

**STRATEGIC & SPECTRUM MISSIONS ADVANCED RESILIENT TRUSTED SYSTEMS
(S²MARTS)
REQUEST FOR SOLUTIONS (RFS)**

in support of the
XM215 Expendable Countermeasure Flare Prototype Demonstration Project

Project No. 20-12a

All prospective respondents must be members of the NSTXL consortium.

- 1. Project Title:** XM215 Expendable Countermeasure Flare Prototype Demonstration
- 2. Prototype Project Sponsor/Requiring Activity:** U.S. Army, Program Manager Close Combat Systems (PM CCS)
- 3. Contracting Activity:** Naval Surface Warfare Center (NSWC) Crane, Code 024
- 4. Project Background & Current Capability:**

The U.S. Army Program Manager Close Combat Systems (PM CCS) helicopter and fixed wing aircrews require the capability to defeat and/or suppress the effects of enemy air defense systems with active, semi-active, and/or passive expendable countermeasures. Expendable countermeasure flares are designed to protect Army helicopters and fixed wing aircraft against Electro-Optical /Infrared (EO/IO) guided threats. Expendable countermeasure systems must prevent guided munitions or their effects from damaging aircraft, and these systems shall have the ability to produce an optimal survivability solution against the most dangerous threats. Furthermore, aircrews require aircraft that can withstand engagements and the effects of threat weapon system munitions. Protecting aircrews and passengers from injury during enemy engagements is critical.

Expendable countermeasures are part of a multi-layer approach to protect aircraft from enemy threat missiles. In their simplest form, the concept of expendable countermeasures is to provide a decoy that is “more attractive” than the aircraft being protected, thereby pulling the threat missile’s targeting system away from the aircraft and towards the decoy. In total, any mechanism by which the expendable interferes with the missile’s targeting system sufficiently to make it miss the aircraft is a success.

For specific, current and future threat weapons systems, the available expendable countermeasures solutions are not adequate to meet the minimum performance requirements for

protection. However, under the XM215 Expendable Countermeasure project, the US Army Combat Capability Development Command Armaments Center (CCDC AC) has developed and demonstrated potential formulations/concepts that have the capability of meeting the Government’s requirements. The Program Manager (PM) for CCS seeks to work with industry partners to further develop, test and demonstrate the XM215 Expendable Countermeasure Flare prototype formulation/concept.

Potential respondents will be provided a draft Technical Data Package (TDP) that details the current design, exclusive of the classified portion. The GFI is listed in the table below and will contain “Distribution D” information. The S2MARTS team will require any prospective solution respondent to submit documentation and certification before being authorized to receive the GFI TDP. All GFI will be considered “as is” upon transfer. As the Government may provide controlled Defense Technical information, performer(s) shall complete a DD2345 to register with JCP for proper receipt of controlled information.

To obtain the GFI documentation, the performer shall submit a request in writing to S2MARTS@nstxl.org, with “XM215 GFI” used in the subject line along with the required information as outline in the GFI Technical Data Distribution Agreement (Attach C), the Security Self Vetting Process for Performers (Attach D), and a copy of the performer’s approved DD 2345. The Distribution Agreement will provide further guidance regarding the handling of GFI after OTA award. Once TDP request and documentation above is received and approved by the Government, NSWC Crane will then directly send the GFI to the respondent.

Upon contract award, the performer(s) will be provided the classified portion of the TDP.

GFI Available:

Drawing number	Rev.	Title
13100944	-	XM215 Top assembly
9311624	F	Case, Cartridge
9354481	C	Ignition End O-ring
9344020	C	Grease, Silicone
9311631	D	Spacer, Felt
9342952	C	Piston Cushion Assembly
9311628	C	Piston
9342951	G	Cushion, Piston
9327758	B	Resin, Nylon, Super Tough
9332550	J	Adhesive
13102722	-	End cap Assembly
9344021	F	O-ring
13102723	-	Cap, End
9381723	B	Nylon 6/6, Lubricated
13100945	-	Pellet Assembly, Pressed

13102720	-	Pellet Pressed
13102721	-	Flare Composition
9311655	F	Intermediate Charge
9311656	H	First Fire
9342953	E	Aluminum Tape
9362919	E	Tape Metalized Film
13100947	-	Packaging

Notes:

Orange - Classified drawing

5. Desired End-State Objective(s) & Success Criteria:

The government's objectives are to develop, test, and demonstrate the current XM215 expendable countermeasure flare design in preparation of initial production. For a prototype to be considered successful, the performer will deliver near production ready prototypes for final demonstration at a DoD facility, during which the XM215's capabilities must be fully demonstrated. A partial solution may be determined to be successful if the user determined it to be effective in a limited role. A final TDP, Acceptance Specification and Production Decision will also be required. Multiple design iterations may be required to meet the desired end state.

The XM215 Expendable Countermeasure Flare Prototype Demonstration effort will utilize multiple, severable phases (executed at the discretion of the Government). The Government will reserve the right to continue pursuit of a solution based on the success of the predecessor phase. However, at the Government's discretion, a subsequent phase may begin prior to the full completion of the previous phase. If all phases are pursued, the length of the project may exceed 41 months. The desired phase durations listed below are for planning purposes and will be finalized based upon the accepted solution(s). Note that phase completions are driven by required test dates scheduled far in advance, and not necessarily the start dates or durations. Award date and start of work are expected in March 2021.

Phase 1 – Design Review & Prototype Development

Description: Phase 1 is focused on the review of the CCDC demonstrated XM215 expendable countermeasure flare design concepts in order to develop the required technical data package and tooling for initial prototype build. Specifically, this includes review of initial government design draft drawings and performance specification(s) to support a government Preliminary Design Review, tooling development needed in advance to start build of initial prototype expendable countermeasures, and acquiring long lead items to support initial prototype build in Phase 2.

Phase 1 will be separated into two parts, phase 1a and phase 1b, with government concurrence required prior to proceeding to phase 1b.

Critical Phase 1a Focus Areas & Deliverables

- Review and redline of draft drawings and specifications(s) for completeness

- Add or delete drawings as necessary
- Add or delete specification requirements
- Phase 1a technical status report with updated schedule and cost analysis for project execution of remaining phases

Desired Duration: Not to exceed 4 months

Critical Phase 1b Focus Areas & Deliverables

- Procure/build and assemble tooling prior to initial prototype build
- Procure long lead items for initial prototype build

Desired Duration: Not to exceed 5 months

Phase 2 – Prototype Build and Demonstration

Description: Phase 2 is focused on the initial production of prototype samples utilizing the TDP from Phase 1 to support a captive seeker flight test evaluation and down select of the design.

Build of prototypes for test and evaluation by the performer may be conducted but are not required. However, an Interim Hazards Classification (IHC) will be required and prepared by the government, so the conduct of any bench test(s) and supply of their data to support the IHC are the performer’s responsibility. Airworthiness Release (AWR) testing (except as noted below) and the prototype assets for that testing are the responsibility of the performer. Set back / tunnel testing will be performed by the government and the assets for that test are a deliverable.

Desired Duration: Not to exceed 12 months

Critical Phase 2 Focus Areas & Deliverables:

- Initial prototype build and test
- Safety data to support the government’s preparation of an Interim Hazard Classification (IHC)
- Quantity of 30 samples to support tunnel testing
- Quantity of 60 samples to support AWR testing
- Quantity of 120 samples to support flight testing
- Phase 2 technical status report with updated schedule and cost analysis

If multiple designs and/or performers have been evaluated in Phase 2, the government plans to down select to a single design and performer before Phase 3. Down select will be based on technical performance, cost, and schedule. Technical performance of the XM215 prototype countermeasures will be evaluated against the performance specification and technical data package as defined during Phase 1.

Phase 3 Full-Scale Prototype Build for Qualification Testing

Description: Phase 3 is focused on the build of prototype samples in a near-production environment to support both final qualification and Integrated Developmental Test and Operational Test (DT/OT), and to finalize the TDP and support a production decision and entry

into Low Rate Initial Production (LRIP) and Full Rate Production (FRP). Additionally, the performer will be required to conduct any bench test(s) necessary to support qualification, DT/OT tests, and Airworthiness Release (AWR).

Desired Duration: Not to exceed 18 months

Critical Phase 3 Focus Areas & Deliverables:

- Prototype build and test
- Safety data to support the government’s preparation of an updated Interim Hazard Classification (IHC)
- Quantity of 30 samples to support tunnel testing
- Quantity of 60 samples to support AWR testing
- Quantity of 2500 samples to support DT/OT testing, flight testing, and Insensitive Munitions (IM) testing
- Final TDP and specification(s) update to support the government Critical Design Review (CDR)
- Phase 3 Final report

6. Project Deliverables:

#	Deliverable(s)	Description	Frequency	Delivery Method
1	Monthly Status Report	Provide summary of events/actions completed during the previous month	1/Month	Electronic submission
2	Phase 1a: Redlined Drawings and Status Report	Provide technical review of the drawings and specification, to include redline mark-ups and edits of draft drawings and specification, updated schedule and cost analysis (to include details for Phase 1b)	Conclusion of Phase 1a	Electronic Submission
3	Phase 2: Initial Prototype Samples	Production, test and delivery of prototype test samples to support tunnel testing, AWR and flight testing for IHC Data and AWR Data: <ul style="list-style-type: none"> • Qty 30 - Tunnel Testing • Qty 60 - AWR Testing • Qty 120 - Flight Testing 	After the Start of Phase 2: Qty 30 – 5 months Qty 60 – 6 months Qty 120 – 7.5 months	Test Reports – Electronic Submission <u>Physical Delivery</u> Address Provided Below
4	Phase 2: Status Report	Technical status report with updated schedule and cost analysis	Conclusion of Phase 2	Electronic Submission
5	Phase 3: Final Prototype Samples	Production, test and delivery of prototype test samples to support tunnel testing, AWR and DT/OT for final qualification, IHC data and AWR data: <ul style="list-style-type: none"> • Qty 30 – Tunnel Testing • Qty 60 – AWR Testing • Qty 2500 – DT/OT, flight, & IM testing <ul style="list-style-type: none"> ○ Qty 450 - DT/OT ○ Qty 500 - DT/OT 	After the Start of Phase 3: Qty 30 – 3 months Qty 60 – 6 months Qty 450 – 8 months Qty 500 – 11 months Qty 650 – 12 months	Test Reports – Electronic Submission <u>Physical Delivery</u> Address Provided Below

		<ul style="list-style-type: none"> o Qty 650 - Flight o Qty 900 - IM 	Qty 900 – 16 months	
6	Phase 3: Final Report	Technical status report with recommended updates to the TDP and Specification and data required to support Critical Design Review	Conclusion of Phase 3	Electronic Submission

Physical Delivery Locations:

Tunnel Testing & AWR Test Samples

US ARMY CCDC AC
Picatinny Arsenal, NJ 07806

Naval Surface Warfare Center, Crane Division (Alternate)

Attn: Brad Stevenson
300 HWY 361, Bldg 2390 Receiving
Crane IN 47522-5001

Flight Test Samples

US ARMY Redstone Arsenal
Redstone Arsenal, AL 35806

7. Current Project Budget: \$6,700,000

This value represents what is currently available for the subject project at the time of the RFS release. This value is subject to change but is being provided for planning purposes. Respondents are encouraged to clearly explain how much of their solution can be developed for the advertised amount. Capabilities or project phases that will require additional funding beyond the project budget must be identified as such.

Allocation of the budget is anticipated as outlined below and is subject to change (the funding identified below is the total funding available for each phase. Note that multiple performers may be selected to participate in Phases 1 and/or 2, therefore the funding amount listed would be split among all active participants):

Phase 1: \$1,500,000

Phase 2: \$3,000,000

Phase 3: \$2,200,000

8. Security Classification, Respondent Restrictions, and other required compliances:

This RFS has been released under Distribution Statement A: Approved for public release

This project encompasses the following restrictions:

- a. Security Classification: All performers who support the XM215 Prototype Demonstration will be required to have cleared personnel and facilities at the SECRET

level prior to the start of Phase 1. Performers will be required to submit a plan on how and when they will be capable of obtaining a Secret clearance. If the performer already has the appropriate clearance level, they should state it in their proposal.

It is anticipated that all documentation produced under this effort will be marked as “Distribution Statement D- Distribution authorized to the Department of Defense and U.S. DoD performers only (fill in reason) (date of determination). Other requests shall be referred to PM Close Combat Systems and NSWCC.

b. ITAR Compliance is required at the time of solution submission.

c. Respondent Restrictions: Respondents are limited to domestic companies based in the United States only. Subcontractors/teaming partners may not include foreign entities.

d. Any additional restrictions applicable to this project:

- The Government reserves the right to conduct advanced vetting of each respondent, via NSTXL, as it relates to critical aspects of supply chain management, Foreign Ownership Control or Influence (FOCI), and International Traffic in Arms Regulations (ITAR) compliance.
- Public Law 90-629, “Arms Export Control Act,” dated 26 Dec 2013, as amended (22 U.S.C 2751 et. Seq.) requires that all unclassified technical data with military application may not be exported lawfully without an approval, authorization, or license under EO 12470 or the Arms Export Control Act, Continuation of Export Control Regulations, dated 30 Mar 1984, and that such data requires an approval, authorization, or license for export under EO 12470 or Arms Export Control Act. For purposes of making this determination, the Militarily Critical Technologies List (MCTL) shall be used as general guidance. All documents determined to contain export controlled technical data will be marked with the following notice:
*“WARNING: - This document contains technical data whose export is restricted by the Arms Export Control Act (Title 22, U.S.C., App. 2401 et seq.) Violations of these export laws are subject to severe criminal penalties. Disseminate in accordance with provisions of DoD Directive 5230.25, “Withholding of Unclassified Technical Data from Public Disclosure, 6 Nov 1984 Incorporating Change 1, dated 18 Aug 1995.”*A
- Respondents must be compliant with DoDI 8582.01, “Security of Unclassified DoD Information on Non-DoD Information Systems” and DoDM 5200.01 Volume 4, “DoD Information Security Program: Controlled Unclassified Information”.
- Respondents must implement the security requirements in NIST SP 800-171, “Protecting Controlled Unclassified Information in Non-Federal Information Systems and Organizations”.

9. Level of Data Rights Requested by the Government:

Unlimited rights: The right to use, modify, reproduce, perform, display, release, or disclose technical data in whole or in part, in any manner, and for any purpose whatsoever, and to have or authorize others to do so.

Data Rights and Intellectual Property may be negotiated based on the offeror’s proposed solution.

10. RFS and Response Process:

This project will employ a two-step evaluation approach for the award of the XM215 Expendable Countermeasure Flare Prototype Demonstration Project. Step 1 solicits an 8-page Capability Statement and a 5-page Rough Order of Magnitude (ROM) identifying the total price. Upon review of the Capability Statements, the Government will conduct a down selection and may elect to invite more than one respondent to Step 2 of the evaluations, the virtual pitch/presentation. During Step 2, respondents virtually pitch and further discuss their proposed XM215 Expendable Countermeasure Flare Prototype Demonstration Project solution with the Government project leads. The government will conduct a down selection of proposed step 2 responses using the Evaluation Process and Methodology as described in section 11 of the RFS.

Step 1 Evaluations – Technical Capability Statement

Technical Submission	Price Submission
Capability Statement (≤ 8 pages)	Rough Order of Magnitude Only (≤ 5 page)

a. The following is requested from all respondents:

For written submissions, the following formatting guidelines shall be followed by respondents:

- 10-point font (or larger) for all response narratives; smaller type may be used in figures and tables but must be clearly legible.
- Single-spaced, single-sided (8.5 by 11 inches).
- Margins on all sides (top, bottom, left, and right) should be at least 1 inch.
- Page limitations shall not be circumvented by including inserted text boxes/pop-ups or internet links to additional information. Such inclusions are not acceptable and will not be considered as part of the response
- Files must be submitted in PDF and/or Microsoft Word formats only. Price volumes may be submitted in an editable, unlocked Excel file

b. Each submittal **must include** (i) a Cover Page, (ii) a Technical Response, and (iii) a Price Response that each align to the instructions below:

i. Cover Page: (Not included within page count) The cover page shall include the company’s name, Commercial and Government Entity (CAGE) Code (if available),

level of facility clearance (if available), address, primary point of contact, business size, and status of U.S. ownership.

Respondents shall also identify the applicable 10 U.S.C. § 2371b eligibility criteria related to the response (*please identify only one*):

- There is at least one nontraditional defense contractor (*defined below*) or nonprofit research institution participating to a significant extent in the project; **OR**
- All significant participants in the transaction other than the Federal Government are small businesses (including small businesses participating in a program described under section 9 of the Small Business Act (15 U.S.C. § 638)) or nontraditional defense contractors; **OR**
- At least one third of the total cost of the project is to be provided by sources other than the Federal Government.

Note: A *Nontraditional Defense Contractor* is defined as 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 (DOD) for the procurement of transaction, any contract or subcontract for the DOD that is subject to full coverage under the cost accounting standards prescribed pursuant to 41 U.S. Code § 1502 and the regulations implementing such section.

ii. Technical Response:

Responses should be constructed to align with the order of the instructions below (1 - 8).

1. Solution Narrative: Respondents shall describe the approach used to design/deliver a unique prototype solution for the prototype technology objectives defined in RFS Section 5, Desired End-State Objective(s), to include any attachments. While these focus areas are of significant importance, responses will be considered as a whole. No pricing shall be included in the technical response.

The Solution Narrative must also include a discussion on schedule and the timing of all deliverable(s) to include those outlined within RFS Section 6, Project Deliverables.

2. Explanation Supporting Eligibility for Award of a Prototype OTA:

Respondents shall provide rationale to support the specific condition that permits award of an OTA to the proposed prime contractor/performer. The onus of proof to support *nontraditional participation to a significant extent; small business or nontraditional defense contractor status; or any cost sharing arrangement* lies with the respondent and has a direct correlation to award eligibility.

3. Foreign Owned, Controlled, or Influenced (FOCI) Documentation (if applicable): Documentation may include, but is not limited to: Standard Form 328 (Certificate Pertaining to Foreign Interest); Listing of Key Management Personnel; an Organizational Chart; Security Control Agreements: Special Security Agreements; and Proxy Agreements or Voting Trust Agreements. It is recommended companies who fall within the FOCI category visit <https://www.dss.mil> for additional guidance and instruction.
4. Government Furnished Property or Information: Respondents must clearly identify if its proposed solution depends on Government Furnished Information (GFI) / Government Furnished Property (GFP) or other forms of Government support (i.e. laboratory or facility access), etc.

If so, the response must specify the GFI/GFP required. Respondents must clearly identify if its proposed solution depends on GFI/GFP or other forms of Government support be provided, the impact to the solution if the requested information/property/asset is not available, and will confirm the details with the respondent prior to any proposal revisions or selection, if applicable.

5. Mandatory Compliance with Restrictions: Respondents must address the restrictions identified within RFS Section 8, Security Classification, Respondent Restrictions, and other Required Compliance, and explain how each regulation or standard is currently, or will be met.
6. Task Description Document (Not Included Within Page Count): Respondents must provide a Task Description Document (TDD) outlining the project tasks to be performed along with schedule milestones and delivery dates required for successful completion. It is anticipated that, if selected, the proposed TDD will be incorporated into the resultant OTA. Respondents are encouraged to be concise but thorough when outlining their work statements. The TDD may be submitted as an appendix or a separate file as part of the proposal.
7. Summary of Subcontractor Participation (if applicable): Respondents must identify all subcontractors involved and their role within the performance of the proposed concept. The information must include the following:
 - a. Subcontractor company name, Commercial and Government Entity (CAGE) Code (if available), level of facility clearance (if available), address, primary point of contact, business size, and status of U.S. ownership.
 - b. If the subcontracted company's involvement is considered significant, rationale supporting the significance must be present within the narrative. The onus of proof to support participation to a significant extent or any cost sharing arrangement lies with the respondent and has a direct correlation to award eligibility.

- c. If applicable, Foreign Owned, Controlled, or Influenced (FOCI) Mitigation Documentation shall be provided for subcontractors and will not count towards the page count.

8. Data Rights Assertions and Level of Rights Proposed:

- a. The rights offered should be displayed in a manner that allows for ease of discussion in determining trade-offs and potential options for long-term sustainability of the deliverables of this effort.
- b. If rights are being asserted at a level less than the Government's desired level of allocation (see RFS Section 10(b)(iii)(5), Level of Data Rights Requested by the Government), respondents must provide detail explaining the specific rationale for the assertion. Please also review 9(b)(iii)(3) below for additional requirements related to data rights pricing.
- c. Any items previously developed with federal funding (and used for the proposed solution) should clearly identify all individual components funded by the Government and the recipient of the deliverables.
- d. If commercial software is proposed as part of the prototype solution, all applicable software licenses must be identified and included with the response. Note that any software license term or condition inconsistent with federal law will be negotiated out of the license.

iii. Price Response:

The price response shall be submitted as a separate file from the technical response. No pricing details shall be included in the technical response. This project will employ a Fixed Price structure with Payable Milestones

- 1. The overall total price should be divided among severable increments that align to a proposed milestone payment schedule. Milestones are not required to match actual expenditures but should realistically align to the effort expended or products delivered. Respondents shall provide final Phase 1 Pricing, a ROM for Phase 2 and 3; a schedule that aligns with Phases 1-3. The ROM should include top level estimates from Phases 2-3 and identify any significant drivers for the phase pricing. Pricing for the phases will be finalized prior to the execution of each phase (if pursued).
- 2. In order to support the Government's evaluation of fair and reasonable pricing, the respondent shall delineate the key pricing components, and show clear traceability to the phases and/or milestones of the Technical Response. At a minimum, key pricing components include Labor Total(s), Other Direct Costs/Material Total(s),

License prices and Subcontractor price(s). Data should be segregated by each key objective, milestone, and/or phase proposed.

3. Include a brief narrative that explains your pricing structure and maps the proposed prices to the solution's technical approach.
4. Including a Basis of Estimate to support your pricing may substantially expedite evaluation of your response.
5. If limited or restricted rights are being asserted within the response, a table that includes prices for both Government Purpose Rights and Unlimited Rights for any limited or restricted item must be included.
6. Any additional features or capabilities that extend beyond the currently requested core technical objectives shall be separately priced for the Government's consideration. Pending funding availability and need, the Government may fund these advanced features at a later date.

11. Evaluation Process and Methodology:

- a. Individual responses will be evaluated with consideration given to:
 - i. Demonstrated expertise and overall technical merit of the response;
 - ii. Feasibility of implementation; and
 - iii. Total project risk as it relates to the technical focus areas, price and schedule
- b. The Government will evaluate the degree to which the proposed solution provides a thorough, flexible, and sound approach in response to the prototype technical objectives as stated in RFS Section 5, Desired End-State Objectives, as well as the ability to fulfill the objectives in this RFS. The Government reserves the right to down select during any Phase identified above as well as between Phase 1a and Phase 1b.
- c. The Government will award this project, via S²MARTS (Agreement No. N00164-19-9-0001), to the respondent(s) whose solution is assessed to be the most advantageous to the Government, when price, schedule, technical risks, the level of data rights, and other factors are considered. The Government reserves the right to award to a respondent that does not meet all the requirements of the RFS.
- d. The proposed project price, schedule, and intellectual property/data rights assertions will be considered as aspects of the entire response when weighing risk and reward. The assessment of risks is subjective and will consider all aspects of the proposed solution. Respondents are responsible for identifying risks within their submissions, as well as providing specific mitigating solutions.
- e. The Government reserves the right to reject a submission and deem it ineligible for consideration if the response is incomplete and/or does not clearly provide the requested information. Debriefings will not be provided.

12. Follow-On Activity:

- a. Upon successful completion of this prototype effort, the Government anticipates that a follow-on production effort may be awarded via either contract or transaction, without the use of competitive procedures if the participants in this transaction successfully complete the prototype project as competitively awarded from this document. The prototype effort will be considered successfully complete upon demonstration of the aforementioned technology objectives.
- b. Successful completion for a specific capability may occur prior to the conclusion of the project to allow the Government to transition that aspect of the prototype project into production while other aspects of the prototype project have yet to be completed.
- c. Requirements of other potential follow-on activities could involve, though not limited to, continued development and baseline management, fielding, sustainment, training, further scaling of the solution, integration of future capabilities, or integration of the solution with other capabilities.

13. Attachments

- a. FY 2019 NDAA Section 889 (a)(1)(B) Section 889 Verification - Representation
- b. FY 2019 NDAA Section 889 (a)(1)(B) Section 889 Clause
- c. GFI Technical Data Distribution Agreement
- d. Security Self Vetting Process for Vendor Performers

14. Important Dates

- a. Questions related to this RFS shall be submitted no later than 12:00 PM EDT on 10 December 2020.

To submit any questions, visit the opportunities page at www.nstxl.org/opportunities, select the “Current” tab, locate the respective project, and select “Submit a Question”.

- b. Proposals submitted in response to this RFS are due no later than 12:00 PM EDT on Friday, January 8, 2021.
- c. To submit your proposal, visit the opportunities page at www.nstxl.org/opportunities, select the “Current” tab, locate the respective project, and select the “Submit Proposal” link. You must have an active membership and be logged-in to submit your response.
- d. RFS Respondents must be members in good standing of the consortium at the time of proposal submission.

15. Additional Project Information

- a. The Government intends to award one Other Transaction Agreement as a result of this RFS; however, more than one award may be made if determined to be in the Government's best interest. The Government also reserves the right to not select any of the solutions proposed.
- b. Acceptable responses not selected for the immediate award will be retained by NSTXL & the Government for possible future execution and funding. The non-selected proposals will be considered as viable alternatives for up to 36 months. If a proposal (that was not previously selected) is determined to be a suitable alternative, the company will be contacted to discuss any proposal updates and details of a subsequent project award.

Respondents whose proposals are not selected for the initial award shall not contact the Government or NSTXL to inquire about the status of any ongoing effort as it relates to the likelihood of their company being selected as a future alternative.

- c. The United States Navy, specifically Naval Surface Warfare Center, Crane Division, has release authority on any publications related to this prototype project.
- d. Unsuccessful respondents will be notified, however, debriefings for this project are not required nor planned at this time.
- e. If resource-sharing is proposed in accordance with 10 U.S. Code § 2371b(d)(1)(C), then the non-Federal amounts counted as provided, or to be provided, by parties other than the Federal Government may not include costs that were incurred before the date on which the OT agreement becomes effective. Costs offered as a resource-share that were incurred for a project after the beginning of negotiations, but prior to the date the OT agreement becomes effective, may be counted as non-Federal amounts if and to the extent that the Agreements Officer determines in writing that: (1) the party other than the Federal Government incurred the costs in anticipation of the OT agreement; and (2) it was appropriate for the entity to incur the costs before the OT agreement became effective in order to ensure the successful implementation of the OT agreement.
- f. Certain types of information submitted to the Department during the RFS and award process of an OT are exempt from disclosure requirements of 5 U.S.C. §552 (the Freedom of Information Act or FOIA) for a period of five years from the date the Department receives the information. It is recommended that respondents mark business plans and technical information that are to be protected for five years from FOIA disclosure with a legend identifying the documents as being submitted on a business confidential basis.

- g. No classified data shall be submitted within the proposal. To the extent that the project involves DoD controlled unclassified information, respondents must comply with DoDI 8582.01 and DoDM 5200.01 Volume 4. Respondents must implement the security requirements in NIST SP 800-171 for safeguarding the unclassified internal information system; and must report any cyber incidents that affect the controlled unclassified information directly to DoD at <https://dibnet.dod.mil>.
- h. Export controls (if applicable): Research findings and technology developments arising from the resulting proposed solution may constitute a significant enhancement to the national defense and to the economic vitality of the United States. As such, in the conduct of all work related to this effort, the selected performer must comply strictly with the International Traffic in Arms Regulation (22 C.F.R. §§ 120-130), the National Industrial Security Program Operating Manual (DoD 5220.22-M) and the Department of Commerce Export Regulation (15 C.F.R. §§ 730-774).