

Beta.SAM.GOV Special Notice
Commercial Solutions Opening (CSO)
H92404-21-S-CS01
US Special Operations Command (USSOCOM)
SOF Digital Applications
Inactive Date: 30 Nov 2022

SECTION 1 – INTRODUCTION

1.1 USSOCOM Special Operations Forces Acquisition, Technology, and Logistics (SOF AT&L) seeks to accelerate the application of commercially-derived software innovation into deployable warfighting capabilities in support of Special Operations Forces (SOF). Early identification of warfighter needs and continuous engagement with users during software development and fielding will support increased lethality and efficiency.

1.2 In order to support rapid fielding of tailored software capabilities, SOF AT&L seeks to award FAR and non-FAR contracts and agreements to nontraditional and traditional defense contractors to carry out prototype projects for Program Executive Office SOF Digital Applications (PEO SDA) that are directly relevant to enhancing the effectiveness of software intensive programs, platforms, components, algorithms, and processes. **As such, in accordance with Class Deviation 2022-00007-00016, USSOCOM SOF AT&L releases this Commercial Solutions Opening.** This CSO may result in an Other Transaction Authority (OTA) or a FAR-based contract.

1.3 This Commercial Solutions Opening (CSO) will make awards to proposals for innovative, commercial technologies through multi-phased, competitive processes throughout 2021. Awards may include prototypes as well as concept demonstrations, pilots, and agile software development activities that can incrementally improve commercial technologies, existing Government-owned capabilities, or concepts for defense application.

1.3.1 Phase I: Solutions will be sought on a full-and-open basis under certain Technology Areas of Interest (AOI) relevant to SDA capabilities. Initial submissions against 2021 AOIs will be requested as Solution Briefs (SB). A team of Government personnel who are subject matter experts for the given AOI will evaluate each submission independently against standard criteria for advancement to Phase II. The Government may elect to proceed directly to Phase III after a successful Phase I evaluation.

1.3.2 Phase II: If a Phase II evaluation is necessary, the Government will host Phase II invitees so that each company has a standard amount of time to pitch / demonstrate its proposed solution to the Government evaluation panel and hold any discussions necessary for evaluation. Discussions may continue outside of the pitch / demonstration session. Participation in Phase II will be entirely at the company's expense. Favorably evaluated pitches will receive a Request for Prototype Proposal (RPP) that marks the beginning of Phase III. Note, Phase II is optional for

the CSO process, and may not always be conducted, or may not be required for every successful Phase I submission.

1.3.3 Phase III: The Government will only advance companies to Phase III if it intends to award a contract or agreement for the proposed solution. Companies will collaboratively build Statements of Work with the Government team, and negotiate Contract/Agreement Terms and Conditions for award.

1.4 Technology Areas of Interest (AOI): Specific AOIs will be posted and advertised intermittently when the Government has particular interest in a further defined problem set for software-intensive capabilities. Technology AOIs will only be posted for a specified amount of time wherein submissions will be accepted. Additionally, specific AOIs will usually have funding set-aside and available to immediately make awards for favorably evaluated proposals determined to be in the best interest of the Government.

1.5 This notice fulfills synopsis requirements. Synopsis under FAR subpart 5.2 of the individual contract actions for AOIs under this CSO is not required. All Technology AOIs will be publicized at <https://www.sofwerx.org>. Announcements of individual contract actions for AOIs under this CSO made at the SOFWERX website are considered to satisfy reasonable efforts to obtain competition in accordance with 10 USC 2371b (b)(2).

SECTION 2 – GUIDELINES FOR SOLUTION BRIEFS, PITCHES, AND PROPOSALS

2.1 The purpose of the Solution Brief is to identify innovative solutions and preclude effort on the part of the Company whose proposed work may not be of interest to the Government. Companies are encouraged to follow the instructions detailed below. The Government aims to provide an evaluation response NLT the specified evaluation completion date after the submission against specific AOIs.

2.2 Submissions will not be returned. The original of each submission received will be retained by USSOCOM and all other non-required copies destroyed.

2.3 Guidelines for Solution Brief Submissions:

2.3.1 It is generally desired that active Research and Development (R&D) and technology application is underway for potential solutions 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. Technology application in this case refers to a variety of methods to validate dissimilar capabilities that may be modified to meet a need.

2.3.2 Costs of preparing and submitting solution briefs are at the Company's expense.

2.3.3 Unnecessarily elaborate brochures or proposals are not desired.

2.3.4 An overview diagram(s) or figure(s) to depict the proposed solution is strongly encouraged.

2.3.5 Multiple solution briefs addressing different technology AOIs may be submitted by the same organization; however, each solution brief may only address one solution based on the specific AOI.

2.3.6 The period of performance for any solution brief or proposal submitted under this CSO should generally be no greater than 24 months.

2.3.7 Technical data with military application may require appropriate approval, authorization, or license for lawful exportation.

2.3.8 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 contractor support services 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] and 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."

2.3.9 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 export clearances and approvals to obtain AOI information.

2.3.10 Questions regarding the objectives or preparation of the solution brief should be addressed to the point of contact identified in the AOI.

2.3.11 When a call for CSO Technology AOIs is publicized via SOFWERX, solutions must be submitted electronically per instructions in the announcement.

2.4 Solution Brief Preparation and Evaluation: Submitter's solution brief should not exceed five (5) pages using twelve (12)-point font. Alternatively, solution briefs may take the form of slides, which should not exceed ten (10) slides. These limits are not requirements, but strong recommendations.

2.4.1 Solution Brief Content:

- Title Page (does not count against page limit) - Company Name, Title, Date, Technical and Business Points of Contact, E-Mail Address, Phone, and Address.
- Executive Summary (one page) - Provide an executive summary of the technology.
- Overview Diagram or figure.
- Technology Solution: Describe the unique aspects of your technology and the proposed work as it relates to the specific AOI. 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 commercial or defense application. If development or adaptation is proposed, identify a suggested path to mature the technology to meet the stated need.
- Company Viability: Provide a brief overview of the company including 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.

2.4.2 Solution Brief Basis of Evaluation: Individual solution briefs will be evaluated without regard to other submissions received under this announcement against the following criteria:

- Technical Merit – feasibility and relevancy of the proposed solution to address the challenges in the AOI.
- Innovation – degree to which the government finds the Company’s approach to be compelling and/or the underlying technology to be unique, underutilized and/or unconventional application of interest to Special Operations.
- Additional technical criteria specific to be a particular project may be used. In these instances, the criteria will be posted with the AOI announcement on the SOFWERX website. The Government may also use external market research in the evaluation.

2.4.3 After evaluation of a solution brief, the Government may elect to invite a Company to pitch and/or demonstrate their technology in person or request additional information from the Company.

2.5 Pitch and/or Demonstration Content: The pitch and/or demonstration should provide more details on the technical merit and business viability of the proposed solution submitted in the Solution Brief. Regardless of format, the pitch and/or demonstration must also address:

- Technical merit, feasibility and relevancy of the proposal to address government needs in the AOI
- Unique aspects of the solution that are under-utilized or innovative for SOF application
- Operational impact stating intended SOF end users and how the solution may be assessed within the most operationally relevant environment possible
- Rough Order of Magnitude (ROM) price and notional schedule including key technical goals and milestones for measuring success.
- Impact of Data Rights and Intellectual Property Assertions.
- Company viability

The Government may request additional information outside of the pitch/demonstration.

2.6 Pitch and/or Demonstration Basis of Evaluation: Individual pitch and/or demonstration will be evaluated without regard to other presentations under this announcement on the following factors:

- Technical Merit
- Relevancy to the specific AOI
- Business Viability
- Innovation
- Cost
- Schedule
- Data Rights/Intellectual Property

2.7 Solutions will be evaluated on their merit in addressing the AOI and the factors above. Submissions will be valid for 180 calendar days after the Phase II pitch. The Government aims to complete evaluations within 30 calendar days and notify the company that: 1) solution has been selected for possible award and invited to begin collaboration on a Performance Work Statement; 2) the solution is not of interest at this time; or 3) the solution is of interest, but not eligible to move forward due to availability of government resources. In that case, the company may be notified within 180 days if additional become available. All companies will receive Phase II notification, however, only favorably evaluated pitches / demonstrations will enter Phase III of the CSO process and receive a Request for Prototype Proposal (RPP) or Request for Proposal (RFP).

2.8 Proposal Preparation: RPPs or RFPs will include preparation instructions for Prototype Proposals. For proposed OTs, during this Phase companies will collaboratively develop a PWS with the Government teams for their specific projects and negotiate Terms and Conditions into their Agreements.

SECTION 3 – PROTOTYPE-to-PRODUCTION

3.1 Iterative Prototyping. Prototype OTAs awarded against this CSO will allow for an iterative prototyping process. This enables the government to modify, by mutual agreement with the Company, the work to allow the adaptation and modification of the technology being prototyped to meet additional unique and discrete purposes and mission sets generated by the original SOF end user or other organizations with the Federal government.

3.2 Successful Completion. The prototype project is successfully complete when the Agreements Officer Representative determines that the prototype has: 1) met key technical goals in the OTA; 2) satisfied mutually agreed metrics for success; or 3) accomplished a particularly favorable or unexpected result that justifies the transition to production. Successful completion may occur prior to the conclusion of the prototype project. Any aspect of the

prototype determined to provide utility may be transitioned into production while other aspects of the project have yet to be completed.

3.3 Option for Follow on Production. Upon successful completion of any aspect of the prototype, the government and the company may negotiate a follow-on production contract or agreement without further competition. Technical AOs under this CSO and prototype OTA awards will include language providing for the potential award of a follow-on production contract or agreement as authorized under 10 USC 2371b(f).

SECTION 4 - AWARD

4.1 Only Warranted Contracting Officers and Agreement Officers may obligate the Government and issues awards for Procurement Contracts or Other Transaction Agreements (OTA).

4.2 Awards made under this CSO will be either FAR-based Firm Fixed-Price contracts or OTA under 10 U.S.C 2371b for Prototypes Projects with potential follow-on non-competitive Production Agreements. Contract type will be determined during Phase III. Multiple awards may be made to pursue dissimilar solutions should they all meet the technical criteria and funds are available.

3.3 FAR based contracts will be fixed priced contracts in accordance with FAR Part 12 and the Defense Commercial Solutions Pilot Program, DARS Tracking number 2018-O0016.

4.3 In the event an OTA is awarded under 10 U.S.C 2371b for a Prototype Project, a follow-on production agreement may be awarded to the Prototype Project recipient in a non-competitive manner based on completion of success criteria listed in the Prototype Project. Non-completion of all success criteria does not limit the possibility of the non-competitive follow-on production OTA, and the noncompetitive production OTA may also be awarded before the overall completion of the Prototype Project.

4.4 To receive an award, Companies must be a registered entity in the System for Award Management (SAM). This system verifies identity and ensures that payment is sent to the right party. The link can be found here: <https://sam.gov/SAM/>

4.5 In general, to invoice and receive payment, Companies must register in Wide Area Work Flow (WAWF). The Contracting Officer/Agreement Officer will provide WAWF assistance during Phase III.

SECTION 5 - NON-GOVERNMENT ADVISORS

Non-Government advisors may be used in the evaluation of solution briefs and proposals 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 and as required by law.

SECTION 6 - CONTACT INFORMATION

Be advised, only a Contracting Officer/Agreement Officer has the authority to enter into a binding agreement on behalf of the Government and has exclusive authority to change the terms of a contract or agreement. Inquiries may be sent to the Contracting / Agreement Officer for this CSO announcement.

SECTION 7 - DEFINITIONS

Innovative: “Innovative” is defined as:

- (1) Any technology, process, or method, including research and development, that is new as of the date of submission of a proposal; or
- (2) Any application that is new as of the date of submission of a proposal of a technology, process, or method existing as of such date.

Non-traditional Defense contractor (NDC): An entity that is not currently performing and has not performed, for at least the one-year period preceding the solicitation of sources by DoD for the procurement or transaction, any contract or subcontract for the DoD 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 (see 10 U.S.C. 2302(9)).

Other Transaction Agreement (OTA): Legally binding instruments not subject to the requirements of the Federal Acquisition Regulation (FAR) obligating the Government for a purpose IAW 10 USC 2371 and 2371b.

Procurement Contract. A contract awarded pursuant to the Federal Acquisition Regulation.

Prototype Project: prototype project addresses a proof of concept, model, reverse engineering to address obsolescence, pilot, novel application of commercial technologies for defense purposes, agile development activity, creation, design, development, demonstration of technical or operational utility, or combinations of the foregoing. A process, including a business process, may be the subject of a prototype project. Although assistance terms are generally not appropriate in OT agreements, ancillary work efforts that are necessary for completion of the prototype project, such as test site training or limited logistics support, may be included in prototype projects. A prototype may be physical, virtual, or conceptual in nature. A prototype project may be fully funded by DoD, jointly funded by multiple federal agencies, cost-shared, funded in whole or part by third parties, or involve a mutual commitment of resources other than an exchange of funds.