

**DEPARTMENT OF THE AIR FORCE (DAF)
SMALL BUSINESS TECHNOLOGY TRANSFER (STTR)
COMMERCIAL SOLUTIONS OPENING (CSO)
STTR X23.E PHASE I**

This Amendment modifies this CSO solicitation in the following manner.
The following text is deleted from Section 4(b)(i):

~~Note that companies may submit multiple proposals, and receive multiple awards, to topics under this solicitation, so long as the proposed work is not essentially equivalent in nature.~~

All other terms and provisions of this solicitation remain unchanged as a result of this Amendment.

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Proposal Submission Timelines

- **30 August 2023:** DAF begins accepting proposals
- **28 September 2023:** Full proposals due **no later than 12:00 p.m. ET**
- **Deadline for Receipt:** No exceptions will be made to the above submission deadline. DAF recommends early submission, as computer traffic intensifies near announcement closing. **Do not wait until the end of the submission period to submit proposal materials.** DAF is not responsible for missed proposal submission due to system lag or inaccessibility.

Proposal Submission Overview

- All proposals must be prepared and submitted through the Department of Defense (DOD) SBIR/STTR Innovation Portal (DSIP), <https://www.dodsbirsttr.mil/>.
- Ensure applicant email address is accurate. DAF is not responsible for missed notifications due to applicants changing mailing addresses/email addresses/company points of contact after submission without notifying the DAF.
- DSIP is the official portal for DoD SBIR/STTR proposal submission. Applicants are required to submit proposals via DSIP; proposals submitted by any other means will be disregarded. Applicants submitting through this site for the first time will be asked to register. Applicants are required to register for a Login.gov account and link it to their DSIP account.
- **Classified proposals are NOT accepted.**

SBIR/STTR Help Desk: For AF SBIR/STTR Program questions, contact the USAF SBIR/STTR One Help Desk at 1-855-855- 5360 or usaf.team@afsbirsttr.us.

DSIP Support Desk:

- Refer to the DSIP Customer Support Document for general information regarding the DoD SBIR/STTR process in DSIP. For additional assistance with the DSIP application, please visit the Learning & Support section of the DSIP at <https://www.dodsbirsttr.mil/submissions/learning-support/>.
- Email DSIP Support at DoDSBIRSupport@reisisystems.com only for further assistance with issues pertaining directly to the DSIP application. Questions submitted to DSIP Support will be addressed in the order received during normal operating hours (Monday through Friday, 9:00 a.m. to 5:00 p.m. ET).
- Applicants are responsible for following ALL troubleshooting guidance provided by DSIP Support. Applicants are responsible for following up with DSIP Support in case provided troubleshooting tips do not resolve applicant proposal submission issues. Applicant proposal submission failure is virtually never attributable to DSIP performance issues.

Solicitation at a Glance:

DAF Topic Number	AFX23E-PTCSO1
OUSD (R&E) Critical Technology Areas	FutureG; Trusted AI and Autonomy; Biotechnology; Advanced Computing and Software; Integrated Sensing and Cyber; Directed Energy; Hypersonics; Microelectronics; Integrated Network Systems-of-Systems; Quantum Science; Space Technology; Renewable Energy Generation and Storage; Human-Machine Interfaces; Advanced Materials
Maximum Period of Performance	Three (3) Months; proposals that exceed this duration will not be considered for award.
Maximum STTR Funding Amount	\$110,000.00; proposals that exceed this amount will not be considered for award.
Technical Volume Slide Limit	Twenty-five (25) Slides; slides in excess of this number will not be considered for review or award.
Solicitation Open Date	30 August 2023
Solicitation Close Date/Time	28 September 2023; 12:00pm ET. NOTE: no exceptions will be made to the submission deadline.
Minimum Performance of Work Requirement	Not less than 40 percent of the R/R&D work must be performed by the SBC, and not less than 30 percent of the R/R&D work must be performed by a single partnering Research Institution. Deviations are not allowed. The percentage of work is measured by both direct and indirect costs, not including profit.
Anticipated Number of Awards	The Government currently anticipates making approximately 100 awards as a result of this solicitation. The Government reserves the right to make no awards under this solicitation, and is not responsible for costs incurred before award receipt. Any per-award or per-topic funding caps are budgetary estimates only, and more or less funding may become available.
Limitations on Proposal Submission and Program on Innovation Open Topics	Section 7 of the SBIR and STTR Reauthorization Act of 2022 requires the DoD to establish innovation open topics activities in order to <ul style="list-style-type: none"> (A) Increase the transition of commercial technology to the DoD; (B) Expand the small business nontraditional industrial base; (C) Increase commercialization derived from investments of the DoD; and (D) Expand the ability for qualifying small business concerns to propose technology solutions to meet the needs of the DoD.

	<p>Unlike conventional topics, which specify the desired technical objective and output, open topics can use generalized mission requirements or specific technology areas to adapt commercial products or solutions to close capability gaps, improve performance, or provide technological advancements in existing capabilities. <u>A small business concern may only submit one (1) proposal to each open topic.</u> If more than one proposal from a small business concern is received for a single open topic, only the most recent proposal to be certified and submitted prior to the submission deadline will receive an evaluation. All prior proposals submitted by the small business concern for the same open topic will be marked as noncompliant.</p>
<p>SBIR and STTR Extension Act of 2022 (Pub. L. 117-183</p>	<p>This CSO incorporates mandatory foreign disclosure requirements and other important programmatic changes as required by the SBIR and STTR Extension Act of 2022 (Pub. L. 117-183). These updates can be found in Sections 2(b), 3(f), 3(g), 4(xxiv), 5(b), 5(h), 6, 8, and Attachment 4. Proposals that do not include the completed Attachment 4 in Volume 5 will be deemed noncompliant and will not receive an evaluation. Small business concerns are highly encouraged to review the full CSO to remain apprised of any additional recent programmatic changes.</p>

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1. Introduction

The Department of the Air Force (DAF) invites small business firms to submit proposals under this CSO for the Small Business Technology Transfer (STTR) Program. The DAF encourages firms with the capability to conduct research and development (R&D) and to commercialize results in accordance with the DAF-related topics described in Section 13 to apply to this solicitation.

The 2014 Quadrennial Defense Review (QDR) established innovation as a central line of effort in the United States' (US') national Defense strategy. The US' decisive military advantage over its adversaries and peer competitors is steadily eroding. Consequently, under section 879 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2017 (Pub. L. 114-328) Contracting Officers may acquire innovative commercial items, technologies, or services using a competitive procedure called a Commercial Solutions Opening (CSO). Under the CSO, DoD may competitively select proposals received in response to a general solicitation, similar to a Broad Agency Announcement, based on proposal review by Government scientific, technological, or other subject-matter experts. CSO use in accordance with Class Deviation 2022-O0007 is considered competitive for the purposes of 10 U.S.C. chapter 127 and FAR 6.102. Contracting officers shall treat items, technologies, and services acquired under a CSO as commercial items. The full definition of commercial items, i.e., products and services, under FAR 2.101 applies. This CSO includes no requirement for a commercial product or service to be an already-developed, off-the-shelf item.

This CSO seeks innovative, commercial technologies proposed to create new DAF solutions or potential new capabilities fulfilling requirements, closing capability gaps, or providing potential technological advancements. 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 improving commercial technologies, existing Government-owned capabilities, or concepts for broad Defense application(s). The Government reserves the right to award a contract or an Other Transaction for any purpose, to include a prototype, under this CSO. Multiple procurements are planned and anticipated to be awarded as a result of the topic, each proposal is considered a separate procurement and will be evaluated on its own merit, and the Government may award all, some, or none of the proposals. Any per-award or per-topic funding caps are budgetary estimates only, and more or less funding may become available. Funding decisions are made with complete disregard to the other awards under the same topic.

The Federal Government is not responsible for any monies expended by the applicant before award. The SBIR/STTR Programs are not substitutes for existing unsolicited proposal mechanisms. Unsolicited proposals are not accepted under the AF SBIR/STTR Programs for Phases I or II.

Information related to the AF Small Business Program is found at <http://www.airforcesmallbiz.af.mil/>. The site contains contracting opportunities within the DAF, as well as business information and upcoming outreach/conference events. Other informative sites include the Small Business Administration (SBA), www.sba.gov, the DoD Office of Small Business Programs, <https://business.defense.gov/>, and Procurement Technical Assistance Centers, <http://www.aptac-us.us.org>. These centers provide Government contracting assistance and guidance to small businesses, typically at no cost.

2. Program Description

a. Objectives

The DAF STTR Program's objectives include stimulating technological innovation, strengthening the small business role in meeting DoD research, development, test, and evaluation (RDT&E) needs, fostering and encouraging minority and disadvantaged persons-owned small businesses in technological innovation, and increasing commercial application of DoD-supported RDT&E results.

The STTR Program, although modeled substantially after the Small Business Innovation Research (SBIR) Program, is a separate program and is separately financed. The DAF supports high quality cooperative research and development proposals of innovative concepts to solve the listed defense-related scientific or engineering problems, especially those concepts that also have high potential for commercialization in the private sector. Partnerships between small businesses and Historically Black Colleges and Universities (HBCUs) or Minority Institutions (MIs) are encouraged, although no special preference will be given to STTR proposals from such proposing small business concerns.

The United States Air Force has identified 6 strategic capabilities or *Core Missions*: Air Superiority; Intelligence, Surveillance, and Reconnaissance; Rapid Global Strike; Command and Control; Responsibilities to organize, train, and equip Airmen; Air Force *Blue Sky. The United States Space Force has identified 6 strategic capabilities or Core Competencies: Space Security; Combat Power Projection; Space Mobility and Logistics; Information Mobility; Space Domain Awareness; Responsibilities to organize, train, and equip Guardians; Space Force *Blue Sky.

*Additionally, it is possible for a solution to provide a capability in a previously unconsidered area. Therefore, if an applicant feels its solution does not fit within one of the listed capabilities, it can reference the "BLUE SKY" category, including an explanation of the solution's ability to provide increased strategic capability within the context of Air Force, Space Force, national, and global constraints.

As applicable, the applicant should address the category(ies) to which the solution aligns in the Technical Volume.

Additionally, the USAF and USSF have identified key technology strategies and challenges in the documents below.

US Air Force S&T Strategy:

<https://www.af.mil/Portals/1/documents/2019%20SAF%20story%20attachments/Air%20Force%20Science%20and%20Technology%20Strategy.pdf>

USSF Long-Term Science and Technology Challenges:

https://media.defense.gov/2021/Dec/16/2002910798/-/1/1/S&T%20CHALLENGES%20MEMO_20210924114716.PDF

The AF SBIR/STTR Program follows the policies and practices of the Small Business Administration (SBA) SBIR/STTR Policy Directive (3 May 2023),

https://www.sbir.gov/sites/default/files/SBA_SBIR_STTR_POLICY_DIRECTIVE_OCT_2020_0.pdf.

This CSO incorporates and makes use of Policy Directive flexibilities to encourage proposals based on scientific and technical approaches most likely to yield important results for the DAF and private sector.

b. Due Diligence Program to Assess Security Risks

The SBIR and STTR Extension Act of 2022 (Pub. L. 117-183) requires the Department of Defense, in coordination with the Small Business Administration, to establish and implement a due diligence program

to assess security risks presented by small business concerns seeking a Federally funded award. The full text of the SBIR and STTR Extension Act of 2022 is available at:
<https://www.congress.gov/117/plaws/publ183/PLAW-117publ183.pdf>.

In accordance with Section 4 of the SBIR and STTR Extension Act of 2022, the Department of Defense will review all proposals submitted in response to this CSO to assess security risks presented by small business concerns seeking a Federally funded award. The Department will use information provided by the small business concern in response to the Disclosures of Foreign Affiliations or Relationships to Foreign Countries (Attachment 4) and the proposal to conduct a risk-based due diligence review on the cybersecurity practices, patent analysis, employee analysis, and foreign ownership of a small business concern, including the financial ties and obligations (which shall include surety, equity, and debt obligations) of the small business concern and employees of the small business concern to a foreign country, foreign person, or foreign entity. The Department will also assess proposals utilizing open-source analysis and analytical tools, for the nondisclosures of the information set forth in 15 U.S.C. 638(g)(13). If DoD assesses that a small business concern has security risk(s), DoD will review the proposal, the evaluation, and the security risks and may decide to not select the proposal for award based upon a totality of the review.

DoD has partnered with Project Spectrum to provide an online course on Understanding Foreign Ownership, Control, or Influence (FOCI). This course defines FOCI, explains what it means to be under FOCI, and details FOCI's effect on a company seeking initial or continued eligibility for access to a federally funded award. Small business concerns can register and access this course by following the instructions below:

1. Go to projectspectrum.io
2. Click "Profile/Dashboard" in the top right and then click "Sign Up" from the dropdown menu.
3. Follow the instructions to sign up for an account. Descriptions of the account types are provided below each option.
4. Verify your email by entering the code sent to the email address you provided when signing up.
5. Log in to Project Spectrum by clicking "Profile/Dashboard > Login" in the top right.
6. Find the Training Course on "Understanding Foreign Ownership, Control, or Influence (FOCI)" by clicking "Courses > Training Courses"
7. Copy the provided password.
8. Click on the course and log in to Encite.io using your email address and the copied password.
9. Enroll in the course and click "Enter" to begin.

For assistance with registration or access to the Project Spectrum website, please contact support@projectspectrum.io.

c. Three Phase Program

Phase I

The purpose of Phase I is to determine, to the extent possible, the scientific, technical, and commercial merit and feasibility of ideas submitted under the STTR Program. Phase I awards are made in accordance with the SBA Policy Directive guidelines. The period of performance is generally between six to twelve months with twelve months being the maximum period allowable. Proposals should concentrate on research or research and development which will significantly contribute to proving the scientific and technical feasibility, and commercialization potential of the proposed effort, the successful completion of which is a prerequisite for further DoD support in Phase II. Proposers are encouraged to consider whether the research or research and development being proposed to DoD Components also has private sector potential, either for the proposed application or as a base for other applications.

Phase II

Phase II awards will be made to firms on the basis of results of their Phase I effort and the scientific merit, technical merit, and commercialization potential of the Phase II proposal. Phase II awards are made in accordance with the SBA Policy Directive guidelines. The period of performance is generally 24 months. Phase II is the principal research or research and development effort and is expected to produce a well-defined deliverable prototype. A Phase II contractor may receive up to one additional, sequential Phase II award for continued work on the project.

Phase III

Under Phase III, the Proposer is required to obtain funding from either the private sector, a non-SBIR Government source, or both, to develop the prototype into a viable product or non-R&D service for sale in military or private sector markets. SBIR Phase III refers to work that derives from, extends, or completes an effort made under prior SBIR funding agreements, but is funded by sources other than the SBIR Program. Phase III work is typically oriented towards commercialization of STTR research or technology.

d. Definitions

Certified HUBZone Small Business Concern

An SBC that has been certified by SBA under the Historically Underutilized Business Zones (HUBZone) Program (13 C.F.R. § 126) as a HUBZone firm listed in the Dynamic Small Business Search (DSBS).

Commercialization

The process of developing products, processes, technologies, or services and the production and delivery (whether by the originating party or others) of the products, processes, technologies, or services for sale to or use by the Federal government or commercial markets.

Cooperative Research and Development

Research and development conducted jointly by a small business concern and a research institution. For purposes of the STTR Program, 40% of the work is performed by the small business concern, and not less than 30% of the work is performed by the single research institution. For purposes of the SBIR Program, this refers to work conducted by a research institution as a subcontractor to the small business concern.

Covered Individual

An individual who contributes in a substantive, meaningful way to the scientific development or execution of a research and development project proposed to be carried out with a research and development award from a Federal research agency and is designated as a covered individual by the Federal research agency concerned.

Essentially Equivalent Work

Work that is substantially the same research, which is proposed for funding in more than one contract proposal or grant application submitted to the same Federal agency or submitted to two or more different Federal agencies for review and funding consideration; or work where a specific research objective and the research design for accomplishing the objective are the same or closely related to another proposal or award, regardless of the funding source.

Export Control

The International Traffic in Arms Regulations (ITAR), 22 CFR Parts 120 through 130, and the Export Administration Regulations (EAR), 15 CFR Parts 730 through 799, will apply to all projects with military or dual-use applications that develop beyond fundamental research, which is basic and applied research ordinarily published and shared broadly within the scientific community. More information is available at https://www.pmdtc.state.gov/ddtc_public.

NOTE: Export control compliance statements found in this document are not meant to be all inclusive. They do not remove any liability from the applicant to comply with applicable ITAR or EAR export control restrictions or from informing the Government of any potential export restriction as fundamental research and development efforts proceed.

Federal Laboratory

As defined in 15 U.S.C. §3703, means any laboratory, any federally funded research and development center (FFRDC), or any center established under 15 U.S.C. §§ 3705 & 3707 that is owned, leased, or otherwise used by a Federal agency and funded by the Federal Government, whether operated by the Government or by a contractor.

Federally Funded Award

A Phase I, Phase II (including Direct to Phase II, sequential Phase II/subsequent Phase II and cross-agency Phase II), or Phase III SBIR or STTR award made using a funding agreement.

Foreign Affiliation

As defined in 15 U.S.C. § 638(e)(16), foreign affiliation means a funded or unfunded academic, professional, or institutional appointment or position with a foreign government or government-owned entity, whether full-time, part-time, or voluntary (including adjunct, visiting, or honorary). This includes appointments or positions deemed adjunct, visiting, or honorary with research institutions located in a foreign country of concern.

Foreign Country of Concern

As defined in 15 U.S.C. § 638(e)(17), foreign country of concern means the People's Republic of China, the Democratic People's Republic of Korea, the Russian Federation, the Islamic Republic of Iran, or any other country determined to be a country of concern by the Secretary of State.

Foreign Entity

Foreign entity means any branch, partnership, group or sub-group, association, estate, trust, corporation or division of a corporation, non-profit, academic institution, research center, or organization established, directed, or controlled by foreign owners, foreign investors, foreign management, or a foreign government.

Foreign Government

Foreign government means any government or governmental body, organization, or instrumentality, including government owned-corporations, other than the United States Government or United States state, territorial, tribal, or jurisdictional governments or governmental bodies. The term includes, but is not limited to, non-United States national and subnational governments, including their respective departments, agencies, and instrumentalities.

Foreign Nationals

Foreign Nationals (also known as Foreign Persons) as defined by 22 CFR 120.16 means any natural person who is not a lawful permanent resident as defined by 8 U.S.C. § 1101(a)(20) or who is not a protected individual as defined by 8 U.S.C. § 1324b(a)(3). It also means any foreign corporation, business association, partnership, trust, society or any other entity or group that is not incorporated or organized to do business in the United States, as well as international organizations, foreign governments and any agency or subdivision of foreign governments (e.g., diplomatic missions).

“Lawfully admitted for permanent residence” means the status of having been lawfully accorded the privilege of residing permanently in the United States as an immigrant in accordance with the immigration laws, such status not having changed.

"Protected individual" means an individual who (A) is a citizen or national of the United States, or (B) is an alien who is lawfully admitted for permanent residence, is granted the status of an alien lawfully admitted for temporary residence under 8 U.S.C. § 1160(a) or 8 U.S.C. § 1255a(a)(1), is admitted as a refugee under 8 U.S.C. § 1157, or is granted asylum under Section 8 U.S.C. § 1158; but does not include (i) an alien who fails to apply for naturalization within six months of the date the alien first becomes eligible (by virtue of period of lawful permanent residence) to apply for naturalization or, if later, within six months after November 6, 1986, and (ii) an alien who has applied on a timely basis, but has not been naturalized as a citizen within 2 years after the date of the application, unless the alien can establish that the alien is actively pursuing naturalization, except that time consumed in the Service's processing the application shall not be counted toward the 2-year period.

Fraud, Waste and Abuse

Fraud includes any false representation about a material fact or any intentional deception designed to deprive the United States unlawfully of something of value or to secure from the United States a benefit, privilege, allowance, or consideration to which an individual or business is not entitled.

Waste includes extravagant, careless or needless expenditure of Government funds, or the consumption of Government property, that results from deficient practices, systems, controls, or decisions.

Abuse includes any intentional or improper use of Government resources, such as misuse of rank, position, or authority or resources.

The SBIR Program training related to Fraud, Waste and Abuse is available at:

<https://www.sbir.gov/tutorials/fraud-waste-abuse/tutorial-1>.

Funding Agreement

Any contract, grant, or cooperative agreement entered into between any Federal Agency and any small business concern for the performance of experimental, developmental, or research work, including products or services, funded in whole or in part by the Federal Government. Contracts and other transaction authority (OTA) agreements will be used by the DAF for all SBIR awards.

Historically Black Colleges and Universities and Minority Institutions (HBCU/MI)

Listings for the Historically Black Colleges and Universities (HBCU) and Minority Institutions (MI) are available through the Department of Education Web site, <http://www.ed.gov/about/offices/list/ocr/edlite-minorityinst.html>.

Malign Foreign Talent Recruitment Program

(A) any program, position, or activity that includes compensation in the form of cash, in-kind compensation, including research funding, promised future compensation, complimentary foreign travel, things of non de minimis value, honorific titles, career advancement opportunities, or other types of remuneration or consideration directly provided by a foreign country at any level (national, provincial, or local) or their designee, or an entity based in, funded by, or affiliated with a foreign country, whether or not directly sponsored by the foreign country, to the targeted individual, whether directly or indirectly stated in the arrangement, contract, or other documentation at issue, in exchange for the individual—

(i) engaging in the unauthorized transfer of intellectual property, materials, data products, or other nonpublic information owned by a United States entity or

developed with a Federal research and development award to the government of a foreign country or an entity based in, funded by, or affiliated with a foreign country regardless of whether that government or entity provided support for the development of the intellectual property, materials, or data products;

(ii) being required to recruit trainees or researchers to enroll in such program, position, or activity;

(iii) establishing a laboratory or company, accepting a faculty position, or undertaking any other employment or appointment in a foreign country or with an entity based in, funded by, or affiliated with a foreign country if such activities are in violation of the standard terms and conditions of a Federal research and development award;

(iv) being unable to terminate the foreign talent recruitment program contract or agreement except in extraordinary circumstances;

(v) through funding or effort related to the foreign talent recruitment program, being limited in the capacity to carry out a research and development award or required to engage in work that would result in substantial overlap or duplication with a Federal research and development award;

(vi) being required to apply for and successfully receive funding from the sponsoring foreign government's funding agencies with the sponsoring foreign organization as the recipient;

(vii) being required to omit acknowledgment of the recipient institution with which the individual is affiliated, or the Federal research agency sponsoring the research and development award, contrary to the institutional policies or standard terms and conditions of the Federal research and development award;

(viii) being required to not disclose to the Federal research agency or employing institution the participation of such individual in such program, position, or activity; or

(ix) having a conflict of interest or conflict of commitment contrary to the standard terms and conditions of the Federal research and development award;

and

(B) a program that is sponsored by—

(i) a foreign country of concern or an entity based in a foreign country of concern, whether or not directly sponsored by the foreign country of concern;

(ii) an academic institution on the list developed under section 1286(c)(8) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 2358 note; Public Law 115–232); or

(iii) a foreign talent recruitment program on the list developed under section 1286(c)(9) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 2358 note; Public Law 115–232).

Performance Benchmark Requirements for Phase I

Companies with multiple SBIR/STTR awards must meet minimum performance requirements to be eligible to apply for a new Phase I or Direct-to-Phase II award. The purpose of these requirements is to ensure that Phase I applicants that have won multiple prior SBIR/STTR awards are making progress towards commercializing the work done under those awards. The Phase I to Phase II Transition Rate addresses the extent to which an awardee progresses a project from Phase I to Phase II. The Commercialization Benchmark addresses the extent to which an awardee has moved past Phase II work towards commercialization. The SBIR and STTR Extension Act of 2022 (Pub. L. 117-183) amended the application of these benchmarks for more experienced firms. Detailed information on benchmark calculations and increased performance standards for more experienced firms can be found at <https://www.sbir.gov/performancebenchmarks>.

Personal Conflict of Interest

A situation in which an individual has a financial interest, personal activity, or relationship that could impair the employee's ability to act impartially and in the best interest of the Government when performing under the contract. (A de minimis interest that would not "impair the employee's ability to act impartially and in the best interest of the Government" is not covered under this definition.)

Among the sources of personal conflicts of interest are-

- (i) Financial interests of the covered employee, of close family members, or of other members of the covered employee's household;
- (ii) Other employment or financial relationships (including seeking or negotiating for prospective employment or business); and
- (iii) Gifts, including travel.

Financial interests referred to in paragraph (1) of this definition may arise from-

- (i) Compensation, including wages, salaries, commissions, professional fees, or fees for business referrals;
- (ii) Consulting relationships (including commercial and professional consulting and service arrangements, scientific and technical advisory board memberships, or serving as an expert witness in litigation);
- (iii) Services provided in exchange for honorariums or travel expense reimbursements;
- (iv) Research funding or other forms of research support;
- (v) Investment in the form of stock or bond ownership or partnership interest (excluding diversified mutual fund investments);
- (vi) Real estate investments;
- (vii) Patents, copyrights, and other intellectual property interests; or
- (viii) Business ownership and investment interests.

Principal Investigator

The principal investigator/project manager is the one individual designated by the applicant to provide the scientific and technical direction to a project supported by the funding agreement.

For both Phase I and Phase II, the primary employment of the principal investigator must be with the small business firm or at the single partnering Research Institution at the time of award and during the conduct of the proposed project. Primary employment means that more than one-half of the principal investigator's time is spent in the employ of the small business. This precludes full-time employment with another organization.

Occasionally, deviations from this requirement may occur, and must be approved in writing by the contracting officer after consultation with the agency SBIR/STTR Program Manager/Coordinator prior to proposal submission. Further, a small business firm may replace the principal investigator on a Phase I award, subject to approval in writing by the contracting officer.

Proprietary Information

Proprietary information is any information that a small business concern considers to be non-public information that is owned by the small business concern and is marked accordingly.

Research Institution

Any organization located in the United States that is:

- a. A university.
- b. A nonprofit institution as defined in Section 4(5) of the Stevenson-Wydler Technology Innovation Act of 1980.
- c. A contractor-operated federally funded research and development center, as identified by the National Science Foundation in accordance with the government-wide Federal Acquisition Regulation issued in accordance with Section 35(c)(1) of the Office of Federal Procurement Policy Act. A list of eligible FFRDCs is available at: <https://www.nsf.gov/statistics/ffrdclist/>.

Research or Research and Development

Any activity that is:

- a. A systematic, intensive study directed toward greater knowledge or understanding of the subject studied.
- b. A systematic study directed specifically toward applying new knowledge to meet a recognized need; or
- c. A systematic application of knowledge toward the production of useful materials, devices, and systems or methods, including design, development, and improvement of prototypes and new processes to meet specific requirements.

Research Involving Animal Subjects

All activities involving animal subjects shall be conducted in accordance with DoDI 3216.01 “Use of Animals in DoD Programs,” 9 C.F.R. parts 1-4 “Animal Welfare Regulations,” National Academy of Sciences Publication “Guide for the Care & Use of Laboratory Animals,” as amended, and the Department of Agriculture rules implementing the Animal Welfare Act (7 U.S.C. §§ 2131-2159), as well as other applicable federal and state law and regulation and DoD instructions.

“Animal use” protocols apply to all activities that meet any of the following criteria:

- a. Any research, development, test, evaluation or training, (including experimentation) involving an animal or animals.
- b. An animal is defined as any living or dead, vertebrate organism (non-human) that is being used or is intended for use in research, development, test, evaluation or training.
- c. A vertebrate is a member of the subphylum Vertebrata (within the phylum Chordata), including birds and cold-blooded animals.

See DoDI 3216.01 for definitions of these terms and more information about the applicability of DoDI 3216.01 to work involving animals.

Research Involving Human Subjects

All research involving human subjects shall be conducted in accordance with 32 C.F.R. § 219 “The Common Rule,” 10 U.S.C. § 980 “Limitation on Use of Humans as Experimental Subjects,” and DoDI 3216.02 “Protection of Human Subjects and Adherence to Ethical Standards in DoD-Supported Research,” as well as other applicable federal and state law and regulations, and DoD component guidance. Proposers must be cognizant of and abide by the additional restrictions and limitations imposed on the DoD regarding research involving human subjects, specifically as they regard vulnerable populations (DoDI 3216.02), recruitment of military research subjects (DoDI 3216.02), and informed consent and surrogate consent (10 U.S.C. § 980) and chemical and biological agent research (DoDI 3216.02). Food and Drug Administration regulation and policies may also apply.

“Human use” protocols apply to all research that meets any of the following criteria:

- a. Any research involving an intervention or an interaction with a living person that would not be occurring or would be occurring in some other fashion but for this research.
- b. Any research involving identifiable private information. This may include

data/information/specimens collected originally from living individuals (broadcast video, webuse logs, tissue, blood, medical or personnel records, health data repositories, etc.) in which the identity of the subject is known, or the identity may be readily ascertained by the investigator or associated with the data/information/specimens.

See DoDI 3216.02 for definitions of these terms and more information about the applicability of DoDI 3216.02 to research involving human subjects.

Research Involving Recombinant DNA Molecules

Any recipient performing research involving recombinant DNA molecules and/or organisms and viruses containing recombinant DNA molecules shall comply with the National Institutes of Health Guidelines for Research Involving Recombinant DNA Molecules, dated January 2011, as amended. The guidelines can be found at: https://osp.od.nih.gov/wp-content/uploads/2016/05/NIH_Guidelines.pdf.

Recombinant DNA is defined as

- (i) molecules that are constructed outside living cells by joining natural or synthetic DNA segments to DNA molecules that can replicate in living cells or
- (ii) molecules that result from the replication of those described in (i) above.

Service-Disabled Veteran-Owned Small Business (SDVOSB)

A small business concern owned and controlled by a Service-Disabled Veteran or Service-Disabled Veterans, as defined in Small Business Act 15 USC § 632(q)(2) and SBA's implementing SDVOSB regulations (13 CFR 125).

Small Business Concern (SBC)

A concern that meets the requirements set forth in 13 C.F.R. § 121.702.

An SBC must satisfy the following conditions on the date of award:

- a. Is organized for profit, with a place of business located in the United States, which operates primarily within the United States or which makes a significant contribution to the United States economy through payment of taxes or use of American products, materials or labor;
- b. Is in the legal form of an individual proprietorship, partnership, limited liability company, corporation, joint venture, association, trust or cooperative, except that if the concern is a joint venture, each entity to the venture must meet the requirements set forth in paragraph (c) below;
- c. Is more than 50% directly owned and controlled by one or more individuals (who are citizens or permanent resident aliens of the United States), other small business concerns (each of which is more than 50% directly owned and controlled by individuals who are citizens or permanent resident aliens of the United States), or any combination of these; and
- d. Has, including its affiliates, not more than 500 employees. (For explanation of affiliate, see www.sba.gov/size.)

Subcontract

A subcontract is any agreement, other than one involving an employer-employee relationship, entered into by an awardee of a funding agreement calling for supplies or services for the performance of the original funding agreement. This includes consultants.

Subcontractor

Subcontractor means any supplier, distributor, vendor, firm, academic institution, research center, or other person or entity that furnishes supplies or services pursuant to a subcontract, at any tier.

United States

Means the fifty states, the territories and possessions of the Federal Government, the Commonwealth of Puerto Rico, the Republic of the Marshall Islands, the Federated States of Micronesia, the Republic of Palau, and the District of Columbia.

Women-Owned Small Business Concern

An SBC that is at least 51% owned by one or more women, or in the case of any publicly owned business, at least 51% of the stock is owned by women, and women control the management and daily business operations.

3. Proposal Fundamentals

a. Introduction

The proposal must provide sufficient information to demonstrate to the reviewers the proposed work represents an innovative approach to investigation of important scientific or engineering problems and is worthy of support under the stated criteria. The proposed RDT&E must be responsive to the chosen topic.

b. Registrations and Certification Requirements

i. Defense SBIR/STTR Innovation Portal

Individuals from proposing firms must be registered in the Defense SBIR/STTR Innovation Portal (DSIP) in order to prepare and submit proposals. The DSIP application is only accessible from within the United States, which is defined as the fifty states, the territories and possessions of the Federal Government, the Commonwealth of Puerto Rico, the Republic of the Marshall Islands, the Federated States of Micronesia, the Republic of Palau, and the District of Columbia. All users are required to have an individual user account to access DSIP. As DSIP user accounts are authenticated by Login.gov, all users, who do not already have a Login.gov account, will be required to create one. If you already have a Login.gov account, you can link your existing Login.gov account with your DSIP account. Job Aids and Help Videos to walk you through the process are in the Learning & Support section of DSIP, can be accessed here: <https://www.dodsbirsttr.mil/submissions/learning-support/training-materials>.

Be advised that the sharing of accounts and passwords is a violation of the Terms of Use for Login.gov and DoD policy. The practice of sharing accounts and passwords is also likely to cause technical issues associated with proposal submission, and many difficulties applicants encounter are directly attributable to these practices.

Please note that the email address you use for Login.gov should match the email address associated with your existing DSIP account. If you do not recall the email address associated with your DSIP account, or if you already have an existing Login.gov account using a different email address, you will need your Firm's DUNS number and your Firm PIN in order to link your Login.gov account with your DSIP account. If the email address associated with your existing DSIP account has been used for multiple DSIP August 24, 2022 17 accounts within your Firm, you will also need your Firm's DUNS number and your Firm PIN in order to link your Login.gov account with your DSIP account. The Firm PIN can be obtained from your Firm Admin. You can view the Firm Admin's contact information by entering your Firm's DUNS number when prompted. If you are the Firm Admin, please ensure that you contact all DSIP users in your Firm and provide them with the Firm PIN.

Users should complete their account registrations as soon as possible to avoid any delays in proposal submissions.

ii. SAM.gov

Before the DAF can award a contract, proposing firms must be registered in the System for Award Management (SAM). SAM allows firms interested in conducting business with the federal government to provide basic information on business structure and capabilities as well as financial and payment

information. To register, visit www.sam.gov. Firms should login to SAM and ensure the firm's registration is active and representations and certifications are up-to-date to avoid delay in award.

On April 4, 2022, the DUNS Number was replaced by the Unique Entity ID (UEI). The Federal Government will use the UEI (UEI) to identify organizations doing business with the Government. The DUNS number will no longer be a valid identifier. If the firm has an entity registration in SAM.gov (even if the registration has expired), a UEI has already been assigned. This can be found by signing into SAM.gov and selecting the Entity Management widget in the Workspace or by signing in and searching entity information. For firms with established Defense SBIR/STTR Innovation Portal (DSIP) accounts, update the firm profile with the UEI as soon as possible.

For new firm registrations, follow instructions during SAM registration on how to obtain a Commercial and Government Entry (CAGE) code and be assigned the UEI (SAM). Once a CAGE code and UEI are obtained, update the firm's profile on the DSIP at <https://www.dodsbirsttr.mil/submissions/>.

c. Applicant Eligibility Requirements

Each applicant must qualify as a small business concern as defined by 13 C.F.R §§ 701-705 at time of award and is required to certify to this in the Cover Sheet section of the proposal. The eligibility requirements for the SBIR/STTR programs are unique and do not correspond to those of other small business programs.

For Phase I, a minimum of 40% of each STTR project must be conducted by the small business concern and a minimum of 30% of the effort performed by the single qualifying research institution. The percentage of work is measured by both direct and indirect costs, not including profit. Deviations from this requirement will not be granted.

The primary employment of the principal investigator must be with the small business concern or the single partnering research institution at the time of award and during the conduct of the proposed effort. At the time of award of a Phase I or Phase II contract, the small business concern must have at least one employee in a management position whose primary employment is with the small business and who is not also employed by the research institution. Primary employment means that more than one half of the principal investigator's time is spent with the small business. Primary employment with a small business concern or research institution precludes full-time employment at another organization.

All research or research and development work typically must be performed by the small business concern, its partnering Research Institution, and its subcontractors in the United States. However, based on a rare and unique circumstance, the DAF may approve a particular portion of the R/R&D work to be performed or obtained in a country outside of the United States, for example, if a supply or material or other item or project requirement is not available in the United States.

d. Joint Ventures

Joint ventures and limited partnerships are permitted, provided the entity created qualifies as a small business in accordance with the Small Business Act, 13 U.S.C. § 121.701. Applicants must disclose joint ventures with existing (or planned) relationships/partnerships with any foreign entity or any foreign government-controlled companies.

A small business joint venture offeror must submit, with its offer, the representation required in paragraph (c) of FAR solicitation provision 52.212-3, Offeror Representations and Certifications-Commercial Products and Commercial Services, and paragraph (c) of FAR solicitation provision 52.219-1, Small Business Program Representations, in accordance with 52.204-8(d) and 52.212-3(b) for the following categories:

- (A) Small business;
- (B) Service-disabled veteran-owned small business;
- (C) Women-owned small business (WOSB) under the WOSB Program;
- (D) Economically disadvantaged women-owned small business under the WOSB Program; or
- (E) Historically underutilized business zone small business.

These representations can be found as Attachment 8 to this CSO and must be uploaded to Volume 5, Supporting Documents of the proposal submission, if applicable.

e. Benchmarks

Proposing small business concerns with prior SBIR/STTR awards must meet two benchmark requirements as determined by the Small Business Administration (SBA) on June 1 each year.

- (1) Phase I to Phase II Transition Rate: For all proposing small business concerns with greater than 20 Phase I awards over the past five fiscal years excluding the most recent year, the ratio of Phase II awards to Phase I awards must be at least 0.25.
- (2) Commercialization Benchmark: For all proposing small business concerns with greater than 15 Phase II awards over the last ten fiscal years excluding the last two years, the proposing small business concern must have received, to date, an average of at least \$100,000 of sales and/or investments per Phase II award received or have received a August 8, 2023 AMENDMENT 2 17 number of patents resulting from the SBIR work equal to or greater than 15% of the number of Phase II awards received during the period.

The SBIR and STTR Extension Act of 2022 (Pub. L. 117-183) amended the application of these benchmarks for more experienced firms. Detailed information on benchmark calculations, increased performance standards for more experienced firms and consequence of failure to meet benchmarks can be found at <https://www.sbir.gov/performance-benchmarks>.

As defined by the SBIR/STTR Policy Directive, Department of the Army, Department of the Navy, and Department of the Air Force each constitute its own Federal agency, and the remaining DoD Components fall under the executive agency of the Department of Defense. Companies that fail to meet either of the benchmarks under the Increased Performance Standards for more Experienced Firms may not receive more than an overall total of 80 awards from DoD, as detailed in the breakdown below: Army – 20 total Phase I and Direct to Phase II awards
Navy – 20 total Phase I and Direct to Phase II awards
Air Force – 20 total Phase I and Direct to Phase II awards
All other DoD Components - 20 Phase I and Direct to Phase II awards, combined

f. Disclosures Regarding Ties to People’s Republic of China and Other Foreign Countries

Each proposing small business concern is required to complete Attachment 4 of this CSO, “Disclosures of Foreign Affiliations or Relationships to Foreign Countries” and upload the form to Volume 5, Supporting Documents. **Proposals that do not include Attachment 4 in Volume 5 will be deemed noncompliant and will not receive an evaluation.** The disclosure requires the following information:

- (A) the identity of all owners and covered individuals of the small business concern who are a party to any foreign talent recruitment program of any foreign country of concern, including the People’s Republic of China;
- (B) the existence of any joint venture or subsidiary of the small business concern that is based in, funded by, or has a foreign affiliation with any foreign country of concern, including the People’s Republic of China;

- (C) any current or pending contractual or financial obligation or other agreement specific to a business arrangement, or joint venture-like arrangement with an enterprise owned by a foreign state or any foreign entity;
- (D) whether the small business concern is wholly owned in the People’s Republic of China or another foreign country of concern;
- (E) the percentage, if any, of venture capital or institutional investment by an entity that has a general partner or individual holding a leadership role in such entity who has a foreign affiliation with any foreign country of concern, including the People’s Republic of China;
- (F) any technology licensing or intellectual property sales to a foreign country of concern, including the People’s Republic of China, during the five-year period preceding submission of the proposal; and
- (G) any foreign entity, offshore entity, or entity outside the United States related to the small business concern.

After reviewing the above listed disclosures of the proposing small business concern, and if determined appropriate by the DAF, the DAF may ask the small business concern may to provide true copies of any contractual or financial obligation or other agreement specific to a business arrangement or joint-venture like arrangement with an enterprise owned by a foreign state or any foreign entity in effect during the five-year period preceding submission of the proposal with respect to which the small business concern made the disclosures.

g. Disclosures of Foreign Affiliations or Relationships to Foreign Countries

In accordance with Section 4 of the SBIR and STTR Extension Act of 2022 and the SBA SBIR/STTR Policy Directive, the Department of Defense will review all proposals submitted in response to this CSO to assess security risks presented by small business concerns seeking a Federally funded award. Proposing small business concerns must complete Disclosures of Foreign Affiliations or Relationships to Foreign Countries (Attachment 4) and upload to Volume 5. **Proposals that do not include this form in Volume 5 will be deemed noncompliant and will not receive an evaluation.**

h. Certification Regarding Disclosure of Funding Sources

The proposing small business concern must comply with Section 223(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021, which requires that covered individuals:

- (A) disclose the amount, type, and source of all current and pending research support received by, or expected to be received by, the individual as of the time of the disclosure;
- (B) certify that the disclosure is current, accurate, and complete; and
- (C) agree to update such disclosure at the request of the agency prior to the award of support and at any subsequent time the agency determines appropriate during the term of the award Small business concerns must also certify that each covered individual who is employed by the small business and listed on the proposal has been made aware of the requirements listed above.

The disclosure and certification must be made by completing the Disclosure of Funding Sources form (Attachment 5) and uploading to Volume 5, Supporting Documents of the proposal submission in DSIP, utilizing the “Other” category for document type.

4. Administrative Proposal Requirements

The DAF is committed to reducing proposal-to-award lead times. To this end, processes and tools have been developed allowing for rapid, streamlined contracting via periodic expedited contracting events, sometimes known as “contracting sprints”. Such speed dictates stringent administrative practices in the

proposal submission process. The DAF reserves the right to disqualify proposals for failing to meet the requirements below.

a. Additional Reporting

In addition to the standard federal and DoD procurement certifications, the SBA SBIR/STTR Policy Directive requires the collection of certain information from firms at time of award and during the award life cycle. Each firm must provide this additional certification at the time of the Phase I award and prior to final payment on the Phase I award. This certification must state that the awardee meets the size, ownership, and other requirements of the STTR program.

b. Administrative Proposal Matters

i. Prior, Current, or Pending Support of Similar Proposals or Awards

Applicants are permitted, with proper notification, to submit identical proposals or proposals containing a significant amount of essentially equivalent work for consideration under multiple Federal program solicitations. However, it is unlawful to enter into contracts, grants, cooperative agreements, Other Transactions, or other award types, requiring essentially equivalent effort.

Questions concerning prior, current, or pending support of similar proposals or awards shall be disclosed to the soliciting agency or agencies as early as possible. Note that companies may submit multiple proposals, and receive multiple awards, to topics under this solicitation, so long as the proposed work is not essentially equivalent in nature.

ii. Proprietary Information

Information constituting a trade secret, commercial or financial information, confidential personal information, or data affecting national security must be clearly marked. It shall be treated in confidence to the extent permitted by law. Awards for selected proposals will incorporate the Work Plan, in whole or part, by reference or as an attachment. Therefore, the Work Plan shall be Non- Proprietary and marked accordingly. Proprietary and/or classified information shall not be included in the Proposal Cover Sheet.

iii. Majority Ownership by VCOC, Hedge Fund, or Private Equity Funds

Small businesses owned in majority part by multiple venture capital operating companies (VCOCs), hedge funds, or private equity funds are NOT eligible to submit proposals under this CSO.

iv. Air Force Research Laboratory Instruction (AFRLI) 61-113

In accordance with AFRLI 61-113, S&T Protection for the Air Force Research Laboratory, applicants are required to submit with their proposal a “Research and Related Key/Senior Person Profile” (Attachment 6) and a Program Security Questionnaire (Attachment 7).

Applicants will be required to provide documentation of their Security Program Plan for initial Institution S&T Protection Program Review. The purpose of requesting the plan is to evaluate the offeror’s capacity for protecting the Government’s S&T and failure to demonstrate a plan adequate to meet the needs of the requirement may be grounds for non-award of a proposal, even if previously Selected for negotiation and award.

Applicants may also be asked to provide a mitigation plan for any identified S&T Protection risks. The Government reserves the right not to award if the submitted SF 424 and Security Program Questionnaire are not acceptable to the Government.

In the event a security risk is identified and the Government has determined the security risk exceeds the acceptable threshold, the applicant will be notified and informed of the termination/decline of award. The

Government will be only required to provide a general statement of the reasoning due to Government OPSEC measures.

v. Conflicts of Interest

Contract awards to firms owned by or employing current or previous Federal Government employees could create conflicts of interest for those employees which may be a violation of Federal law. Applicants should contact the cognizant Ethics Counselor from the employee's Government agency for further guidance if in this situation.

vi. Classified Proposals

Classified proposals will not be accepted in response to this CSO. If efforts will require classified work during performance, the proposing firm must have or obtain a facility clearance.

Additional information on facility and personnel clearance procedures and requirements can be found at the Defense Security Service site, <http://www.dss.mil/index.html>.

vii. Research Involving Human Subjects

All research involving human subjects, to include use of human biological specimens and human data, shall comply with the applicable Federal and state laws and agency policy/guidelines for human subject protection (see Section 3.18).

Institutions to be awarded funding for research involving human subjects must provide documentation of a current Federal Assurance of Compliance with Federal regulations for human subject protection, for example a Department of Health and Human Services, Office for Human Research Protections Federal wide Assurance (<http://www.hhs.gov/ohrp>).

Additional Federal Assurance documentation may also be requested by the DAF. All institutions engaged in human subject research, to include subcontractors, must also have a valid Assurance. In addition, personnel involved in human subject research must provide documentation of completing appropriate training for the protection of human subjects. Institutions proposing to conduct human subject research that meets one of the exemption criteria in 32 CFR 219.101 are not required to have a Federal Assurance of Compliance. If selected, institutions must also provide documentation of Institutional Review Board (IRB) approval or a determination from an appropriate official in the institution that the work meets one of the exemption criteria with 32 CFR 219. As part of the IRB review process, evidence of appropriate training for all investigators should accompany the protocol. The protocol, separate from the proposal, must include a detailed description of the research plan, study population, risks and benefits of study participation, recruitment and consent process, data collection and data analysis.

The amount of time required for the IRB to review and approve the protocol will vary depending on such things as the IRB's procedures, the complexity of the research, the level of risk to study participants and the responsiveness of the Investigator. The average IRB approval process can last between one and three months.

Once the IRB has approved the research, the AF will review the protocol and the IRB's determination to ensure that the research will be conducted in compliance with DoD and DoD Component policies. The DoD review process can last between three to six months. Ample time should be allotted to complete both the IRB and DoD approval processes prior to recruiting subjects. **No funding can be used towards human subject research until ALL approvals are granted.**

viii. Research Involving Animal Subjects

All research, development, testing, experimentation, education or training involving the use of animals shall comply with the applicable Federal and agency rules on animal acquisition, transport, care, handling, and use (see Section 3.17).

For submissions containing animal use, proposals should briefly describe plans for their Institutional Animal Care and Use Committee (IACUC) review and approval.

All Recipients must receive their IACUC's approval as well as secondary or headquarters-level approval by a DoD veterinarian who is trained or experienced in laboratory animal medicine and science. **No animal research may be conducted using DoD funding until all the appropriate DoD office(s) grant approval.**

ix. Research Involving Recombinant DNA Molecules

All research involving recombinant DNA molecules shall comply with the applicable Federal and state laws and regulations and any additional agency guidance. Research shall be approved by an Institutional Biosafety Committee.

x. Use of Unmanned Aircraft Systems (UAS)

All activities involving the operation of Unmanned Aerial Systems shall be conducted IAW Department of Defense Memo entitled "Guidance for the Domestic Use of Unmanned Aircraft Systems in the U.S. National Airspace, dated 18 August 2018 and DOD memo entitled, "Delegation Authority to Approve Exemptions for Using Commercial-Off-The-Shelf Unmanned Aerial Systems in Support of Urgent Needs, dated 16 November 2018. Contractor personnel operating DoD or DoD- contracted UAS in U.S. National Airspace, whether or not the domestic use is related to an intelligence activity, will comply with all laws, regulations, and guidance relating to the operation of UAS in U.S. National Airspace. Specific programs utilizing UAS are required to obtain an exemption for operational use of a UAS; therefore, additional documentation may be requested by the AF to support an exemption request. The DOD exemption approval process can require as long as two months. **No funding can be used for contracted-UAS operations until ALL approvals are granted.**

xi. Proposal Status and Feedback

The PI and Corporate Official indicated on the Proposal Cover Sheet will be notified by email regarding proposal selection or non-selection. The small business will receive one notification for each proposal submitted. Please note the referenced proposal number and read each notification carefully. If changes occur to the company mail or email addresses or points of contact after proposal submission, the information must be provided to the DAF via AF SBIR/STTR One Help Desk.

Feedback requests will be provided to applicants with proposals determined "Not Selected". The notification letter will include instructions for submitting an automated feedback request. Applicants are entitled to no more than one feedback per proposal, and applicants are instructed not to contact the DAF for additional feedback.

NOTE: Feedback is not the same as a FAR Part 15 debriefing. Acquisitions under this solicitation are awarded via "other competitive procedures." Therefore, applicants are neither entitled to nor will they be provided FAR Part 15 debriefs.

As further prescribed in FAR 33.106(b), FAR 52.233-3, Protests after award should be submitted to: AF.SBIR.STTR.Workflow@us.af.mil with a courtesy copy to Air Force SBIR/STTR Contracting Officer Daniel Brewer, Daniel.Brewer.13@us.af.mil.

Proposal Review Information

The Air Force anticipates all proposal reviews will be complete, selection decisions made, and notification letters sent within approximately 90 calendar days of solicitation close. Please refrain from contacting the DAF for proposal status before that time.

xii. CSO, Selection, and Award Protests

Interested parties may have the right to protest this CSO by serving the Contracting Officer, Mr. Daniel Brewer, Daniel.Brewer.13@us.af.mil with the protest, by filing with the Government Accountability Office (GAO), or by filing U.S. Court of Federal Claims. Protest of selections or awards should also be directed to Mr. Brewer filed with GAO, or filed with the U.S. Court of Federal Claims. If the protest is filed with GAO, a copy of the protest shall be received by the DAF Legal Operations Agency within one day of filing. Protests of a selected firm's small business status should be directed to the SBA.

xiii. Award Information

1. Number of Awards

The DAF currently anticipates approximately 100 awards will be made as a result of this solicitation. The number of awards will depend upon funds availability. Multiple procurements are planned and anticipated to be awarded as a result of this solicitation, each proposal is considered a separate procurement and will be evaluated on its own merit, and the Government may award all, some, or none of the proposals. Any per-award or per-topic funding caps are budgetary estimates only, and more or less funding may become available. The DAF is not responsible for costs incurred before award receipt.

2. Type of Funding Agreement

Awards are executed as firm-fixed-price contracts or Other Transactions for Prototype. The Small Business Administration SBIR/STTR Policy Directive states, "Except as expressly excluded or limited by statute, awarding agencies must provide for a reasonable fee or profit on SBIR/STTR Funding Agreements." As such, the Government reserves the right to reject any proposals that fail to account for reasonable profit or fee.

xiv. Questions About This CSO and CSO Topics

1. Air Force One SBIR/STTR Help Desk

The Help Desk is available to address general questions about this CSO and other program-related topics. The Help Desk can be reached at usaf.team@afsbirsttr.us.

2. DSIP Support

Email DSIP Support at DoDSBIRSupport@reisystems.com only for assistance with using the DSIP application. Questions regarding DSIP can be emailed to DSIP Support and will be addressed in the order received, during normal operating hours (Monday through Friday, 9:00 a.m. to 5:00 p.m. ET). Please include information on your firm, a proposal number (if applicable), and screenshots of any pertinent errors or issues encountered.

DSIP Support cannot provide updates to proposal status after submission, such as proposal selection/non-selection status or contract award status. **Do not attempt to directly submit proposal documents to the above email address.** Such transmissions do not constitute proposal submission and such materials will be discarded.

3. Topic Q&A

Once the Air Force begins accepting proposals on 30 August 2023, applicants may submit written questions through Topic Q&A at <https://www.dodsbirsttr.mil/submissions/login>. In Topic Q&A, all questions and answers are posted electronically for general viewing. Identifying information for the questioner and respondent is not posted.

Questions submitted through the Topic Q&A are limited to technical information related to improving the understanding of a topic's requirements. Any other questions, such as those asking for advice or guidance on solution approach, or administrative questions, such as SBIR or STTR program eligibility, technical proposal/cost proposal structure and page count, budget and duration limitations, or proposal due date WILL NOT receive a response.

Proposing firms may use the Topic Search feature on DSIP to locate a topic of interest. Then, using the form at the bottom of the topic description, enter and submit the question. Answers are generally posted within seven (7) business days of question submission (answers will also be e- mailed directly to the inquirer).

The Topic Q&A for this CSO opens on 30 August 2023 and closes to new questions on 13 September 2023 at 12:00 PM ET. Once the CSO closes to proposal submission, no communication of any kind through Topic Q&A regarding your submitted proposal is allowed.

4. DAF SBIR/STTR Open Topic Updates and Notices

To receive notifications about AF Ventures and other DAF innovation opportunities, please visit <https://afwerx.com/afventures-overview/>.

xv. Identifying RDT&E in SBIR/STTR Proposals

Subject to programmatic phase conditions, SBIR/STTR awards are made for research, development, test and evaluation (RDT&E) efforts. The definitions and criteria below govern SBIR/STTR as Research, Development, Test, and Evaluation (RDT&E) programs. These definitions and criteria implement 15 USC 638, the SBA SBIR/STTR Policy Directive (1 Oct 2020), and DoD Financial Management Regulation (FMR), Vol. 2A, Chapter 1, Section 0102, Funding Policies (June 2004, as amended).

Phase I Conditions:

Consistent with 15 U.S.C. 638 and the SBA SBIR/STTR Policy Directive (2020), the object of Phase I is to determine the scientific and technical merit and feasibility of the proposed effort and the quality of performance of the awardee with a relatively small agency investment before consideration of further Federal support in Phase II.

xvi. Treatment of Commercial Off-the-Shelf (COTS) and Non-Developmental Items (NDIs)

COTS/NDIs: Items purchased directly from a commercial source that can be utilized without alteration through design and development, or without modification, are classified as COTS or NDI. This includes, for example, ready-to-use products, training services, and software licenses for ready-to-use software to satisfy service needs (including Software as a Service (SaaS)).

Purchases of COTS and NDIs for use, including the first article and associated first article acceptance testing and related minor adjustments are not suitable for SBIR/STTR funding. The acquisition of commercial items or NDIs for testing and operational evaluation that do not require RDT&E engineering, design or integration effort will not be funded by SBIR/STTR funds. However, if an end item requires design and development in order to accept the COTS or NDI, funding for design and development effort could be funded by SBIR/STTR funds. If a COTS or NDI is required for RDT&E test purposes, the cost could be funded by SBIR/STTR funds.

Modified COTS/Modified NDIs: Commercially available items that must be modified to satisfy user requirements are classified as "modified COTS" or "modified NDI" articles. In this instance, the first article, modification of the first article, and first article testing could be funded by SBIR/STTR funds. Follow-on purchases will not be funded by SBIR/STTR funds. The number of "modified" first articles bought with SBIR/STTR funds will not exceed the quantity needed to conduct the RDT&E acceptance tests. Modification is technology refreshment significantly changing the end item's performance envelope. If the commercially available item is modified and requires testing prior to approval for service use or inventory, it may be funded by SBIR/STTR funds, as all developmental items. In contrast to modification, continuous technology refreshment is the intentional insertion of newer technology to improve reliability, improve maintainability, reduce cost, and/or add minor performance enhancement, typically in conjunction with depot or field level maintenance. The insertion of such technology into end items as part of maintenance is not funded by SBIR/STTR funds.

xvii. Technical Baseline

As RDT&E programs, SBIR/STTR efforts are subject to scientific and technical literature searches in order to establish technical baseline, avoid duplication, and justify funding IAW AFI 61-201, Management of Scientific and Technical Information (STINFO) (29 January 2019) and AFRL/CA guidance, Streamlined and Waivered SBIR/STTR Specified Requirements (05 Aug 2019).

xviii. Promotional Material

Promotional and non-project related proposal content is discouraged. Additional information provided via website or other communication medium, except where explicitly requested, will not be considered.

xix. Fraud and False Statements

Knowingly and willfully making false, fictitious, or fraudulent statements or representations may be a felony under the Federal Criminal False Statement Act (18 USC Sec 1001), punishable by a fine of up to \$10,000, imprisonment up to five years, or both.

The DoD Office of Inspector General (IG) Hotline is an important avenue for reporting fraud, waste, abuse, and mismanagement within the DoD. The DoD IG operates this hotline to receive and investigate complaints or information from contractor employees, DoD civilians, military service members, and public citizens. Individuals who wish to report fraud, waste or abuse may contact the Hotline at (800) 424-9098 between 8:00 a.m. and 5:00 p.m. Eastern Time or visit <http://www.dodig.mil/Components/Administrative-Investigations/DoD-Hotline/Hotline-Complaint/>. Written correspondence should be addressed to the Defense Hotline, The Pentagon, Washington DC, 20301-1900. Email reporting is available at hotline@dodig.mil.

xx. State and Other Assistance Available

Many states have established programs to provide services to small business firms wishing to participate in the Federal SBIR Program. These services vary from state to state, but may include:

- o Information and technical assistance;
- o Matching funds to SBIR award recipients;
- o Assistance in obtaining Phase III funding.

Contact the state SBIR/STTR Support office at https://www.sbir.gov/state_services?state=105813# for further information.

xxi. Use of Support Contractors for the AF SBIR Program

Proposals may be handled for administrative purposes only by support contractors, including APEX, Oasis Systems, Montech, Riverside Research, Peerless Technologies, HPC- COM, Mile Two, Wright Brothers Institute, Parallax, TEC Solutions, Inc. and MacB (an Alion Company). In addition, only Government employees and technical personnel from Federally Funded Research and Development Centers (FFRDCs) MITRE and Aerospace Corporations working under contract to provide technical support to AF Life Cycle Management Center and Space and Missiles Centers may evaluate proposals. All support contractors are bound by appropriate non-disclosure agreements. Contact the DAF SBIR/STTR Contracting Officer (Daniel.Brewer.13@us.af.mil) with concerns regarding the listed contractors.

xxii. Innovation in Manufacturing

Pursuant to EO 13329, high priority is accorded to proposals advancing innovation in U.S. small business manufacturing.

xxiii. Renewable Energy

The Energy Independence and Security Act of 2007 (Act), 19 December 2007, P.L. 110-140, requires SBIR/STTR agencies to give high priority to energy efficiency or renewable energy system R&D projects. The Act encourages eligible US-owned SBCs accomplishing biomedical research in the areas of energy efficiency or renewable energy systems to submit proposals.

xxiv. Agency Recovery and Ongoing Reporting

In accordance with Section 5 of the SBIR and STTR Extension Act of 2022, the DoD will –

1) require a small business concern receiving an award under its SBIR program to repay all amounts received from the Federal agency under the award if

- (A) the small business concern makes a material misstatement that the Federal agency determines poses a risk to national security; or
- (B) there is a change in ownership, change to entity structure, or other substantial change in circumstances of the small business concern that the Federal agency determines poses a risk to national security; and

2) require a small business concern receiving an award under its SBIR program to regularly report to the Federal agency and the Administration throughout the duration of the award on—

- (A) any change to a disclosure required under subparagraphs above;
- (B) any material misstatement made under paragraph (A) above; and
- (C) any change described in paragraph (B) above.

5. Phase I Proposal

a. Phase I should address the topic solution's technical feasibility.

b. Proposal Volume Contents

- i. Registration
 - o UEI Number
 - o Commercial or Government Entity (CAGE) Code
 - o SBA Small Business Concern (SBC) Control ID
- ii. Volume 1: Proposal Cover Sheet
 - o CAGE, UEI
 - o Certification Questions
 - o Business Information
 - o Proposal Information
 - o Contact Information
- iii. Volume 2: Technical Volume
 - o Slide Deck (Up to 25 Slides)
- iv. Volume 3: Cost Volume
 - o Direct Labor Costs
 - o Direct Material Costs
 - o Other Direct Costs
- v. Volume 4: Company Commercialization Report
- vi. Volume 5: Supporting Documents
 - o Supplemental Cost Information
 - o Resumes of Key Personnel
 - o *Non-Proprietary* Work Plan
 - o DD Form 2345, Militarily Critical Technical Data Agreement (required if applicable)
 - o Allocation of Rights (optional)
 - o Attachment 1: SBIR/STTR Lifecycle Certification (required)
 - o Attachment 2: SBIR/STTR Environment, Safety and Occupational Health (ESOH) Questionnaire (required)
 - o Attachment 3: SBIR/STTR Program Contractor Certification Regarding Provision of Prohibited Video Surveillance and Telecommunications Services and Equipment (required)
 - o Attachment 4: Disclosures of Foreign Affiliations or Relationships to Foreign Countries (required)
 - o Attachment 5: Disclosure of Funding Sources (required)
 - o Attachment 6: AF Security Program Questionnaire (required)
 - o Attachment 7: Research & Related Key/Senior Person Profile (required)
 - o Attachment 8: Certification of Eligibility of Small Business Joint Ventures (required if applicable)
 - o Attachment 9: SBIR/STTR Funding Agreement Certification (encouraged at proposal submission, required prior to award)
 - o Attachment 10: Certification Questions and Coversheet Supplement (required)
 - o Attachment 11: Allocation of Rights Agreement (model, not required)
 - o Attachment 12: Sample Slide Deck (mix of required and optional)

vii. Volume 6: Fraud, Waste, and Abuse Training

c. Marking Proprietary Information

Applicants including data in proposals not to be disclosed to the public, or used by the Government except for evaluation purposes, shall:

Mark the first page of each Volume of the proposal submission with the following legend: "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, a contract is awarded to this applicant 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 provided in the resulting contract. 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 pages [insert numbers or other identification of sheets]"; and

Mark each sheet of data it wishes to restrict with the following legend: "Use or disclosure of data contained on this page is subject to the restriction on the first page of this volume."

The DoD assumes no liability for disclosure or use of unmarked data and may use or disclose such data for any purpose. Restrictive notices notwithstanding, proposals and final reports submitted through DSIP may be handled, for administrative purposes only, by support contractors. All support contractors are bound by appropriate non-disclosure agreements.

d. Proposal Cover Sheet (Volume 1)

On the Defense SBIR/STTR Innovation Portal (DSIP) at <https://www.dodsbirsttr.mil/submissions/>, prepare the Proposal Cover Sheet.

The Cover Sheet must include a brief technical abstract that describes the proposed R&D project and a discussion of anticipated benefits and potential commercial applications. Each section should be no more than 200 words. Do not include proprietary or classified information in the Proposal Cover Sheet. If your proposal is selected for award, the technical abstract and discussion of anticipated benefits may be publicly released on the Internet. Once the Cover Sheet is saved, the system will assign a proposal number. You may modify the cover sheet as often as necessary until the solicitation closes.

Effective February 2023, the amounts listed in the Percentage of Work (POW) certification question on the Proposal Cover Sheet are derived from information entered by the proposing small business concern in the Cost Volume (Volume 3). Details on the calculation can be viewed in DSIP during proposal submission.

If the POW calculations fall below eligibility requirements, the small business concern will not be able to proceed with proposal submission. Deviations from the POW minimum requirements for STTR proposals are not allowed.

e. Technical Volume (Volume 2)

i. Format

Type of File: The Technical Volume must be a single Portable Document Format (.pdf) file, including graphics. Perform a virus check before uploading the Technical Volume file. If a virus is detected, it may cause rejection of the proposal. Do not lock or encrypt the uploaded file.

Do not include or embed active graphics such as videos, moving pictures, or other similar media in the document.

Length Limitation: The Slide Deck is limited to twenty-five (25) slides; slides in excess of the 25-slide limitation will not be considered for review or award.

Layout: Number all pages consecutively. Each slide should contain the company name, topic number, and proposal number assigned by DSIP when the Cover Sheet was created.

ii. **Content**

1. The Technical Volume should contain a MAXIMUM of 25 slides, although fewer is permissible.
2. There are 11 required slides and 6 additional slides that are required only if applicable to the proposal. The remaining slides are not required and may be used at the proposer's discretion.
3. Proposals without the required slides will not be considered.
4. The Slide Deck should cover the following items in the order given below. A sample Slide Deck is available as Attachment 12. While the notes in the template are suggestions, the items described below are required. Additionally, applicants are not required to use the template's style/format. To the extent that the template and the instructions below are inconsistent, the instructions below govern.

a. Overall Summary Slide

Including Company Name and Overview of Proposal

b. Technical Merit Summary

Clearly communicate the scientific merit of the solution's central and/or enabling technological concepts, including the most effective points that demonstrate the technical merit of the solution. Identify the current scientific and/or technical baseline, referencing relevant scientific and technical literature, and describe the RDT&E effort's advancement of this baseline.

c. Concept and Significance of Problem/Opportunity

Define the specific technical problem and/or opportunity addressed and its importance to your prospective customers. Describe how your solution is better than the customers' current alternative. Communicate if and how the private sector variant of the proposed solutions is different from the DoD-variant. Work proposed to the SBIR/STTR program MUST be R/R&D. Non-RDT&E procurement of commercially-available solutions is not appropriate for the SBIR program.

d. Summary of the Solution's Commercialization Potential

Effectively demonstrate the firm's ability to commercialize the solutions in both DoD and commercial markets. Include any applicable pilots, revenue, users, and/or other types of interest or resource investment to date that demonstrates the presence of viable customer markets and Government/commercial investment for the solution. Describe the solution's competitive landscape and potential to scale the proposed solution.

e. Team's Ability to Perform Research and Commercialization the Solution

Identify the team and highlight relevant education, experience, and/or capabilities demonstrating the ability to develop the solution and adapt it to prospective DAF customer needs. Full resumes, including a publications list, for the PI and other key technical personnel shall be included in Volume 5: Supplemental Documents.

f. Defense Need

Demonstrate knowledge of prospective End-User(s)/Customer(s) and their most reasonable use-case for your solution. Explore differentiation from current customer alternatives, and incremental progress toward fulfilling the identified Defense need. Highlight previous DoD funding for the solution or underlying technology. Include a description of the proposed solution and how it compares to the user's current alternative. If applicable, reference a Strategic Capability area.

g. Objectives

Describe how success will be measured in helping the prospective users and the plan to identify stakeholders other than end-users, e.g. safety, test or certification authorities, cybersecurity, acquisition specialists supporting prospective end-users, etc.

h. Plan Outline (including Subcontractors' Efforts)

Provide a clear description of the approach. Indicate what tasks are planned, how and where the work will be conducted, a schedule of major events, and the final product(s) to be delivered. The Phase I effort should attempt to determine the technical feasibility of the proposed concept. Include an outline of the work plan in the following format: (a.) Scope: List the major requirements and specifications of the effort. (b.) Task Outline: Provide a brief outline of the work to be accomplished over the span of the effort. (c.) Deliverables (preliminary and final report) (d.) Kickoff meeting within 30 calendar days of contract start (e.) Preliminary report (f.) Final report with SF 298 and DD Form 882.

i. Transition Plan

Describe your plan to transition your solution into the DAF. Briefly describe how your proposed solution could integrate with the existing efforts of your proposed DAF customer.

j. Related Work (Dual-Use)

Describe significant activities directly related to the proposed effort, including any conducted by the PI, proposing firm, consultants, or others. Describe how these activities interface with the proposed project and discuss planned coordination with outside sources. The technical volume must persuade reviewers of the proposer's awareness of the state-of-the-art in the specific topic. Describe similar previous and parallel work not directly related to the proposed effort. Provide the following: (1) short description, (2) client POC name/phone number, and (3) completion date. Describe Defense customers and interviews with them, if any. As RDT&E programs, SBIR/STTR efforts are subject to scientific and technical literature searches in order to establish technical baseline, avoid duplication, and justify funding IAW AFI 61-201, Management of Scientific and Technical Information (STINFO) (29 January 2019) and AFRL/CA guidance, Streamlined and Waivered SBIR/STTR Specified Requirements (05 Aug 2019).

k. Clearances/Certifications/Approvals/Registrations

Include the UEI, CAGE code, and SBA SBIR/STTR ID number. If the firm does not have these numbers, include the date on which the application was submitted. Note: A valid CAGE code is required at the time of proposal submission or the proposal may be disqualified.

5. Slides to Include if Applicable

Include the following slides if they apply to the proposed effort. If not, do not include them in the slide deck.

a. Foreign Citizens

Identify any foreign citizens or individuals holding dual citizenship expected to be involved on this project as a direct employee, subcontractor, or consultant.

For these individuals, please specify their country of origin, the type of visa or work permit under which they are performing and an explanation of their anticipated level of involvement on this project. Proposing small business concerns frequently assume that individuals with dual citizenship or a work permit will be permitted to work on an STTR project and do not report them. This is not necessarily the case and a proposal will be rejected if the requested information is not provided. Therefore, proposing small business concerns should report any and all individuals expected to be involved on this project that are considered to be foreign nationals.

You may be asked to provide additional information during negotiations in order to verify the foreign citizen’s eligibility to participate on a STTR contract. Supplemental information provided in response to this paragraph will be protected in accordance with the Privacy Act (5 U.S.C. 552a), if applicable, and the Freedom of Information Act (5 U.S.C. 552(b)(6)).

b. Facilities/Equipment

Describe available instrumentation and physical facilities necessary to carry out the Phase I effort. Justify equipment purchases in this section and include detailed pricing information in the Cost Volume. State whether or not the facilities where the proposed work will be performed meet environmental laws and regulations of federal, state (name), and local Governments for, but not limited to, the following groupings: airborne emissions, waterborne effluents, external radiation levels, outdoor noise, solid and bulk waste disposal practices, and handling and storage of toxic and hazardous materials.

c. Prior, Current, or Pending Support of Similar Proposals or Awards

If a proposal submitted in response to this CSO is substantially the same as another proposal previously, currently, or pending award by another Federal Government entity, the applicant must state so on the Proposal Cover Sheet and then provide a slide with the following information.

- i. Name and address of the Federal Agency(s) or DoD Component to which a proposal was submitted, will be submitted, or from which an award is expected or has been received.
- ii. Date of proposal submission or date of award.
- iii. Title of proposal.
- iv. Name and title of principal investigator for each proposal submitted or award received.
- v. Title, Number, and date of CSO(s) or solicitation(s) under which the proposal was submitted, will be submitted, or under which award is expected or has been received.
- vi. If award was received, state contract number.
- vii. Specify the applicable topics for each STTR proposal submitted or award received.

d. Technical Data Rights Assertions

See Attachment 10 for a robust discussion of the SBIR/STTR Technical Data Rights regime. If an applicant plans to submit assertions IAW DFARS 252.227-7017, identification and assertion of use, release, or disclosure restrictions MUST be included with the proposal submission. If selected, the contract will not be awarded until assertions are negotiated and/or approved. Applicants wishing to assert data rights shall include the following table on this slide:

Technical Data/ Computer Software Furnished with Restrictions	Basis for Assertion <ul style="list-style-type: none"> • None • Developed exclusively at private expense • Developed partially at 	Asserted Rights Category <ul style="list-style-type: none"> • None • Government Purpose Rights • Limited Rights (Technical 	Name of Person Asserting Restrictions

	private expense	Data) <ul style="list-style-type: none"> • Restricted Rights (Software) • Specificall y Negotiate d License • Rights in SBIR Data 	
List	List	List	List

e. Facilities/Equipment

Describe available instrumentation and physical facilities necessary to carry out the effort. Justify equipment purchases, including detailed pricing information in the Cost Volume. Verify facilities where the proposed work will be performed meet environmental laws and regulations of Federal, state (name), and local governments. This includes, but not limited to, airborne emissions, waterborne effluents, external radiation levels, outdoor noise, solid and bulk waste disposal practices, and handling and storage of toxic and hazardous materials.

f. Supplemental Information on Direct Labor Costs

For any notable instances, e.g., a significant number of hours, very high hourly wages, or significant labor overhead/fringe rates, please justify them in this section. Helpful resources for rate comparisons are located at https://www.bls.gov/oes/current/oes_nat.htm

g. Supplemental Information for Direct Material Costs

Justify costs for materials, parts, and supplies with an itemized list containing types, quantities, and price and where appropriate, purposes. For the materials included in the cost volume, please provide the bases for the listed costs. This can be historical information, vendor quotes, catalogs, etc.

h. Detailed Travel Costs

If travel was proposed as an Other Direct Cost, justify those expenses here. Cost for travel funds must be justified and related to the needs of the project. Provide the number of trips, travelers per trip, specific locations and purpose. Also include, to the extent practicable, the basis for the proposed flight, lodging, per diem (meals), and ground transportation costs. A useful resource for this section is <https://www.gsa.gov/travel/plan-book/per-diem-rates>.

i. Supplemental Information for Special Tooling and Test Equipment

While special tooling/test equipment and material cost may be included under Phase I, these items are carefully reviewed relative to need and appropriateness for the project. Special tooling/test equipment purchases must be determined by the contracting officer to be advantageous to the Government and directly. Special tooling and special test equipment may include such items as innovative instrumentation or automatic test equipment. Title to property furnished by the Government or acquired with Government funds will be vested with the Air Force unless it is determined title transfer to the contractor is more cost effective than equipment recovery by the Air Force.

f. Cost Volume (Volume 3)

Complete the Cost Volume as shown in the Cost Breakdown Guidance. This is accomplished by using the online cost volume form in DSIP. Some items may not apply to the proposed project. If not, do not provide information for those items. Enough information shall be provided for DAF to understand the company's plan to utilize the requested funds, i.e., the purpose, necessity, and reasonableness of each expenditure.

Proposals submitted that exceed the maximum specified STTR funding amount will not be considered for award.

For direct costs, include substantiating information such as vendor quotes, previous orders, historical data, etc. Costs without substantiating justification should be detailed through the cost estimating process. All substantiating evidence should be included in the 'Additional Cost Information' section of the Volume 5, Supporting Documents. If selected for award, the Government may require further documentation to substantiate costs.

Provide sufficient detail, as found in 1-4 below, regarding funds' use if the contract is awarded. The itemized listing may be placed in the "Explanatory Material" section of the on-line Cost Volume (if there is enough room) or submitted in Volume 5, Supporting Documents, under the "Other" dropdown option.

Note: Only one file can be uploaded to DSIP.

Information in the online Cost Volume form includes but is not limited to:

1. Direct Labor Costs: Identify key personnel by name, if possible, or by labor category if specific names are not available. The number of hours, labor overhead and/or fringe benefits, and actual hourly rates for each individual are required.
2. Direct Material Costs: Provide an itemized list including types, quantities, price, and, when appropriate purpose, for materials, parts, and supplies. If proposing direct material, justification information, including vendor quotes, historical costs, etc., can be included as "Supplemental Cost Information" in Volume 5, Other Supporting Documents.
3. Other Direct Costs: This category of costs includes specialized services such as machining or milling, special testing or analysis, and/or cost incurred in obtaining temporary use of specialized equipment. Proposals, which include leased hardware, must provide an adequate lease vs. purchase justification or rationale. If proposing other direct costs, additional information can be included as "Supplemental Cost Information" in Volume 5, Other Supporting Documents.

Travel: Include travel costs in "Other Direct Costs." Travel costs must relate to the needs of the project. Break out travel cost by trip, number of travelers, airfare, per diem, lodging, etc. The number of trips required, as well as the destination and purpose of each should be included.

Recommend budgeting at least one (1) trip to the Air Force location managing the contract. Greater travel expectations will be required as noted in some topic statements and corresponding SBIR/STTR Interactive Topic Information System (SITIS) Q&A. Estimation of travel costs need not be an overly onerous exercise, and actual travel cost may differ from your proposed travel. This information allows the Government CO to ensure travel costs are not excessive.

Subcontracts: Include subcontractor/consultant costs in "Other Direct Costs." Involvement of university or other consultants in the planning and/or research stages of the project may be appropriate. If so, describe in detail and include information in the Cost Volume. The proposed total of all consultant fees, facility leases or usage fees, and other subcontract

or purchase agreements may not exceed one-third of the total contract price or cost, unless otherwise approved in writing by the Contracting Officer. Support subcontract costs with copies of the subcontract agreements. The supporting agreement documents must adequately describe the work to be performed. At a minimum, an applicant must include a Statement of Work (SOW) with a corresponding detailed Cost Volume for each planned subcontract.

Consultants: Provide a separate agreement letter for each consultant. The letter should briefly state what service or assistance will be provided, the number of hours required and hourly rate

Special Tooling/Test Equipment/Material: The inclusion of equipment and materials will be carefully reviewed relative to need and appropriateness of the work proposed. The purchase of special tooling and test equipment must, in the opinion of the CO, be advantageous to the Government and relate directly to the specific effort. Such items may include such items as innovative instrumentation and/or automatic test equipment. Title to property furnished or funded by the Government will be vested with the AF, unless determined that title transfer to the contractor is more cost effective than equipment recovery by the Government.

ROUND ALL COSTS TO THE NEAREST DOLLAR!

NOTE: If no exceptions are taken to an applicant's proposal, the Government **may** award a contract with only clarifications. Therefore, the initial proposal should contain an applicant's best terms from a cost/ price and technical standpoint. For questions regarding the award document, contact the AF SBIR/STTR CO, Daniel Brewer, Daniel.Brewer.13@us.af.mil.

g. Company Commercialization Report (Volume 4)

The Company Commercialization Report (CCR) allows companies to report funding outcomes resulting from prior SBIR and STTR awards. SBIR and STTR awardees are required by SBA to update and maintain their organization's CCR on SBIR.gov. Commercialization information is required upon completion of the last deliverable under the funding agreement. Thereafter, SBIR and STTR awardees are requested to voluntarily update the information in the database annually for a minimum period of five years.

If the proposing firm has prior DoD and/or non-DoD Phase I and/or Phase II SBIR/STTR awards, regardless of whether the project has any commercialization to date, a PDF of the CCR must be downloaded from SBIR.gov and uploaded to the Firm Forms section of DSIP by the Firm Admin. Firm Forms are completed by the DSIP Firm Admin and are applied across all proposals the firm submits. The DSIP CCR requirement is fulfilled by completing the following:

1. Log into the firm account at <https://www.sbir.gov/>.
2. Navigate to My Dashboard > My Documents to view or print the information currently contained in the Company Registry Commercialization Report.
3. Create or update the commercialization record, from the company dashboard, by scrolling to the "My Commercialization" section, and clicking the create/update Commercialization tab under "Current Report Version". Please

refer to the “Instructions” and “Guide” documents contained in this section of the Dashboard for more detail on completing and updating the CCR. Ensure the report is certified and submitted.

4. Click the “Company Commercialization Report” PDF under the My Documents section of the dashboard to download a PDF of the CCR.
5. Upload the PDF of the CCR (downloaded from SBIR.gov in the previous step) to the Company Commercialization Report in the Firm Forms section of DSIP. This upload action must be completed by the Firm Admin.

This version of the CCR, uploaded to DSIP from SBIR.gov, is inserted into all proposal submissions as Volume 4.

During proposal submission, the applicant will be prompted with the question: “Do you have a new or revised Company Commercialization Report to upload?”. There are three possible courses of action:

1. If the proposing firm has prior DoD and/or non-DoD Phase I and/or Phase II SBIR/STTR awards, and DOES have a new or revised CCR from SBIR.gov to upload to DSIP, select YES.
 - a. If the user is the Firm Admin, they can upload the PDF of the CCR from SBIR.gov directly on this page. It will also be updated in the Firm Forms and be associated with all new or in-progress proposals submitted by the firm. If the user is not the Firm Admin, they will receive a message that they do not have access and must contact the Firm Admin to complete this action.
 - b. WARNING: Uploading a new CCR under the Firm Forms section of DSIP or clicking “Save” or “Submit” in Volume 4 of one proposal submission is considered a change for ALL proposals under any open CSOs or CSOs. If a proposing firm has previously certified and submitted any Phase I or Direct to Phase II proposals under any CSO or CSO that is still open, those proposals will be automatically reopened. Proposing firms will have to recertify and resubmit such proposals. If a proposing firm does not recertify or resubmit such proposals, they will not be considered fully submitted and will not be evaluated.
2. If the proposing firm has NO prior DoD and/or non-DoD Phase I and/or Phase II SBIR/STTR awards, the upload of the CCR from SBIR.gov is not required and firm will select NO. The CCR section of the proposal will be marked complete.
3. If the proposing firm has prior DoD and/or non-DoD Phase I and/or Phase II SBIR/STTR awards, and DOES NOT have a new or revised CCR from SBIR.gov to upload to DSIP, select NO.
 - a. If a prior CCR was uploaded to the Firm Forms, the proposer will see a file dialog box at the bottom of the page and can view the previously uploaded CCR. This read-only access allows the proposer to confirm that the CCR has been uploaded by the Firm Admin.
 - b. If no file dialog box is present at the bottom of the page that is an indication that there is no previously uploaded CCR in the DSIP Firm Forms. To fulfill the DSIP CCR requirement the Firm Admin must follow steps 1-5 listed above to download a PDF of the CCR from SBIR.gov and upload it to the DSIP Firm Forms to be included with all proposal submissions.

While all proposing firms with prior DoD and/or non-DoD Phase I and/or Phase II SBIR/STTR awards must report funding outcomes resulting from these awards through the CCR from SBIR.gov and upload a copy of this report to their Firm Forms in DSIP. **The Air Force will not consider the CCR during proposal evaluations.**

h. Supporting Documents (Volume 5)

This volume is used to submit additional documentation supporting the Technical Volume (Volume 2) and the Cost Volume (Volume 3).

NOTE – when combining .pdf documents, ensure digital signatures are not stripped. All applicants are REQUIRED to submit the following documents to Volume 5.

Documents acceptable for inclusion in Volume 5 are:

- i. Attachment 1- SBIR/STTR Lifecycle Certification (required)
- ii. Attachment 2- SBIR/STTR Environment, Safety, and Occupational Health (ESOH) Questionnaire (required)
- iii. Attachment 3: SBIR/STTR Program Contractor Certification Regarding Provision of Prohibited Video Surveillance and Telecommunications Services and Equipment (required)
- iv. Attachment 4: Disclosures of Foreign Affiliations or Relationships to Foreign Countries (required)
- v. Attachment 5: Disclosure of Funding Sources (required)
- vi. Attachment 6: AF Security Program Questionnaire (required)
- vii. Attachment 7: Research & Related Key/Senior Person Profile (required)
- viii. Attachment 8: Verification of Eligibility of Small Business Joint Ventures (required if applicable)
- ix. Attachment 9: SBIR/STTR Funding Agreement Certification (encouraged at proposal submission, required prior to award)
- x. Attachment 10: Coversheet Supplement (required)
- xi. Attachment 12: Allocation of Rights Agreement (attachment provided for sample purposes)
- xii. Supplemental Cost Information: This document is used to provide additional cost information to augment the Cost Volume (Volume 3) provided in the online form. The Supplemental Cost Information detail must be adequate to enable Department of the Air Force personnel to determine the purpose, necessity, and reasonableness of each cost element provided in the Cost Volume. Information in this section should include the following where applicable:
 1. For significant costs, e.g., large number of hours, very high hourly wages, substantial labor overhead/fringe rates, etc., provide justification. Helpful resources for determining average rates are https://www.bls.gov/oes/current/oes_nat.htm.
 2. Direct Material Costs: Provide an itemized list of types, quantities, price, and purpose for proposed materials, parts, and supplies. For the materials, provide the cost basis, e.g., historical information, vendor quotes, catalogs, etc.
 3. Travel included in Other Direct Costs: If travel was proposed as an Other Direct Cost, funding requested must be related to the project's needs. Provide the number of trips, travelers per trip, specific locations, and purpose. Also include the sources of estimated costs for flights, lodging, meals, and ground transportation. A useful resource for this section is <https://www.gsa.gov/travel-resources>.

4. Special Tooling/Test Equipment/ Material Costs: While special tooling/test equipment/material costs may be included, they will be carefully reviewed to determine need and appropriateness for the proposed work. Special tooling and test equipment purchases must, in the Government CO's opinion, be advantageous to the Government and directly related to the effort. This can include innovative instrumentation or automatic test equipment. Typically title to property furnished by the Government or acquired with Government funds will be vested with the DoD Component. Only if it is determined title transfer to the contractor would be more cost effective than equipment recovery will it be otherwise dispositioned.
5. Copies of Subcontract Agreements: If the applicant intends to utilize consultants, subcontractors, academia, etc., describe the relationship in detail, including information in the Cost Volume. The proposed total of all consultant fees, facility leases/usage fees, and/or other subcontract or purchase agreements, may not exceed one-third of the total contract price/cost, unless otherwise approved in writing by the Government CO. Provide copies of subcontract agreements. The supporting agreement documents must adequately describe the work to be performed. At a minimum, an applicant must include a Statement of Work (SOW) with a corresponding, detailed Cost Volume for each planned subcontract.
6. Copies of Consultant Agreements: Provide a separate agreement letter for each consultant. The letter should briefly state the tasks to be provided, hours required, and hourly rate. Some firms seek assistance from subcontractors or consultants to determine their solution's feasibility for a specific DoD customer. If working with a customer discovery firm like this, the associated agreement is required to be included in the proposal.
7. Facilities/Equipment: Describe instrumentation and/or physical/digital facilities necessary and available to carry out the proposed effort. Justify equipment to be purchased, including in 'Additional Cost Information,' as necessary. State whether proposed performance locations meet Federal, state, and local government environmental laws and regulations for airborne emissions, waterborne effluents, external radiation levels, outdoor noise, solid/bulk waste disposal practices, toxic/hazardous material handling/storage, and others as identified.
8. Indirect Costs: The proposal should identify the specific rates used and allocation bases to which they are applied. Provide proposed rates and applications per FY throughout the anticipated performance period. Do not propose composite rates.

NOTE: If selected, applicants may be requested to provide additional documentation to the Government to substantiate costs, e.g., explain cost estimates for equipment, materials, and consultants or subcontractors.

9. Resumes of Key Personnel: Full resumes, including a publications list, for the Primary Investigator and other key technical personnel shall be included.
10. Non-Proprietary Work Plan: Provide a complete, non-proprietary work plan, free of proprietary markings. Attach as a stand-alone document, if

possible, for inclusion in the contact document, if selected. Failure to provide this document will necessitate a request for revision and may delay contract award.

11. SBIR/STTR Funding Agreement Certification (Signed): Applicants are encouraged to complete a Funding Agreement Certification at the time of proposal submission and include it in Volume 5. These documents are required prior to award, and inclusion of this document with the proposal submission is likely to expedite award for those proposals Selected for negotiations and award. This certification can be found at Attachment 9.
 12. DD Form 2345 - ITAR/EAR Certification: For proposals whose solutions fall under export- controlled regulations (either International Traffic in Arms (ITAR) or Export Administration Regulations (EAR)), a copy of the certified DD Form 2345, Militarily Critical Technical Data Agreement, or evidence of application submission must be included. The form, instructions, and FAQs may be found at the United States/Canada Joint Certification Program website, http://www.dla.mil/HQ/InformationOperations/Offers/Products/LogisticsApplications/JCP/DD_2345Instructions.aspx. Approval of the DD Form 2345 will be verified if proposal is chosen for award.
 13. Allocation of Rights: A small business concern must negotiate a written agreement between the small business and the research institution allocating intellectual property rights and rights to carry out follow-on research, development, or commercialization. This is required for STTR awards. A sample (not required) ARA is included as Attachment 11 to this document. This document may also be found here: <https://rt.cto.mil/wp-content/uploads/STTR-Model-Agreement-for-the-Allocation-of-Rights.pdf>
 14. Additional Letters of Support: Letters of support demonstrate that the proposed innovation, if developed, would solve a valid market need. More generally, letters of support can validate commercial impact claims made in the proposal. Therefore, letters from potential technology end users (e.g., customers and corporate partners/collaborators) are appropriate, as well as letters from actual or potential investors. All letters should be uploaded in a single .pdf file organized logically. NOTE: When combining .pdf documents, ensure digital signatures are not stripped.
- **Contractor Certification Regarding Provision of Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment**
The DoD must comply with Section 889(a)(1)(B) of the National Defense Authorization Act (NDAA) for Fiscal Year 2019 and is working to reduce or eliminate contracts with entities that use any equipment, system, or service that uses covered telecommunications equipment or services (as defined in Attachment 3) as a substantial or essential component of any system, or as critical technology as part of any system.

All proposals must include certifications in Defense Federal Acquisition Regulation Supplement (DFARS) provisions 252.204-7016, 252.204-7017, and clause 252.204-7018,

executed by the proposing small business concern's authorized proposing small business concern representative. The DFARS provisions and clause may be found in Attachment 3. **These certifications must be signed by the authorized proposing small business concern representative and uploaded as a separate PDF file in the supporting documents sections of Volume 5 for all proposal submissions.**

The effort to complete the required certification clauses includes the proposing small business concern and any contractors that may be proposed as a part of the submission including research partners and suppliers. The proposing small business concerns are strongly encouraged to review the requirements of these certifications early in the proposal development process. Failure to submit or complete the required certifications as a part of the proposal submission process may be cause for rejection of the proposal submission without evaluation.

- **Disclosures of Foreign Affiliations or Relationships to Foreign Countries**

In accordance with Section 4 of the SBIR and STTR Extension Act of 2022 and the SBA SBIR/STTR Policy Directive, the Department of Defense will review all proposals submitted in response to this CSO to assess security risks presented by small business concerns seeking a Federally funded award. **Proposing small business concerns must complete Attachment 4: Disclosures of Foreign Affiliations or Relationships to Foreign Countries and upload to Volume 5. Proposals that do not include the completed Attachment 4 in Volume 5 will be deemed noncompliant and will not receive an evaluation.**

- **Certification Regarding Disclosure of Funding Sources**

The proposing small business concern must comply with Section 223(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021, which requires that covered individuals:

- (A) disclose the amount, type, and source of all current and pending research support received by, or expected to be received by, the individual as of the time of the disclosure;
- (B) certify that the disclosure is current, accurate, and complete; and
- (C) agree to update such disclosure at the request of the agency prior to the award of support and at any subsequent time the agency determines appropriate during the term of the award

Small business concerns must also certify that each covered individual who is employed by the small business and listed on the proposal has been made aware of the requirements listed above. **The disclosure and certification must be made by completing Attachment 5 of this CSO and uploading to Volume 5, Supporting Documents of the proposal submission in DSIP.**

- i. **Fraud, Waste, and Abuse Training (Volume 6)**

The Fraud, Waste and Abuse (FWA) training is required for Phase I proposals. FWA training provides information on what represents FWA in the SBIR/STTR program, the most common mistakes that lead to FWA, as well as the penalties and ways to prevent FWA in your firm. This training material can be found in the Volume 6 section of the proposal submission module in DSIP and must be thoroughly reviewed once per year. Plan ahead and leave ample time to complete this training based on the proposal submission deadline. FWA training must be completed by one DSIP firm user with read/write access (Proposal Owner, Corporate Official or Firm Admin) on behalf of the firm.

- i. **Common Disqualifiers:**

The following are common reasons for which proposals are disqualified. It is not a comprehensive list of potential reasons for disqualification, but is meant to be instructive. Applicants shall read ALL solicitation instructions to ensure compliance.

- System for Award Management is not properly updated at time of submission, or is not updated to include eligibility for ALL AWARDS.
- Minimum Performance Percentage of Work is not allocated properly
- Work as proposed does not meet the definition of Research and Development required for funding
- Proposal submitted beyond deadline. In the event of technical difficulty contact DSIP Help Desk immediately.
- Proposal submitted exceeds the maximum STTR funding amount.

The following items are extremely helpful in expediting award timelines; however, are not required at the time of proposal submission.

- Completion of NIST SP-800 171 assessment and submission to SPRS:
Resource: <https://www.projectspectrum.io/#!/blog/blog-post/c9224e16-57ad-41fa-aa4e-8458a52df971>
- Familiarization with definitions and procedures required for research determined to include Human Subject Testing
- Familiarization with definitions and procedures required for research determined to include Flight Testing or UAS
- Coordination and familiarization with data/information required for project completion and potential handling requirements End-User and Customer
Resources: <https://www.dcsa.mil/mc/ctp/cui/> <https://www.dcsa.mil/mc/ctp/tools/>

If DoD assesses that a small business concern has security risk(s), DoD will review the proposal, the evaluation, and the security risks and may decide not to select the proposal for award based upon a totality of the review.

6. Evaluation Criteria

DAF is seeking varying technical/scientific approaches and/or varying and new technologies for transition into the United States Air Force and/or United States Space Force. Proposals will be peer reviewed based on the criteria below. Selections will represent best value to the Government considering the following factors which are of equal importance: Commercialization Potential, Defense Need, and Technical Approach. Each proposal will be judged on its own merits. Multiple procurements are planned and anticipated to be awarded as a result of the topic, each proposal is considered a separate procurement and will be evaluated on its own merit, and that the Government may award all, some, or none of the proposals.

Funding Methodology

Since the Air Force Research Laboratory is one lab supporting two services, DAF has combined both Air Force and Space Force Open Topics in to one open topic, under which both Air Force and Space Force proposals will be accepted. Applicants shall identify whether their proposal is anticipated to meet an Air Force only need, Space Force only need, or both. DAF subject matter experts will make final categorization determinations based upon Air Force and Space Force mission sets and fiscal law. All selections will still be made in accordance with the specified evaluation criteria and the decision to combine topics does not decrease the anticipated number of awards. Any per-award or per-topic funding caps are budgetary estimates only, and more or less funding may become available.

EVALUATION CRITERIA

All Phase I proposals will be evaluated on a competitive basis. This CSO is seeking varying technical/scientific approaches and/or varying and new technologies for transition into the United States Air Force and/or the United States Space Force. Multiple procurements are planned and anticipated to be awarded as a result of the topic, each proposal is considered a separate procurement and will be evaluated on its own merit, and that the Government may award all, some, or none of the proposals. Proposals will initially be screened to determine responsiveness. Proposals passing this initial screening will be peer reviewed by engineers or scientists to determine the most promising technical and scientific approaches. Each proposal will be judged on its own merits. The DAF is under no obligation to fund a specific number of proposals and may elect to award none. Any per-award or per-topic funding caps are budgetary estimates only, and more or less funding may become available. Funding decisions are made with complete Disregard to the other awards under the same topic. Proposals will be peer reviewed based on the criteria below. Selections will represent best value to the Government considering the following factors of equal importance.

1. Commercialization

The potential for Government or private sector commercialization and benefits expected to accrue from commercialization.

- a. The SBC's record of commercializing SBIR/STTR or other research, as indicated by pre-sales, pilots, sales, revenue, active users, subscriptions, downloads, and/or other forms of traction/adoption.
- b. The size of the market and potential for revenue.
- c. The clarity of the SBC's business plan.
- d. The Existence of Phase II follow-on commitments for the subject research, and funding commitments related to the subject effort, whether from Government sources, as documented in a DAF Customer Memorandum, or private sources, as documented through a letter of commitment, are evidence of commercialization potential.

2. Defense Need

The Defense Need being fulfilled and ability of the proposal to impact that Defense Need.

- a) The appropriateness, relevance, and specificity of an identified Defense Need. While not required, signed letters of support from other Government personnel may be indicators of the appropriateness, relevance, and specificity of an identified Defense Need.
- b) Adequacy of the proposed effort and its relationship to fulfilling the identified Defense Need.
- c) The level of defense mission impact and urgency of the Defense Need.
- d) The breadth of applicability of the solution.

3. Technical Approach

The clarity of the problem statement, technical approach, soundness, technical merit, and innovation of the proposed technical approach, its differentiation from current customer alternatives. Includes the proposed Principal Investigator's/Project Managers', supporting staff, and consultants' qualifications to execute the proposed approach.

Denial of Awards

The DAF will not make an award under the SBIR program if it determines that

- A) The small business concern submitting the proposal has an owner or covered individual that is party to a malign foreign talent recruitment program;
- B) The small business concern submitting the proposal has a business entity, parent company, or subsidiary located in the People's Republic of China or another foreign country of concern.

- C) The small business concern submitting the proposal has an owner or covered individual that has a foreign affiliation with a foreign entity located in the People’s Republic of China or another foreign country of concern; and

The relationships and commitments described above

- D) Interfere with the capacity of activities supported by the DoD to be carried out;
- E) Create duplication with activities supported by the DoD;
- F) Present concerns about conflicts of interest;
- G) Were not appropriately disclosed to the DoD;
- H) Violate Federal law or terms and conditions of contracts or other agreements awarded by the DoD; or
- I) Pose a risk to national security.

The DAF will also utilize a due diligence process as outlined in 15 U.S.C. 638(vv) to assess proposals utilizing open-source analysis and analytical tools. If DAF assesses that a small business concern has security risk(s), DoD will review the proposal, the evaluation, and the security risks and may choose not to select the proposal for award based upon a review of the totality of the review.

4. **Technical approach**

The clarity of the problem statement, technical approach, soundness, technical merit, and innovation of the proposed technical approach, as well as its differentiation from current customer alternatives. Includes the proposed Principal Investigators’/Project Managers’, supporting staff, and consultants’ qualifications to execute the proposed approach.

All evaluation criteria other than cost or price, when combined, are significantly more important than cost or price. Where technical evaluations are essentially equal in merit, cost and/or price will be considered in determining the successful offeror(s).

Price reasonableness and realism will be considered to the extent appropriate. IAW 15 USC 638(dd)(7), investment by venture capital, private equity firms, or hedge funds shall not be used as an award criterion.

Peer reviewers will base their conclusions only on information contained in the proposals. It cannot be assumed reviewers are acquainted with the firm, key individuals, or referenced experiments.

Other Factors Considered During the Selection Process:

- o National security concerns.
- o Pursuant to EO 13329, high priority is accorded to proposals advancing innovation in U.S. small business manufacturing.
- o The Energy Independence and Security Act of 2007 (Act), 19 December 2007, P.L. 110-140, requires SBIR/STTR agencies to give high priority to energy efficiency or renewable energy system R&D projects. The Act encourages eligible US-owned SBCs accomplishing biomedical research in the areas of energy efficiency or renewable energy systems to submit proposals.

7. **Contractual Requirements**

a. **Other Contractual Requirements**

- i. Awardees will be required to make certain legal commitments through acceptance of Government contract clauses or OT articles. The following outline is **illustrative** of provisions required by the FAR or statute for inclusion in Phase

I awards. This is not a complete list, nor does it contain specific clause/article wording.

ii. Standards of Work

Work performed under the award must conform to professional standards.

iii. Inspection

Work performed under the award is subject to Government inspection and evaluation at all reasonable times.

iv. Examination of Records

The Comptroller General (or a fully authorized representative) shall have the right to examine any directly pertinent awardee records involving award transactions.

v. Default

The Government may terminate the award for failure to perform the negotiated effort.

vi. Termination for Convenience

The Government may terminate the award at any time if it deems termination in its best interest. The firm will be compensated for work performed and reasonable termination costs.

vii. Disputes

Any award dispute not resolved by agreement shall be decided by the Contracting or Agreements Officer with right of appeal.

viii. Contract/OT Work Hours

The awardee may not require an employee to work more than eight hours a day or forty hours a week unless compensated accordingly through overtime pay.

ix. Equal Opportunity

The firm will not discriminate against any employee or employee applicant because of race, color, religion, sex, or national origin.

x. Affirmative Action for Veterans

The awardee will not discriminate against any employee or applicant for employment because he or she is a disabled veteran.

xi. Affirmative Action for Handicapped Individuals

The awardee will not discriminate against any employee or applicant for employment because he or she is physically or mentally handicapped.

xii. Officials Not to Benefit

No Federal Government official may benefit personally from the SBIR/STTR funding agreement.

xiii. Covenant Against Contingent Fees

No person or agency has been employed to solicit or secure the award upon an understanding for compensation except bona fide employees or commercial agencies maintained by the awardee for the purpose of securing business.

xiv. Gratuities

The Government may terminate the contract if gratuities have been offered to any Government representative to secure the awardee.

xv. Patent Infringement

The awardee shall report each notice or patent infringement claim based on contract performance.

xvi. Military Security Requirements

The awardee shall safeguard classified information associated with the contracted work IAW applicable regulations.

xvii. American Made Equipment and Products

The awardee will purchase equipment and/or products in support of the STTR award from U.S.-based sources whenever possible.

xviii. Unique Identification (UID)

If hardware will be delivered to the Government under the award, there is potential unique item identification will be required IAW DFARS 252.211-7003.

xix. Publication Approval

Government review and approval will be required prior to dissemination or publication, except within and between the awardee and its subcontractors (if any), of classified and non- fundamental information developed under this award or contained in reports to be furnished pursuant to this award.

xx. Animal Welfare

Awards involving research, development, test, evaluation, or training on vertebrate animals will incorporate DFARS clause 252.235-7002 or similar verbiage.

xxi. Protection of Human Subjects

Effective 29 July 2009, contracts including or potentially including research involving human subjects IAW 32 CFR Part 219, DoD Directive 3216.02, and 10 U.S.C. 980, including research meeting exemption criteria under 32 CFR 219.101(b), will incorporate DFARS clause 252.235-7004 or similar verbiage.

xxii. E-Verify

Contracts exceeding the simplified acquisition threshold may include the FAR clause 52.222- 54 “Employment Eligibility Verification” unless exempted by the conditions listed at FAR 22.1803.

xxiii. Similar verbiage will be included in OT awards unless determined exempt through comparable determination.

xxiv. ITAR

IAW DFARS 225.7901-4, Export Control Contract Clauses, the clause found at DFARS 252.225- 7048, Export-Controlled Items (June 2013), must be included in all solicitations and contracts; therefore, all awards resulting from this CSO will include DFARS 252.225-7048 or similar verbiage. Full text: <https://www.acquisition.gov/dfars/part-252-clauses#DFARS-252.227-7018>.

xxv. Cybersecurity

Awardees are required to provide adequate security on all covered business information systems. Specific security requirements are listed in DFARS 252.204.7012, and compliance is mandatory. Note, DFARS clauses 252.204-7019 and 252.204-7020 also apply to this solicitation.

xxvi. Safeguarding Covered Defense Information Controls

As prescribed in DFARS 252.204- 7008, for covered contractor information systems that are not part of an information technology service or system operated on behalf of the Government, the SBC represents that it will implement the security requirements specified by National Institute of Standards and Technology (NIST) Special Publication (SP) 800-171, “Protecting Controlled Unclassified Information in Nonfederal Information Systems and Organizations”.

xxvii. Contractor Certification Regarding Provision of Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment

In accordance with DFARS Subpart 204.21, DFARS provisions 252.204-7016, 252.204-7017, and clause 252.204-7018 are incorporated into this solicitation. This subpart implements section 1656 of the National Defense Authorization Act for Fiscal Year 2018 (Pub. L. 115-91) and section 889(a)(1)(A) of the National Defense Authorization Act for Fiscal Year 2019 (Pub. L. 115-232).

xxviii. Limitations on the Use or Disclosure of Third- Party Contractor Reported Cyber Incident Information

As required in DFARS 252.204-7009, the Contractor must agree that certain conditions apply to any information it receives or creates in the performance of a resulting contract that is information obtained from a third-party's reporting of a cyber incident pursuant to DFARS clause 252.204-7012, Safeguarding Covered Defense Information and Cyber Incident Reporting (or derived from such information obtained under that clause).

xxix. Notice of NIST SP 800-171 DoD Assessment Requirements

As prescribed by DFARS 252.204-7019, in order to be considered for award, the SBC is required to implement NIST SP 800-171. The SBC shall have a current assessment (see 252.204-7020) for each covered contractor information system that is relevant to the offer, contract, task order, or delivery order. The Basic, Medium, and High NIST SP 800-171 DoD Assessments are described in the NIST SP 800-171 DoD Assessment Methodology located at https://www.acq.osd.mil/dpap/pdi/cyber/strategically_assessing_contractor_implementation_of_NIST_SP_800-171.html.

In accordance with DFARS 252.204-7020, the SBC shall provide access to its facilities, systems, and personnel necessary for the Government to conduct a Medium or High NIST SP 800-171 DoD Assessment, as described in NIST SP 800-171 DoD Assessment Methodology, linked above.

b. Basic Safeguarding of Covered Contractor Information Systems

FAR 52.204-21, Basic Safeguarding of Covered Contractor Information Systems, is incorporated into this solicitation. In accordance with FAR 52.204-21, the contractor shall apply basic safeguarding requirements and procedures when the contractor or a subcontractor at any tier may have Federal contract information residing in or transiting through its information system.

c. Prohibition on Contracting with Persons that have Business Operations with the Maduro Regime

DFARS 252.225-7055, Representation Regarding Business Operations with the Maduro Regime, is incorporated into this solicitation. In accordance with section 890 of the National Defense Authorization Act for Fiscal Year 2020 (Pub. L. 116-92), DoD is prohibited from entering into a contract for the procurement of products or services with any person that has business operations with an authority of the government of Venezuela that is not recognized as the legitimate government of Venezuela by the United

States Government, unless the person has a valid license to operate in Venezuela issued by the Office of Foreign Assets Control of the Department of the Treasury.

d. Copyrights

With the CO/AO's prior written permission, the awardee may copyright (consistent with appropriate national security considerations, if any) material developed with DoD support. DoD receives a royalty-free license for the Federal Government and requires each publication to contain an appropriate acknowledgment and disclaimer statement.

e. Patents

Awardees normally retain the principal worldwide patent rights to Government-funded inventions. The Government receives a royalty-free license, reserves the right to require the patent holder to license others in certain limited circumstances, and requires anyone exclusively licensed to sell the invention in the United States to manufacture it domestically. As authorized by 35 USC 205, the Government will not publicly disclose a Government-supported invention for a period of five years to allow the awardee to pursue a patent.

f. Technical Data Rights

Rights in technical data, including software, developed under the award terms resulting from proposals submitted under this CSO, generally remain with the awardee. As detailed in DFARS 252.227-7018(b)(1), the Government shall have unlimited rights in specific technical data or computer software generated under SBIR/STTR contracts, to include form, fit, and function data and data necessary for installation, operation, maintenance, and training purposes. Aside from the unlimited rights afforded under DFARS 252.227-7018(b)(1), the Government shall have SBIR data rights in all other technical data or computer software generated under this contract for a period of 20 years, commencing upon contract award. This data should be marked with the restrictive legend specified in DFARS 252.227-7018 or similar. Upon expiration of the 20 year restrictive license, the Government has Government Purpose Rights in the SBIR data.

During the license period, the Government may not release or disclose SBIR data to any entity other than its support services contractors except (1) for evaluation purposes; (2) as expressly permitted by the contractor; or (3) use, release, or disclosure is necessary for emergency repair or overhaul of Government-operated items. See DFARS clause 252.227-7018, "Rights in Noncommercial Technical Data and Computer Software – Small Business Innovation Research (SBIR) Program" at https://www.ecfr.gov/cgi-bin/text-idx?rgn=div5;node=48%3A3.0.1.8.48#se48.3.252_1227_67018.

If an applicant plans to submit assertions IAW DFARS 252.227-7017 or similar award term, those assertions must be identified and restrictions MUST be included in the proposal submission. Award cannot be executed until assertions are approved or mutually agreed-upon during negotiations.

g. Invention Reporting

STTR awardees must report inventions to the DAF within two months of the inventor's report to the awardee. The inventions report may be accomplished by submitting paper documentation.

h. Prohibition on a ByteDance Covered Application

Provision FAR 52.204-27 is hereby incorporated into this solicitation. Section 102 of Division R of the Consolidated Appropriations Act, 2023 (Pub. L. 117-328), the No TikTok on Government Devices Act, and its implementing guidance under Office of Management and Budget (OMB) Memorandum M-23-13, dated February 27, 2023, "No TikTok on Government Devices" Implementation Guidance, collectively prohibit the presence or use of a covered application on executive agency information technology,

including certain equipment used by Federal contractors. The Contractor is prohibited from having or using a covered application on any information technology owned or managed by the Government, or on any information technology used or provided by the Contractor under this contract, including equipment provided by the Contractor's employees; however, this prohibition does not apply if the Contracting Officer provides written notification to the Contractor that an exception has been granted in accordance with OMB Memorandum M-23-13.

i. Final Technical Reports

- i. Content: A final report is required for each award. The reports must contain detail regarding the project objectives, work performed, results obtained, and estimates of technical feasibility. A completed SF 298, "Report Documentation Page," will be used as the report's first page. The Report Documentation Page may be prepared and printed from Defense Technical Information Center's (DTIC's) site at http://www.dtic.mil/dtic/submit/guidance_on_submitting_docs_to_dtic.html. Additionally, the final technical report shall contain a completed DD Form 882, "Report of Inventions and Subcontracts."

ii. SF 298 Form "Report Documentation Page" Preparation:

1. For unclassified reports, the submitting company should fill in Block 12 (Distribution/Availability Statement) of the SF 298, "Report Documentation Page," with the following statement: "Distribution authorized to U.S. Government only; Proprietary Information, (Date of Determination). Other requests for this document shall be referred to the DAF SBIR Program Office." Note: Data developed under SBIR/STTR awards is subject to DFARS 252.227-7018 or similar protection. AF will review the awardee's Block 12 information and assign the final distribution statement.
2. For additional distribution statement guidance, visit the DTIC site: http://www.dtic.mil/dtic/pdf/distribution_statements_and_reasons.pdf

Block 14 (Abstract), "Report Documentation Page" must include as the first sentence, "Report developed under SBIR/STTR contract (or OT) for topic [insert topic number]. [Follow with the topic title, if possible.]" The abstract must identify the work's purpose and briefly describe that conducted, the findings/results, and potential applications. The abstract will be published by the DoD. Therefore, it shall not contain proprietary or classified data.

Type "UU" in Block 17.

Block 15 (Subject Terms) 298 must include the term "STTRReport".

Submission: All final reports are submitted to the awarding AF organization IAW the award document. Companies shall not submit Final Reports directly to DTIC. Delivery is normally required within 30 calendar days after technical program completion. Requirements regarding other deliverables' submission will be defined in Sections Band C of contract, and Appendix A of Other Transaction for Prototype, award documents. Special submission instructions for CLASSIFIED

reports will be defined in the award's delivery schedule. DO NOT E-MAIL classified or controlled unclassified reports, or reports containing SBIR/STTR Data Rights protected under DFARS 252.227-7018.

Solicitation Topic Number	AFX23E-PTCSO1
Solicitation Topic Title	Phase I Open Call Call for Innovative Defense-Related Dual- Purpose Technologies/Solutions with a Clear DAF Stakeholder Need
OUSD (R&E) Critical Technology Areas	FutureG; Trusted AI and Autonomy; Biotechnology; Advanced Computing and Software; Integrated Sensing and Cyber; Directed Energy; Hypersonics; Microelectronics; Integrated Network Systems-of-Systems; Quantum Science; Space Technology; Renewable Energy Generation and Storage; Human-Machine Interfaces; Advanced Materials
International Trafficking in Arms (ITAR) Notice	Proposed technologies may be restricted under the International Traffic in Arms Regulations (ITAR) which control Defense-related materials/services import/export, or the Export Administration Regulations (EAR), controlling dual-use items. Applicants must review the U.S. munitions List, https://law.cornell.edu/cfr/text/22/121/1 , and provide a tentative determination regarding applicability to their proposed efforts. If determined applicable, a certified DD Form 2345, Military Critical Technology Agreement, must be submitted with the proposal. Information regarding the application process and instructions for form completion are found at https://www.dla.mil/HQ/LogisticsOperations/Services/JCP/DD2345Instructions/ . Export control compliance statements are not all-inclusive and do not remove applicants' liability to comply with applicable ITAR/EAR export control restrictions or 2) inform the Government of potential export restrictions as efforts proceed.
Topic Objective	This is a Department of the Air Force (DAF) Open Topic in partnership with AFWERX and SpaceWERX. This topic is seeking technologies for transition into the United States Air Force and/or United States Space Force. Primary objectives of this topic include exploring innovative technologies applicable to both defense and non-defense markets, scaling capability, and growing the industrial base for defense. This topic is intended to reach companies capable of completing a feasibility study and prototype-validated concepts under accelerated Phase I and II schedules. This topic is aimed at applied research and development efforts rather than "front-end" or basic R/R&D. Phase I awards will have a maximum value of \$110,000.00 and a maximum duration of three months, including two months technical effort and one month for reporting. Phase II awards will have a maximum value of \$1,800,000.00 and a maximum period of performance of 21 months, including 18 months technical performance and three months for reporting.
Topic Description	The DAF is a large and complex organization consisting of many functions, a vast majority of which have similar counterparts in the commercial sector. It is important that potential solutions have a high probability of keeping pace with technological change. Thus, they should be closely tied to commercial technologies and solutions supporting the proposed development. This topic is meant for non-defense commercial solutions to be adapted to meet DAF stakeholders' needs. Submissions should focus on the following characteristics: Commercialization Potential: The potential for Government or private sector commercialization as well as the resulting benefits and capabilities.

	<p>Defense Need: Applicant(s) should demonstrate understanding of the potential fit between their solution and Defense stakeholders. Applicant(s) may provide indication of a Defense ‘need’ by including evidence of preliminary discussions with DAF stakeholders.</p> <p>Technical Merit: The soundness, technical merit, and innovation of the proposed approach, as well as its differentiation from current customer alternatives, and incremental progress toward fulfilling the identified Defense need. This includes the proposed Principal Investigators’/Project Managers’, supporting staff, and consultants’ qualifications to execute the proposed approach.</p> <p>This topic is truly ‘open’ (agnostic of industry, technology, and problem area), but proposals for the topic should demonstrate a high probability of identifying a product-market fit between a DAF stakeholder and the proposed adaptation of the non-defense commercial solution.</p>
Phase I	<p>Determine, insofar as possible, the scientific and technical merit and feasibility of ideas thought to have potential to transition to DAF applications. Additionally, validate the product-market fit between the proposed solution and a potential Air Force and/or Space Force stakeholder. Define a clear, immediately actionable plan with the proposed solution and the DAF customer and end-user.</p> <p>This feasibility study should:</p> <ol style="list-style-type: none"> 1. Clearly identify the potential stakeholders of the adapted solution for solving the Air Force and/or Space Force need(s). 2. Describe the pathway to integrating the DAF operations, to include how the applicant plans to accomplish core technology development, navigate applicable regulatory processes, and integrate with other relevant DAF systems and/or processes. 3. Describe if and how the solution can be used by other DoD or Government customers.
Phase II	<p>Determine, insofar as possible, the scientific and technical merit and feasibility of ideas thought to have potential to transition to DAF applications. Additionally, validate the product-market fit between the proposed solution and a potential Air Force and/or Space Force stakeholder. Define a clear, immediately actionable plan with the proposed solution and the DAF customer and end-user.</p> <p>This feasibility study should:</p> <ol style="list-style-type: none"> 1. Clearly identify the potential stakeholders of the adapted solution for solving the Air Force and/or Space Force need(s). 2. Describe the pathway to integrating with DAF operations, to include how the applicant plans to accomplish core technology development, navigate applicable regulatory processes, and integrate with other relevant DAF systems and/or processes. <p>Describe if and how the solution can be used by other DoD or Governmental customers.</p>
Phase III Dual-Use Applications	<p>Some solutions may go straight from Phase I to Phase III as soon as the product-market fit is verified. The contractor will transition the adapted non-Defense commercial solution to provide expanded mission capability for a broad range of potential Governmental and civilian users and alternate mission applications.</p>
Topic Notes	<p>NOTES: To answer questions about this topic, AFWERX will host webinars discussing this opportunity. Details about these events will be published on</p>

	https://afwerx.com/events/ DAF SBIR/STTR Phase I awards are FAR-based firm fixed price purchase orders.
References	<ol style="list-style-type: none"> 1) FitzGerald, B., Sander, A., & Parziale, J. (2016). Future Foundry: A New Strategic Approach to Military- Technical Advantage. Retrieved 12 June 2018, https://www.cnas.org/publications/reports/future-foundry. ; 2) Blank, S. (2016). The Mission Model Canvas: An Adapted Business Model Canvas for Mission-Driven Organizations. Retrieved 12 June 2018, https://steveblank.com/2016/02/23/the-mission-model-canvas-an-adapted-business-model-canvas-for-mission-driven ; 3) DoD 2018 National Defense Strategy of the United States Summary, 11. Retrieved from https://www.defense.gov/Portals/1/Documents/pubs/2018-National-Defense-Strategy-Summary.pdf; 4) Chaplain, C. T. (2016). Space Acquisitions: Challenges Facing DOD as it Changes Approaches to Space Acquisitions. US Government Accountability Office Washington United States. Space Capstone Publication, Spacepower (SCP). (2020).
Keywords	Open; Other; Disruptive; Radical; Dual-Use; Commercial

8. Attachments

- Attachment 1: SBIR/STTR Lifecycle Certification (Required)
- Attachment 2: SBIR/STTR Environment, Safety and Occupational Health (ESOH) Questionnaire (Required)
- Attachment 3: SBIR/STTR Program Contractor Certification Regarding Provision of Prohibited Video Surveillance and Telecommunications Services and Equipment (Required)
- Attachment 4: Disclosures of Foreign Affiliations or Relationships to Foreign Countries (Required)
- Attachment 5: Disclosure of Funding Sources (Required)
- Attachment 6: AF Security Program Questionnaire (Required)
- Attachment 7: Research & Related Senior/Key Person Profile (Required)
- Attachment 8: Verification of Eligibility of Small Business Joint Ventures (Required if Applicable)
- Attachment 9: SBIR/STTR Funding Agreement Certification (Encouraged at proposal submission, required prior to award)
- Attachment 10: Certification Questions and Coversheet Supplement
- Attachment 11: Allocation of Rights (provided as a model only, not a required template)
- Attachment 12: Phase I Sample Slide Deck

ATTACHMENT 1

SBIR/STTR FUNDING AGREEMENT CERTIFICATION LIFECYCLE CERTIFICATION

All SBIR/STTR Phase I and Phase II Awardees must complete this certification at all times set forth in the Funding Agreement (see § 8(j) of the SBIR/STTR Policy Directive). This includes checking all of the boxes (unless otherwise directed) and having an authorized officer of the Awardee sign and date the certification each time it is requested.

Please read carefully the following certification statements. The Federal Government relies on the information to ensure compliance with specific program requirements during the life of the Funding Agreement. The definitions for the terms used in this certification are set forth in the Small Business Act, the SBIR/STTR Policy Directive, and also any statutory and regulatory provisions referenced in those authorities.

If the Funding Agreement officer believes that the business is not meeting certain Funding Agreement requirements, the agency may request further clarification and supporting documentation in order to assist in the verification of any of the information provided.

Even if correct information has been included in other materials submitted to the Federal Government, any action taken with respect to this certification does not affect the Government's right to pursue criminal, civil or administrative remedies for incorrect or incomplete information given in the certification. Each person signing this certification may be prosecuted if they have provided false information.

The undersigned has reviewed, verified and certifies that (all boxes must be checked except where otherwise directed):

- (1) The Principal Investigator/Project Manager will spend more than one half of his/her time (based on a 40 hour workweek) as an employee of the Awardee (or Research Institution – STTR only) or the Awardee has requested and received a written deviation from this requirement from the Funding Agreement officer.

Yes No Deviation approved in writing by Funding Agreement officer: _____%

- (2) All Essentially Equivalent Work, or a portion of the work, performed under this project (check the applicable line):

Has not been submitted for funding to this Agency or another Federal Agency.

Has been submitted for funding to this Agency or another Federal agency but has not been funded under any other grant, contract, subcontract or other transaction.

A portion has been funded by another grant, contract, or subcontract as

described in detail in the proposal and approved in writing by the Funding Agreement officer.

(3) Upon completion of the award, the Awardee will have performed the applicable percentage of work, unless a deviation from this requirement is approved in writing by the Funding Agreement officer (check the applicable line and fill in if needed):

SBIR Phase I: at least two-thirds (66 2/3%) of the research.

SBIR Phase II: at least half (50%) of the research.

STTR Phase I or Phase II: at least forty percent (40%) of the research.

Deviation approved in writing by the Funding Agreement officer (SBIR ONLY): _____%

(4) The work is completed and the small business Awardee has performed the applicable percentage of work, unless a deviation from this requirement is approved in writing by the Funding Agreement officer (check the applicable line and fill in if needed):

SBIR Phase I: at least two-thirds (66 2/3%) of the research.

SBIR Phase II: at least half (50%) of the research.

STTR Phase I or Phase II: at least forty percent (40%) of the research.

Deviation approved in writing by the Funding Agreement officer: _____%

N/A because work is not completed

(5) **[For STTR only]** The Small Business Concern, and not a partnering Research Institution, is exercising management direction and control of the performance of the STTR Funding Agreement.

Yes

No

(6) The R/R&D is performed in the United States unless a deviation is approved in writing by the Funding Agreement officer.

Yes

No

Waiver has been granted

(7) The R/R&D is performed at the Awardee's facilities by the Awardee's employees, except as otherwise indicated in the SBIR/STTR application and approved in the Funding Agreement.

Yes

No

(8) I will notify this Agency immediately if all or a portion of the work authorized and funded under this award is subsequently funded by another Federal Agency.

(9) I understand that the information submitted may be given to Federal, State, and local agencies for determining violations of law and other purposes

(10) I am an officer of the Awardee business concern authorized to represent it and sign this certification on its behalf. By signing this certification, I am representing on my own behalf, and on behalf of the business concern, that the information provided in this certification, the application, and all other information submitted in connection with the award, is true and correct as of the date of submission. I acknowledge that any intentional or negligent misrepresentation of the information contained in this certification may result in criminal, civil or administrative sanctions, including but not limited to: (1) fines, restitution and/or imprisonment under 18 U.S.C. 1001; (2) treble damages and civil penalties under the False Claims Act (31 U.S.C. 3729 et seq.); (3) double damages and civil penalties under the Program Fraud Civil Remedies Act (31 U.S.C. 3801 et seq.); (4) civil recovery of award funds, (5) suspension and/or debarment from all Federal procurement and nonprocurement transactions (FAR subpart 9.4 or 2 CFR part 180); and (6) other administrative penalties including termination of SBIR/STTR awards.

(11) If the information herein changes between proposal receipt and award (if selected), the company shall notify the awarding Contracting Officer.

Signature _____

Date: _____

Print Name: (First, Middle, Last) _____

Title: _____

Business Name: _____

ATTACHMENT 2

SBIR/STTR ENVIRONMENT, SAFETY, AND OCCUPATIONAL HEALTH (ESOH)

Company Name:

Title:

1. Will hazardous materials (as defined by Federal Standard 313D, Material Safety Data, Transportation Data and Disposal Data for Hazardous Material Furnished to Government Activities and 40 CFR Part 260 – 279) be used in the contract?

Yes No

If the answer is "yes," list materials:

2. Will explosives or ammunition be used in research? (See definitions listed below before answering.)

Yes No

Explosives and ammunition mean:

- (a.) Liquid and solid propellants and explosives, pyrotechnics, incendiaries and smokes in the following:
- (i) Bulk;
 - (ii) Ammunition;
 - (iii) Rockets;
 - (iv) Missiles;
 - (v) Warheads;
 - (vi) Devices; and
 - (vii) Components of (i) through (vi), except for wholly inert items.
- (b.) This definition does not include the following, unless the contractor is using or incorporating these materials for initiation, propulsion, or detonation as an integral or component part of an explosive, an ammunition or explosive end item, or of a weapon system.
- (i) Inert components containing no explosives, propellants, or pyrotechnics;
 - (ii) Flammable liquids;
 - (iii) Acids;
 - (iv) Oxidizers;
 - (v) Powdered metals; or
 - (vi) Other materials having fire or explosive characteristics.

If the answer is "yes," list items:

3. Will any hazardous processes be performed under the contract? Examples include operation of heavy equipment or power tools, operation of lasers or radio frequency radiation emitters, use of high voltage (greater than 600 volts) equipment, or use of equipment operating at high pressure (greater than 60 psig) or high temperature (greater than 50°C).

Yes No

If the answer is "yes," list processes:

4. Will this research be completed on a U.S. Air Force installation?

Yes No

If the answer is "yes," list facilities:

5. Will the contract require the purchase, storage use or delivery of any chemicals or hazardous material to USAF facilities?

Yes No

If the answer is "yes," list chemicals or hazardous materials:

6. Will any hazardous chemical or waste be generated during the course of this research?

Yes No

If the answer is "yes," specify the hazardous chemical or waste to be generated:

7. Will any Class I ozone depleting substances (ODSs) be required in this research?

A list of Class I ODSs is located at the following website: <http://www.epa.gov/ozone/ods.html>

Yes No

If the answer is "yes," list substances:

8. Does this effort involve the purchase or use of any radioactive materials?

Yes No

If the answer is "yes," specify the radioactive materials:

9. Will this effort involve any asbestos, radiation, or chemical generating/using components that will be delivered to USAF facilities?

Yes No

If the answer is "yes," specify the components:

10. Are there any special atmospheric or water resource requirements?

Yes No

If "yes" specify the requirements.

Revised: 18 September, 2013

ATTACHMENT 3

DoD SBIR/STTR CONTRACTOR CERTIFICATION REGARDING PROVISION OF PROHIBITED VIDEO SURVEILLANCE AND TELECOMMUNICATIONS SERVICES AND EQUIPMENT

Contractor's Name	
Company Name	
Office Tel #	
Mobile #	
Email	

Name of person authorized to sign:

Signature of person authorized:

Date:

The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001.

DFARS Provisions Incorporated in Full Text:

DFARS 252.204-7016 COVERED DEFENSE TELECOMMUNICATIONS EQUIPMENT OR SERVICES—REPRESENTATION (DEC 2019)

(a) *Definitions.* As used in this provision, “covered defense telecommunications equipment or services” has the meaning provided in the clause [252.204-7018](#), Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services.

(b) *Procedures.* The Offeror shall review the list of excluded parties in the System for Award Management (SAM) (<https://www.sam.gov/>) for entities excluded from receiving federal awards for “covered defense telecommunications equipment or services”.

(c) *Representation.* The Offeror represents that it [] does, [] does not provide covered defense telecommunications equipment or services as a part of its offered products or services to the Government in the performance of any contract, subcontract, or other contractual instrument.

(End of provision)

DFARS 252.204-7017 PROHIBITION ON THE ACQUISITION OF COVERED DEFENSE TELECOMMUNICATIONS EQUIPMENT OR SERVICES—REPRESENTATION (MAY 2021)

The Offeror is not required to complete the representation in this provision if the Offeror has represented in the provision at [252.204-7016](#), Covered Defense Telecommunications Equipment or Services—Representation, that it “does not provide covered defense telecommunications equipment or services as a part of its offered products or services to the Government in the performance of any contract, subcontract, or other contractual instrument.”

(a) *Definitions.* “Covered defense telecommunications equipment or services,” “covered mission,” “critical technology,” and “substantial or essential component,” as used in this provision, have the

meanings given in the [252.204-7018](#) clause, Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services, of this solicitation.

(b) *Prohibition.* Section 1656 of the National Defense Authorization Act for Fiscal Year 2018 (Pub. L. 115-91) prohibits agencies from procuring or obtaining, or extending or renewing a contract to procure or obtain, any equipment, system, or service to carry out covered missions that uses covered defense telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system.

(c) *Procedures.* The Offeror shall review the list of excluded parties in the System for Award Management (SAM) at <https://www.sam.gov> for entities that are excluded when providing any equipment, system, or service to carry out covered missions that uses covered defense telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system, unless a waiver is granted.

Representation. If in its annual representations and certifications in SAM the Offeror has represented in paragraph (c) of the provision at [252.204-7016](#), Covered Defense Telecommunications Equipment or Services—Representation, that it “does” provide covered defense telecommunications equipment or services as a part of its offered products or services to the Government in the performance of any contract, subcontract, or other contractual instrument, then the Offeror shall complete the following additional representation:

The Offeror represents that it [] will [] will not provide covered defense telecommunications equipment or services as a part of its offered products or services to DoD in the performance of any award resulting from this solicitation.

(e) *Disclosures.* If the Offeror has represented in paragraph (d) of this provision that it “will provide covered defense telecommunications equipment or services,” the Offeror shall provide the following information as part of the offer:

(1) A description of all covered defense telecommunications equipment and services offered (include brand or manufacturer; product, such as model number, original equipment manufacturer (OEM) number, manufacturer part number, or wholesaler number; and item description, as applicable).

(2) An explanation of the proposed use of covered defense telecommunications equipment and services and any factors relevant to determining if such use would be permissible under the prohibition referenced in paragraph (b) of this provision.

(3) For services, the entity providing the covered defense telecommunications services (include entity name, unique entity identifier, and Commercial and Government Entity (CAGE) code, if known).

(4) For equipment, the entity that produced or provided the covered defense telecommunications equipment (include entity name, unique entity identifier, CAGE code, and whether the entity was the OEM or a distributor, if known).

(End of provision)

Definitions. As used in this clause—

“Covered defense telecommunications equipment or services” means—

- (1) Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation, or any subsidiary or affiliate of such entities;
- (2) Telecommunications services provided by such entities or using such equipment; or
- (3) Telecommunications equipment or services produced or provided by an entity that the Secretary of Defense reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

“Covered foreign country” means—

- (1) The People’s Republic of China; or
- (2) The Russian Federation.

“Covered missions” means—

- (1) The nuclear deterrence mission of DoD, including with respect to nuclear command, control, and communications, integrated tactical warning and attack assessment, and continuity of Government; or
- (2) The homeland defense mission of DoD, including with respect to ballistic missile defense.

“Critical technology” means—

(1) Defense articles or defense services included on the United States Munitions List set forth in the International Traffic in Arms Regulations under subchapter M of chapter I of title 22, Code of Federal Regulations;

(2) Items included on the Commerce Control List set forth in Supplement No. 1 to part 774 of the Export Administration Regulations under subchapter C of chapter VII of title 15, Code of Federal Regulations, and controlled—

(i) Pursuant to multilateral regimes, including for reasons relating to national security, chemical and biological weapons proliferation, nuclear nonproliferation, or missile technology; or

(ii) For reasons relating to regional stability or surreptitious listening;

(3) Specially designed and prepared nuclear equipment, parts and components, materials, software, and technology covered by part 810 of title 10, Code of Federal Regulations (relating to assistance to foreign atomic energy activities);

(4) Nuclear facilities, equipment, and material covered by part 110 of title 10, Code of Federal

Regulations (relating to export and import of nuclear equipment and material);

(5) Select agents and toxins covered by part 331 of title 7, Code of Federal Regulations, part 121 of title 9 of such Code, or part 73 of title 42 of such Code; or

(6) Emerging and foundational technologies controlled pursuant to section 1758 of the Export Control Reform Act of 2018 (50 U.S.C. 4817).

“Substantial or essential component” means any component necessary for the proper function or performance of a piece of equipment, system, or service.

(b) *Prohibition.* In accordance with section 1656 of the National Defense Authorization Act for Fiscal Year 2018 (Pub. L. 115-91), the contractor shall not provide to the Government any equipment, system, or service to carry out covered missions that uses covered defense telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system, unless the covered defense telecommunication equipment or services are covered by a waiver described in Defense Federal Acquisition Regulation Supplement [204.2104](#) .

(c) *Procedures.* The Contractor shall review the list of excluded parties in the System for Award Management (SAM) at <https://www.sam.gov> for entities that are excluded when providing any equipment, system, or service, to carry out covered missions, that uses covered defense telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system, unless a waiver is granted.

(d) *Reporting.*

(1) In the event the Contractor identifies covered defense telecommunications equipment or services used as a substantial or essential component of any system, or as critical technology as part of any system, during contract performance, the Contractor shall report at <https://dibnet.dod.mil> the information in paragraph (d)(2) of this clause.

(2) The Contractor shall report the following information pursuant to paragraph (d)(1) of this clause:

(i) Within 3 business days from the date of such identification or notification: the contract number; the order number(s), if applicable; supplier name; brand; model number (original equipment manufacturer number, manufacturer part number, or wholesaler number); item description; and any readily available information about mitigation actions undertaken or recommended.

(ii) Within 30 business days of submitting the information in paragraph (d)(2)(i) of this clause: any further available information about mitigation actions undertaken or recommended. In addition, the Contractor shall describe the efforts it undertook to prevent use or submission of a covered defense telecommunications equipment or services, and any additional efforts that will be incorporated to prevent future use or submission of covered telecommunications equipment or services.

(e) *Subcontracts.* The Contractor shall insert the substance of this clause, including this paragraph (e), in all subcontracts and other contractual instruments, including subcontracts for the acquisition of commercial products or commercial services.

(End of clause)

ATTACHMENT 4

DISCLOSURES OF FOREIGN AFFILIATIONS OR RELATIONSHIPS TO FOREIGN COUNTRIES

In accordance with the SBIR and STTR Extension Act of 2022 (Pub. L. 117-183) and the Small Business Administration (SBA) SBIR/STTR Policy Directive, small business concerns are required to disclose the information requested below about the small business’s investment and foreign ties.

Responses to disclosure questions may contain trade secrets or commercial or financial information that is privileged or confidential and is exempt from public disclosure. Such information shall be used or disclosed only for evaluation purposes or in accordance with an award between the submitter and the Government.

Relevant definitions can be found at the end of this document. An up-to-date list of countries determined to be countries of concern by the Secretary of State will be maintained and accessible on SBIR.gov.

Small Business Concern (SBC)	
SBC Unique Entity ID (UEI)	
Proposal # (assigned by DSIP when proposal is created)	
SBC Point of Contact (POC) Name	
SBC POC Phone #	
SBC POC Email	

The information provided in response to the Disclosure Questions listed below is certified to be accurate and complete. Knowingly and willfully making any false, fictitious, or fraudulent statements or representations may be a felony under the Federal Criminal False Statement Act (18 U.S.C. Sec 1001), punishable by a fine of up to \$10,000, up to five years in prison, or both.

Name of person authorized to sign: _____

Signature of person authorized: _____

Date: _____

Disclosure Questions

1. Is any owner or covered individual of the applicant or awardee party to any malign foreign talent recruitment program?

Yes No

If yes, disclose the first and last name of each owner or covered individual, identify their role (i.e., owner or covered individual), and the malign foreign talent recruitment program.

2. Is there a parent company, joint venture, or subsidiary, of the applicant or awardee that is based in or receives funding from, any foreign country of concern?

Yes No

If yes, disclose the name, full address, applicant or awardee relationships (i.e., parent company, joint venture, or subsidiary) of each entity based in, or funded by, any foreign country of concern.

3. Does the applicant or awardee have any current or pending contractual or financial obligation or other agreement specific to a business arrangement, or joint venture-like arrangement with an enterprise owned by a foreign state or any foreign entity?

Yes No

If yes, disclose the name of each enterprise or foreign entity, type of obligation, agreement, or arrangement (*i.e.*, contractual, financial, or other), description of obligation, agreement, or arrangement, and the foreign state(s) and/or the country of the foreign entity (or entities).

4. Is the applicant or awardee wholly owned in a foreign country?

Yes No

If yes, disclose the foreign country.

5. Does the applicant or awardee have any venture capital or institutional investment?

Yes No

If yes, proceed to question 5a. If no, proceed to question 6.

- 5a.** Does the investing entity have a general partner or any other individual holding a leadership role who has a foreign affiliation with any foreign country of concern?

Yes No Unable to determine

If yes or unable to determine, disclose the venture capital or institutional investing entity's name, the percentage of ownership obtained by the investing entity, and the type of investment (i.e., equity, debt, or combination of equity and debt).

6. During the previous 5-year period, did the applicant or awardee have any technology licensing or intellectual property sales or transfers, to a foreign country of concern?

Yes No

If yes, disclose the name, address, and country, of the institution or entity that licensed, purchased, or received the technology or intellectual property.

7. Is there any foreign business entity, offshore entity, or entity outside the United States related to the applicant or awardee?

Yes No

If yes, disclose the entity name, relationship type (i.e., foreign business entity, offshore entity, entity outside the United States), description of the relationship to the applicant or awardee, and entity address and country.

8. Does the applicant or awardee have an owner, officer, or covered individual that has a foreign affiliation with a research institution located in a foreign country of concern?

Yes No

If yes, disclose the first and last name of each owner, officer, or covered individual that has a foreign affiliation with a foreign country of concern, identify their role (i.e., owner, officer, or covered individual), and the name of the foreign research institution and the foreign country of concern where it is located.

Relevant Definitions

Covered individual — An individual who contributes in a substantive, meaningful way to the scientific development or execution of a research and development (R&D) project proposed to be carried out with a Federally funded award from DoD. DoD has further designated covered individuals as including all proposed key personnel.

Federally funded award — A Phase I, Phase II (including Direct to Phase II, sequential Phase II/subsequent Phase II and cross-agency Phase II), or Phase III SBIR or STTR award made using a funding agreement.

Foreign affiliation — As defined in 15 U.S.C. § 638(e)(16), foreign affiliation means a funded or unfunded academic, professional, or institutional appointment or position with a foreign government or government-owned entity, whether full-time, part-time, or voluntary (including adjunct, visiting, or

honorary). This includes appointments or positions deemed adjunct, visiting, or honorary with research institutions located in a foreign country of concern.

Foreign country of concern — As defined in 15 U.S.C. § 638(e)(17), foreign country of concern means the People’s Republic of China, the Democratic People’s Republic of Korea, the Russian Federation, the Islamic Republic of Iran, or any other country determined to be a country of concern by the Secretary of State.

Malign foreign talent recruitment program — As defined in 42 U.S.C § 19237, the term “malign foreign talent recruitment program” means-

- (C) any program, position, or activity that includes compensation in the form of cash, in-kind compensation, including research funding, promised future compensation, complimentary foreign travel, things of non de minimis value, honorific titles, career advancement opportunities, or other types of remuneration or consideration directly provided by a foreign country at any level (national, provincial, or local) or their designee, or an entity based in, funded by, or affiliated with a foreign country, whether or not directly sponsored by the foreign country, to the targeted individual, whether directly or indirectly stated in the arrangement, contract, or other documentation at issue, in exchange for the individual-
 - (x) engaging in the unauthorized transfer of intellectual property, materials, data products, or other nonpublic information owned by a United States entity or developed with a Federal research and development award to the government of a foreign country or an entity based in, funded by, or affiliated with a foreign country regardless of whether that government or entity provided support for the development of the intellectual property, materials, or data products;
 - (xi) being required to recruit trainees or researchers to enroll in such program, position, or activity;
 - (xii) establishing a laboratory or company, accepting a faculty position, or undertaking any other employment or appointment in a foreign country or with an entity based in, funded by, or affiliated with a foreign country if such activities are in violation of the standard terms and conditions of a Federal research and development award;
 - (xiii) being unable to terminate the foreign talent recruitment program contract or agreement except in extraordinary circumstances;
 - (xiv) through funding or effort related to the foreign talent recruitment program, being limited in the capacity to carry out a research and development award or required to engage in work that would result in substantial overlap or duplication with a Federal research and development award;
 - (xv) being required to apply for and successfully receive funding from the sponsoring foreign government's funding agencies with the sponsoring foreign organization as the recipient;
 - (xvi) being required to omit acknowledgment of the recipient institution with which the individual is affiliated, or the Federal research agency sponsoring the research and development award, contrary to the institutional policies or standard terms and conditions of the Federal research and development award;
 - (xvii) being required to not disclose to the Federal research agency or employing institution the participation of such individual in such program, position, or activity; or
 - (xviii) having a conflict of interest or conflict of commitment contrary to the standard terms and conditions of the Federal research and development award; and
- (D) a program that is sponsored by-
 - (iv) a foreign country of concern or an entity based in a foreign country of concern, whether or not directly sponsored by the foreign country of concern;

- (v) an academic institution on the list developed under section 1286(c)(8) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 2358 note; 1 Public Law 115–232) ; or
- (vi) a foreign talent recruitment program on the list developed under section 1286(c)(9) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 2358 note; 1 Public Law 115–232).

ATTACHMENT 5

DISCLOSURE OF FUNDING SOURCES

In accordance with Section 223 of the William M. (Mac) Thornberry National Defense Authorization Act (NDAA) for Fiscal Year 2021, DoD shall require, as part of any application for a research and development award—

- (1) that each covered individual listed on the application—
 - (A) disclose the amount, type, and source of all current and pending research support received by, or expected to be received by, the individual as of the time of the disclosure;
 - (B) certify that the disclosure is current, accurate, and complete; and
 - (C) agree to update such disclosure at the request of the agency prior to the award of support and at any subsequent time the agency determines appropriate during the term of the award; and
- (2) that any entity applying for such award certify that each covered individual who is employed by the entity and listed on the application has been made aware of the requirements under paragraph (1).

Full text of Section 223 of the FY21 NDAA, including relevant definitions, can be found on pages 84-86: <https://www.congress.gov/116/plaws/publ283/PLAW-116publ283.pdf>.

Small Business Concern (SBC)	
SBC Unique Entity ID (UEI)	
Proposal # (assigned by DSIP when proposal is created)	
SBC Point of Contact (POC) Name	
SBC POC Phone #	
SBC POC Email	

The SBC has been made aware of the requirements outlined in Section 223(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 and certifies that the disclosures provided below are current, accurate, and complete. The SBC further agrees to update such disclosure at the request of DoD prior to the award of support and at any subsequent time DoD determines appropriate during the term of the award.

Name of person authorized to sign: _____

Signature of person authorized: _____

Date: _____

Covered individuals have no current or pending research support to disclose in accordance with Section 223 of the FY21 NDAA, as described above.

Disclosures

Covered Individual's Name: Covered Individual's Position: Current and Pending Funding Amount: Current and Pending Funding Type: Current and Pending Funding Source:	
Covered Individual's Name: Covered Individual's Position: Current and Pending Funding Amount: Current and Pending Funding Type: Current and Pending Funding Source:	
Covered Individual's Name: Covered Individual's Position: Current and Pending Funding Amount: Current and Pending Funding Type: Current and Pending Funding Source:	
Covered Individual's Name: Covered Individual's Position: Current and Pending Funding Amount: Current and Pending Funding Type: Current and Pending Funding Source:	
Covered Individual's Name: Covered Individual's Position: Current and Pending Funding Amount: Current and Pending Funding Type: Current and Pending Funding Source:	

[Additional space as needed]

ATTACHMENT 6

SECURITY PROGRAM QUESTIONNAIRE

Objective: This questionnaire is used to review the security program and practices of the institutions receiving research funding.

Intended Audience/User: Completed by Contractor/Recipient; reviewed by S&T Protection Lead.

Date Submitted:

Applicant Name:

Cage Code/SCL and level (*if applicable*):

Completed by Name:

Position/Title:

1. What are your physical security plans?
2. What information security processes are in place?
3. Where will information for this effort be stored? (*examples: computers, cloud, file cabinets, etc.*)
4. What procedures are in place for transmission/transportation of information for this effort?
5. What procedures are in place for disposal and destruction of information for this effort?
6. What procedures are in place for reproduction of information for this effort?
7. What safeguards are in place for personnel who can access information for this effort?
8. What is the plan for safeguarding GFE/GFI?
9. What procedures are in place for cybersecurity or network protection?
10. What operations security processes are in place to prevent adversaries' access to information for this effort or actions that would compromise your projects?
11. What processes are in place to deter, detect, and mitigate actions of insider threat?
12. What procedures are in place to handle if information for this effort is compromised?
13. Are you willing to provide AFRL S&T Protection training to all personnel with access annually?

Additional comments:

ATTACHMENT 7

RESEARCH & RELATED SENIOR/KEY PERSON PROFILE

PROFILE - Project Director/Principal Investigator		
Prefix:	* First Name:	Middle Name:
* Last Name:		Suffix:
Position/Title:		
Department:		
Organization Name:		
Division:		
* Street1:		
Street2:		
* City:	County/ Parish:	
* State:	Province:	
* Country: USA: UNITED STATES	* Zip / Postal Code:	
* Phone Number:	Fax Number:	
* E-Mail:		
Credential, e.g., agency login:		
* Project Role:	PD/PI	Other Project Role Category:
Degree Type:		
Degree Year:		
PROFILE – Additional Senior/Key Person(s) Description(s)		
Prefix:	* First Name:	Middle Name:
* Last Name:		Suffix:
Position/Title:		
Department:		
Organization Name:		
Division:		
* Street1:		
Street2:		
* City:	County/ Parish:	
* State:	Province:	
* Country: USA: UNITED STATES	* Zip / Postal Code:	
* Phone Number:	Fax Number:	
* E-Mail:		
Credential, e.g., agency login:		
* Project Role:		Other Project Role Category:
Degree Type:		
Degree Year:		

ATTACHMENT 8

VERIFICATION OF ELIGIBILITY OF SMALL BUSINESS JOINT VENTURES

A small business joint venture applicant must submit, with its offer, the representation required in paragraph (c) of FAR solicitation provision 52.212-3, Offeror Representations and Certifications- Commercial Products and Commercial Services, and paragraph (c) of FAR solicitation provision 52.219-1, Small Business Program Representations, in accordance with 52.204-8(d) and 52.212-3(b) for the following categories:

- (A) Small business;
- (B) Service-disabled veteran-owned small business;
- (C) Women-owned small business (WOSB) under the WOSB Program;
- (D) Economically disadvantaged women-owned small business under the WOSB Program; or
- (E) Historically underutilized business zone small business.

Contractor's Name	
Company Name	
Office Telephone #	
Mobile #	
Email	

ATTACHMENT 9

SBIR/STTR FUNDING AGREEMENT CERTIFICATION

All small businesses that are selected for award of an SBIR/STTR Funding Agreement must complete this certification at the time of award and any other time set forth in the Funding Agreement that is prior to performance of work under this award. This includes checking all of the boxes and having an authorized officer of the Awardee sign and date the certification each time it is requested.

Please read carefully the following certification statements. The Federal Government relies on the information to determine whether the business is eligible for a Small Business Innovation Research (SBIR) program or Small Business Technology Transfer (STTR) program award. A similar certification will be used to ensure continued compliance with specific program requirements during the life of the Funding Agreement. The definitions for the terms used in this certification are set forth in the Small Business Act, SBA regulations (13 CFR part 121), the SBIR/STTR Policy Directive and also any statutory and regulatory provisions referenced in those authorities.

If the Funding Agreement officer believes that the business may not meet certain eligibility requirements at the time of award, they are required to file a size protest with the U.S. Small Business Administration (SBA), which will determine eligibility. At that time, SBA will request further clarification and supporting documentation in order to assist in the verification of any of the information provided as part of a protest. If the Funding Agreement officer believes, after award, that the business is not meeting certain Funding Agreement requirements, the agency may request further clarification and supporting documentation in order to assist in the verification of any of the information provided.

Even if correct information has been included in other materials submitted to the Federal Government, any action taken with respect to this certification does not affect the Government's right to pursue criminal, civil or administrative remedies for incorrect or incomplete information given in the certification. Each person signing this certification may be prosecuted if they have provided false information.

The undersigned has reviewed, verified and certifies that (all boxes must be checked unless otherwise directed):

- (1) The Awardee business concern meets the ownership and control requirements set forth in 13 CFR 121.702.

- (2) If a corporation – all corporate documents (namely: articles of incorporation and any amendments, articles of conversion, by-laws and amendments, shareholder meeting minutes showing director elections, shareholder meeting minutes showing officer elections, organizational meeting minutes, all issued stock certificates, stock ledger, buy-sell agreements, stock transfer agreements, voting agreements, and documents relating to stock options, including the right to convert non-voting stock or debentures into voting stock) must evidence that the corporation meets the ownership and control requirements set forth in 13 CFR 121.702.

(Check one box) Yes N/A

Explain why N/A:

- (3) If a partnership -- the partnership agreement evidences that it meets the ownership and control requirements set forth in 13 CFR 121.702.

(Check one box) Yes N/A

Explain why N/A:

- (4) If a limited liability company – the articles of organization and any amendments, and operating agreement and amendments, evidence that it meets the ownership and control requirements set forth in 13 CFR 121.702.

(Check one box) Yes N/A

Explain why N/A:

- (5) The birth certificates, naturalization papers, or passports show that any individuals it relies upon to meet the eligibility requirements are U.S. citizens or permanent resident aliens in the United States.

(Check one box) Yes N/A

Explain why N/A:

- (6) The Awardee business concern has no more than 500 employees, including the employees of its Affiliates.

- (7) SBA has not issued a size determination currently in effect finding that this business concern exceeds the 500 employee size standard.

- (8) During the performance of the award, the Principal Investigator/Project Manager will spend more than one half of his/her time (based on a 40 hour workweek) as an employee of the Awardee (or Research Institution – STTR only) or has requested and received a written deviation from this requirement from the Funding Agreement officer. (Check one box)

Yes Deviation approved in writing by Funding Agreement officer: _____%

- (9) All Essentially Equivalent Work, or a portion of the work, proposed under this project (check applicable line):

Has not been submitted for funding to this Agency or another Federal agency.

Has been submitted for funding to this Agency or another Federal agency but has not been funded under any other grant, contract, subcontract or other transaction.

A portion has been funded by another grant, contract, or subcontract as described in detail in the proposal and approved in writing by the Funding Agreement officer.

(10) During performance of award, the Awardee will perform the applicable percentage of work unless a deviation from this requirement is approved in writing by the Funding Agreement officer (check applicable line and fill in if needed):

SBIR Phase I: at least two-thirds (66 2/3%) of the research.

SBIR Phase II: at least half (50%) of the research.

STTR Phase I or Phase II: at least forty percent (40%) of the research.

Deviation approved in writing by the Funding Agreement officer (SBIR ONLY): _____%

(11) During performance of award, the R/R&D will be performed in the United States unless a deviation is approved in writing by the Funding Agreement officer. (Check one box)

Yes

Waiver has been granted

(12) During performance of award, the R/R&D will be performed at the Awardee's facilities by the Awardee's employees, except as otherwise indicated in the SBIR/STTR application and approved in the Funding Agreement.

(13) The SBIR Awardee has registered itself on SBA's database as majority-owned by venture capital operating companies, hedge funds or private equity firms. (Check one box)

Yes

No

N/A Explain why N/A:

(14) The SBIR Awardee is a Covered Small Business Concern (a Small Business Concern that: (a) was not majority-owned by multiple venture capital operating companies (VCOCs), hedge funds, or private equity firms on the date on which it submitted an application in response to an SBIR solicitation; and

(b) on the date of the SBIR award, which is made more than 9 months after the closing date of the solicitation, is majority-owned by multiple venture capital operating companies, hedge funds, or private equity firms). (Check one box)

Yes

No

(15) I will notify this Agency immediately if all or a portion of the work authorized and funded under this award is subsequently funded by another Federal Agency.

(16) **[STTR only]** The Small Business Concern, and not a partnering Research Institution, is exercising management direction and control of the performance of the STTR Funding Agreement.

Yes No

(17) I understand that the information submitted may be given to Federal, State, and local agencies for determining violations of law and other purposes.

(18) I am an officer of the business concern authorized to represent it and sign this certification on its behalf. By signing this certification, I am representing on my own behalf, and on behalf of the business concern that the information provided in this certification, the application, and all other information submitted in connection with this application, is true and correct as of the date of submission. I acknowledge that any intentional or negligent misrepresentation of the information contained in this certification may result in criminal, civil or administrative sanctions, including but not limited to: (1) fines, restitution and/or imprisonment under 18 U.S.C. 1001; (2) treble damages and civil penalties under the False Claims Act (31 U.S.C. 3729 et seq.); (3) double damages and civil penalties under the Program Fraud Civil Remedies Act (31 U.S.C. 3801 et seq.); (4) civil recovery of award funds, (5) suspension and/or debarment from all Federal procurement and nonprocurement transactions (FAR subpart 9.4 or 2 CFR part 180); and (6) other administrative penalties including termination of SBIR/STTR awards.

Signature _____

Date: _____

Print Name: (First, Middle, Last) _____

Title: _____

Business Name: _____

CERTIFICATION QUESTIONS AND COVERSHEET SUPPLEMENT

Certification/Eligibility Check

The online coversheet asks many questions and, depending on the answers, more information may be needed. The list of the questions is reflected below along with any additional information needed; required additional information should be provided in Volume 5, Supporting Documents. Consolidate all required items below (including the question that triggered the requirement) into a single .pdf file with the title “Coversheet Supplement”.

1. Do you allow for the release of contact information to Economic Development Organizations? Either answer is awardable.
2. Are you a small business as described in the SBIR/STTR Policy Directive, with no more than 500 employees including affiliates?
If your firm is NOT an eligible small business, your proposal will be disqualified.
3. Does your business concern meet the ownership and control requirements in 13 CFR 121.702?
If your firm does NOT meet the ownership and control requirements, your proposal will be disqualified.
4. Is 50% or more of your firm owned or managed by a corporate entity?
 - (If YES, additional information required in Volume 5) If YES, and the corporate entity is also a small business, please include in this section a description of the corporate relationship, including other affiliates of the owning corporate entity.
5. Will not less than 40% of the R/R&D work be performed by the SBC, and not less than 30% of the R/R&D work performed by the partnering Research Institution?
 - If your firm will NOT perform the prescribed percentage of the research and/or analytical work, your proposal will be disqualified.
6. Is the primary employment of the principal investigator with your firm OR with the single partnering Research Institution?
 - If the primary employment of the principal investigator is not with the firm or the single partnering Research Institution, your proposal will be disqualified.
7. Has your firm been convicted of a fraud-related crime involving SBIR and/or STTR funds or found civilly liable for a fraud-related violation involving Federal funds?
 - If your firm has been convicted of a fraud-related crime involved SBIR and/or STTR funds, your proposal will be disqualified.
8. Has your firm’s Principal Investigator (PI) or Corporate Official (CO), or owner been convicted of a fraud-related crime involving SBIR and/or STTR funds or found civilly liable for a fraud-related violation involving Federal funds?
 - If the Principal Investigator or Corporate Official has been convicted of a

fraud-related crime involved SBIR and/or STTR funds, your proposal will be disqualified.

9. Has your firm met the performance benchmarks listed by the SBA on their website as eligible to participate? Either answer is awardable.
10. Is your firm registered in the SBA's venture capital database as majority-owned by venture capital operating companies, hedge funds, or private equity firms?
- (If YES, additional information required in Volume 5) If YES, please state whether the VCOC, hedge fund, or private equity firm is also a small business as defined by the SBA. If so, then the VCOC, hedge fund, or private equity firm may count as an 'affiliate' and their employee numbers will need to be added to your employee total.
11. Is your firm more than 50% owned by a single Venture Capital Owned Company (VCOC), hedge fund, or private equity firm?
- (If YES, additional information required in Volume 5) If YES, please state whether the VCOC, hedge fund, or private equity firm is also a small business as defined by the SBA. If so, then the VCOC, hedge fund, or private equity firm may count as an 'affiliate' and their employee numbers will need to be added to your employee total.

NOTE (applies to questions 10, 11, and 12): If questions 10 or 11 are answered 'YES', then explain the ownership structure of the firm and its investors. If the VCs, hedge funds or PE firms owning equity in the company are themselves small businesses as defined by the SBA, the proposal may be still eligible for award.

12. Number of employees including all affiliates (average for preceding 12 months):
- If your firm and affiliates have employed, on average over the last 12 months, more than 500 employees, your proposal will be disqualified.
13. Is your firm affiliated as set forth in 13 CFR 121.103?
- (If YES, additional information required in Volume 5) If yes, then please detail your affiliations as described at <https://www.sba.gov/document/support--affiliation-guide-size-standards>.
 - Note: This may include investors, i.e., VCs, hedge funds or PE firms, and their other controlled entities, if they own a controlling share of the company.

NOTE (applies to questions 13 and 14): A business that is wholly or substantially owned by investment companies or development companies licensed or qualified under the Small Business Investment Act of 1958 (SBIA), they are not considered affiliates of those investment companies or development companies.

14. As defined by SBA: All answers may be "yes" or "no" without impacting eligibility.
- a. Are you a socially or economically disadvantaged small business?
 - b. Are you a Woman-Owned small business (WOSB)?
 - c. Are you a certified HUBZone small business concern?

- d. Are you a Service-Disabled Veteran-Owned small business (SDVOSB)?
15. Has the Defense Contracting Audit Agency (DCAA) or other agreed upon agency, performed a review of the firm's accounts or records in connection with Government contracts or subcontracts within the past 12 months? Either answer is awardable.
16. Does the proposed cost include Technical and Business Assistance (TABAs)? The AF does not allow for TABAs.
17. Has a proposal for essentially equivalent work been submitted to other US government agencies or DOD components?
- o (If YES, additional information required in Volume 5) If a proposal submitted in response to this CSO is substantially the same as another proposal that was funded, is now being funded, or is pending with another Federal Agency, or another or the same DoD Component, you must reveal this on the Proposal Cover Sheet (Volume 1) and provide the following information in the Coversheet Supplement:

Name of Federal Agency to which the Proposal was submitted, or from which an award is expected or has been received	Date of proposal submission or date of award	Title of Proposal (if SBIR/STTR, include Proposal Number and SBIR/STTR topic number)	Name and Title of Principal Investigator for each proposal submitted or award received	Was awarded? If so, include contract number
(LIST)	(LIST)	(LIST)	(LIST)	(LIST)

18. Has a contract been awarded for any of the proposals listed above?
- If your firm has been awarded a contract from the US Government for essentially equivalent work, your proposal will be disqualified.
19. Are you submitting assertions in accordance with DFARS 252.227-7017 "Identification and assertions use, release, or disclosure restriction"?
- (If YES, additional information required in Volume 5) If you answered 'yes' to this question, you must include the table in Volume 5 of your proposal, which can be found at: <https://www.acquisition.gov/dfars/252.227-7017-identification-and-assertion-use-release-or-disclosure-restrictions>.
 - The contract cannot be awarded until assertions have been approved.
 - o If claiming data rights assertions without including a Data Rights Assertions Table, the proposal will be disqualified.

20. Is the firm proposing research utilizing human/animal subjects or recombinant DNA?

- (If YES, additional information required in Volume 5) If the firm intends to perform research involving 1) human subjects, 2) animal subjects, or 3) recombinant DNA molecules, please include the following information (add attachments as needed):
 - For 1) please provide a current Federal Assurance of Compliance with Federal regulation for human subject protection and evidence of completed appropriate training in human subject protection for all involved personnel from your firm;
 - for 2) documentation verifying review and approval for the research from the Institutional Animal Care and Use Committee; and
 - for 3) evidence of approval by the Institutional Biosafety Committee.
 - Until such documents are provided, the firm cannot perform any work involving associated activities. This could lead to disqualification, depending on the effort's schedule.

21. Are teaming partners or subcontractors proposed?

- (If YES, additional information required in Volume 5) If yes, be sure to include this information in the proposal Coversheet (Volume 1), Cost Volume (Volume 3) and Supplemental Cost Information (Volume 5).

22. Is the firm proposing to use foreign nationals for work under the proposed effort?

a. (If YES, additional information required in Volume 5) If yes, identify any foreign citizens or individuals holding dual citizenship expected to be involved on this project as a direct employee, subcontractor, or consultant. For these individuals, please specify their countries of origin, the type of visas or work permits under which they are performing, and the tasks they are anticipated to perform for this project, if awarded. The firm may be asked to provide additional information during negotiations to verify the foreign citizen's eligibility to participate the SBIR effort. Supplemental information provided in response to this paragraph will be protected in accordance with the Privacy Act (5 U.S.C. 552a), if applicable, and the Freedom of Information Act (5 U.S.C. 552(b) (6)). Proposals including the involvement of foreign nationals should include this table:

Full Name	Foreign National (Yes or No)	Country of Origin	Type of Visa or Work Permit Held	Description of Involvement (specific task(s) in the work plan)
(LIST)	(LIST)	(LIST)	(LIST)	(LIST)

b. If the cognizant Government Program Manager does not concur with the individuals' involvement or the information is not received by the specified date/time, the proposal maybe disqualified.

23. What percentage of the principal investigator's total time will be on the project?

a. Any non-zero answer is awardable.

b. (If less than 25%, additional information required in Volume 5.) If the answer is below 25%, please describe the principal investigator's other roles.

24. Is the principal investigator a woman? Either answer is awardable. This information is required for the SBA's Award Information Database.

25. Is the principal investigator socially/economically disadvantaged? Either answer is awardable. This information is required for the SBA's Award Information Database.

ATTACHMENT 11

**SMALL BUSINESS TECHNOLOGY TRANSFER (STTR) PROGRAM
ALLOCATION OF RIGHTS IN INTELLECTUAL PROPERTY AND RIGHTS TO CARRY OUT
FOLLOW-ON RESEARCH, DEVELOPMENT, OR COMMERCIALIZATION**

(This is only a model)

This Agreement between _____, a small business concern organized as a _____ under the laws of _____ and having a principal place of business at _____, ("SBC") and _____, a research institution having a principal place of business at _____, ("RI") is entered into for the purpose of allocating between the parties certain rights relating to an STTR project to be carried out by SBC and RI (hereinafter referred to as the "PARTIES") under an STTR funding agreement that may be awarded by _____ ("AGENCY") to SBC to fund a proposal entitled " _____ " submitted, or to be submitted, to AGENCY by SBC on or about _____, 20__.

1. Applicability of this Agreement.

(a) This Agreement shall be applicable only to matters relating to the STTR project referred to in the preamble above.

(b) If a funding agreement for an STTR project is awarded to SBC based upon the STTR proposal referred to in the preamble above, SBC will promptly provide a copy of such funding agreement to RI, and SBC will make a subaward to RI in accordance with the funding agreement, the proposal, and this Agreement. If the terms of such funding agreement appear to be inconsistent with the provisions of this Agreement, the PARTIES will attempt in good faith to resolve any such inconsistencies. However, if such resolution is not achieved within a reasonable period, SBC shall not be obligated to award nor RI to accept the subaward. If a subaward is made by SBC and accepted by RI, this Agreement shall not be applicable to contradict the terms of such subaward or of the funding agreement awarded by AGENCY to SBC except on the grounds of fraud, misrepresentation, or mistake, but shall be considered to resolve ambiguities in the terms of the subaward.

(c) The provisions of this Agreement shall apply to any and all consultants, subcontractors, independent contractors, or other individuals employed by SBC or RI for the purposes of this STTR project.

2. Background Intellectual Property.

(a) "Background Intellectual Property" means property and the legal right therein of either or both parties developed before or independent of this Agreement including inventions, patent applications, patents, copyrights, trademarks, mask works, trade secrets and any information embodying proprietary data such as technical data and computer software.

(b) This Agreement shall not be construed as implying that either party hereto shall have the right to use Background Intellectual Property of the other in connection with this STTR project except as otherwise provided hereunder.

(1) The following Background Intellectual Property of SBC may be used nonexclusively and, except as noted, without compensation by RI in connection with research or development activities for this STTR project (if "none" so state):

_____;

(2) The following Background Intellectual Property of RI may be used nonexclusively and, except as noted, without compensation by SBC in connection with research or development activities for this STTR project (if "none" so state): _____;

(3) The following Background Intellectual Property of RI may be used by SBC nonexclusively in connection with commercialization of the results of this STTR project, to the extent that such use is reasonably necessary for practical, efficient and competitive commercialization of such results but not for commercialization independent of the commercialization of such results, subject to any rights of the Government therein and upon the condition that SBC pay to RI, in addition to any other royalty including any royalty specified in the following list, a royalty of __% of net sales or leases made by or under the authority of SBC of any product or service that embodies, or the manufacture or normal use of which entails the use of, all or any part of such Background Intellectual Property (if "none" so state):

_____.

3. Project Intellectual Property.

(a) "Project Intellectual Property" means the legal rights relating to inventions (including Subject Inventions as defined in 37 CFR @ 401), patent applications, patents, copyrights, trademarks, mask works, trade secrets and any other legally protectable information, including computer software, first made or generated during the performance of this STTR Agreement.

(b) Except as otherwise provided herein, ownership of Project Intellectual Property shall vest in the party whose personnel conceived the subject matter or first actually reduced the subject matter to practice, and such party may perfect legal protection therein in its own name and at its own expense. Jointly made or generated Project Intellectual Property shall be jointly owned by the PARTIES unless otherwise

agreed in writing. The SBC shall have the first option to perfect the rights in jointly made or generated Project Intellectual Property unless otherwise agreed in writing.

(1) The ownership, including rights to any revenues and profits, resulting from any product, process, or other innovation or invention based on the cooperative shall be allocated between the SBC and the RI as follows:

SBC Percent: _ RI Percent: __

(2) Expenses and other liabilities associated with the development and marketing of any product, process, or other innovation or invention shall be allocated as follows:

SBC Percent: _ RI Percent: __

(c) The PARTIES agree to disclose to each other, in writing, each and every Subject Invention, which may be patentable or otherwise protectable under the United States patent laws in Title 35, United States Code. The PARTIES acknowledge that they will disclose Subject Inventions to each other and the awarding agency within months after their respective inventor(s) first disclose the invention in writing to the person(s) responsible for patent matters of the disclosing Party. All written disclosures of such inventions shall contain sufficient detail of the invention, identification of any statutory bars, and shall be marked confidential, in accordance with 35 U.S.C. @ 205.

(d) Each party hereto may use Project Intellectual Property of the other nonexclusively and without compensation in connection with research or development activities for this STTR project, including inclusion in STTR project reports to the AGENCY and proposals to the AGENCY for continued funding of this STTR project through additional phases.

(e) In addition to the Government's rights under the Patent Rights clause of 37 CFR @ 401.14, the PARTIES agree that the Government shall have an irrevocable, royalty free, nonexclusive license for any governmental purpose in any Project Intellectual Property.

(f) SBC will have an option to commercialize the Project Intellectual Property of RI, subject to any rights of the Government therein, as follows--

(1) Where Project Intellectual Property of RI is a potentially patentable invention, SBC will have an exclusive option for a license to such invention, for an initial option period of ____ months after such invention has been reported to SBC. SBC may, at its election and subject to the patent expense reimbursement provisions of this section, extend such option for an additional __ months by giving written notice of such election to RI prior to the expiration of the initial option period. During the period of such

option following notice by SBC of election to extend, RI will pursue and maintain any patent protection for the invention requested in writing by SBC and, except with the written consent of SBC or upon the failure of SBC to reimburse patenting expenses as required under this section, will not voluntarily discontinue the pursuit and maintenance of any United States patent protection for the invention initiated by RI or of any patent protection requested by SBC. For any invention for which SBC gives notice of its election to extend the option, SBC will, within ___ days after invoice, reimburse RI for the expenses incurred by RI prior to expiration or termination of the option period in pursuing and maintaining (i) any United States patent protection initiated by RI and (ii) any patent protection requested by SBC. SBC may terminate such option at will by giving written notice to RI, in which case further accrual of reimbursable patenting expenses hereunder, other than prior commitments not practically revocable, will cease upon RI's receipt of such notice. At any time prior to the expiration or termination of an option, SBC may exercise such option by giving written notice to RI, whereupon the parties will promptly and in good faith enter into negotiations for a license under RI's patent rights in the invention for SBC to make, use and/or sell products and/or services that embody, or the development, manufacture and/or use of which involves employment of, the invention. The terms of such license will include: (i) payment of reasonable royalties to RI on sales of products or services which embody, or the development, manufacture or use of which involves employment of, the invention; (ii) reimbursement by SBC of expenses incurred by RI in seeking and maintaining patent protection for the invention in countries covered by the license (which reimbursement, as well as any such patent expenses incurred directly by SBC with RI's authorization, insofar as deriving from RI's interest in such invention, may be offset in full against up to ___ of accrued royalties in excess of any minimum royalties due RI); and, in the case of an exclusive license, (iii) reasonable commercialization milestones and/or minimum royalties.

(2) Where Project Intellectual Property of RI is other than a potentially patentable invention, SBC will have an exclusive option for a license, for an option period extending until ___ months following completion of RI's performance of that phase of this STTR project in which such Project Intellectual Property of RI was developed by RI. SBC may exercise such option by giving written notice to RI, whereupon the parties will promptly and in good faith enter into negotiations for a license under RI's interest in the subject matter for SBC to make, use and/or sell products or services which embody, or the development, manufacture and/or use of which involve employment of, such Project Intellectual Property of RI. The terms of such license will include: (i) payment of reasonable royalties to RI on sales of products or services that embody, or the development, manufacture or use of which involves employment of, the Project Intellectual Property of

RI and, in the case of an exclusive license, (ii) reasonable commercialization milestones and/or minimum royalties.

(3) Where more than one royalty might otherwise be due in respect of any unit of product or service under a license pursuant to this Agreement, the parties shall in good faith negotiate to ameliorate any effect thereof that would threaten the commercial viability of the affected products or services by providing in such license(s) for a reasonable discount or cap on total royalties due in respect of any such unit.

4. Follow-on Research or Development.

All follow-on work, including any licenses, contracts, subcontracts, sublicenses or arrangements of any type, shall contain appropriate provisions to implement the Project Intellectual Property rights provisions of this agreement and insure that the PARTIES and the Government obtain and retain such rights granted herein in all future resulting research, development, or commercialization work.

5. Confidentiality/Publication.

(a) Background Intellectual Property and Project Intellectual Property of a party, as well as other proprietary or confidential information of a party, disclosed by that party to the other in connection with this STTR project shall be received and held in confidence by the receiving party and, except with the consent of the disclosing party or as permitted under this Agreement, neither used by the receiving party nor disclosed by the receiving party to others, provided that the receiving party has notice that such information is regarded by the disclosing party as proprietary or confidential. However, these confidentiality obligations shall not apply to use or disclosure by the receiving party after such information is or becomes known to the public without breach of this provision or is or becomes known to the receiving party from a source reasonably believed to be independent of the disclosing party or is developed by or for the receiving party independently of its disclosure by the disclosing party.

(b) Subject to the terms of paragraph (a) above, either party may publish its results from this STTR project. However, the publishing party will give a right of refusal to the other party with respect to a proposed publication, as well as a __ day period in which to review proposed publications and submit comments, which will be given full consideration before publication. Furthermore, upon request of the reviewing party, publication will be deferred for up to ____ additional days for preparation and filing of a patent application which the reviewing party has the right to file or to have filed at its request by the publishing party.

6. Liability.

(a) Each party disclaims all warranties running to the other or through the other to third parties, whether express or implied, including without limitation warranties of merchantability, fitness for a particular purpose, and freedom from infringement, as to any information, result, design, prototype, product or process deriving directly or indirectly and in whole or part from such party in connection with this STTR project.

(b) SBC will indemnify and hold harmless RI with regard to any claims arising in connection with commercialization of the results of this STTR project by or under the authority of SBC. The PARTIES will indemnify and hold harmless the Government with regard to any claims arising in connection with commercialization of the results of this STTR project.

7. Termination.

(a) This agreement may be terminated by either Party upon __ days written notice to the other Party. This agreement may also be terminated by either Party in the event of the failure of the other Party to comply with the terms of this agreement.

(b) In the event of termination by either Party, each Party shall be responsible for its share of the costs incurred through the effective date of termination, as well as its share of the costs incurred after the effective date of termination, and which are related to the termination. The confidentiality, use, and/or non-disclosure obligations of this agreement shall survive any termination of this agreement.

AGREED TO AND ACCEPTED--

Small Business Concern

By: _____ Date: Print name:

Title:

Research Institution

By: _____ Date: Print name:

Title:

ATTACHMENT 12: PHASE I SAMPLE SLIDE DECK can be accessed at <https://afwerx.com/sbir-sttr-program-overview/>. Review Section 5(e)(ii) for a complete list of required and recommended slides.