivered to the Government under any proposed effort. This includes both commercial and non-commercial items. If no restrictions to the Government’s use of Intellectual Property including technical data and/or computer software delivered under the effort are intended, the offeror should so state. Government rights in Intellectual Property may be further negotiated prior to award, which could include priced options.

5.9 Ineligibility

Offerors may be ineligible for award if all requirements of this announcement and the applicable solicitation are not met.

6 Solicitation Information

6.1 Response Date

NO WHITE PAPERS, PROPOSALS OR RESPONSES SHOULD BE SUBMITTED TO THIS CSO. Individual solicitations will specify a response date and time.

6.2 Industry Engagement

Individual solicitations will specify whether any Industry Engagement event(s) will be held.

6.3 Anticipated Awards

Individual solicitations will specify the anticipated number of awards. NAVWAR reserves the right to award all, some, or none of the responses submitted to an individual solicitation.

6.4 Instrument (Award) Type

Individual solicitations will ask the offeror to recommend the best instrument type to allow for the best solution. NAVWAR reserves the right to select and award the instrument type best suited for the nature of work proposed. NAVWAR anticipates using a mix of FAR and non-FAR instrument types to include, but not limited to:

- Procurement Contract
- Other Transaction (OT) Agreement

6.5 Period of Performance

Individual solicitations will specify the anticipated period of performance for the effort.

6.6 Funding Availability

Individual solicitations may state the anticipated funding levels. Due to Government budget uncertainties and fluctuations, offerors should be aware that funding availability may change with little or no notice. All awards are subject to the availability of funds

6.7 Responses

Individual solicitations will specify requirements for response. NAVWAR will protect all responses and proprietary information from unauthorized disclosure and will only disclose the contents for the purpose of evaluation. Offerors are responsible for marking proprietary information with the proper disclosures.

7 Evaluation & Selection

7.1 Evaluation Criteria

Individual solicitations will specify the criteria to be used in evaluation of responses.

7.2 Selection Criteria

Individual solicitations will state the criteria for selection of responses. It is anticipated the basis for selection will be the results of the evaluation and funding availability. NAVWAR reserves the right to select all, some, or none of a particular response.

8 Closing Remarks

NAVWAR maintains transparency and visibility throughout its processes and actively encourages ongoing communication and questions from industry and vendors. We look forward to speaking with you and exploring the world of possibilities that your solutions can bring to the fleet.