

MWI 5115.1  
REVISION D

EFFECTIVE DATE: September 27, 2004  
EXPIRATION DATE: September 27, 2009

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# MARSHALL WORK INSTRUCTION

PS01

## PROCESSING UNSOLICITED PROPOSALS

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### DOCUMENT HISTORY LOG

| Status<br>(Baseline/<br>Revision/<br>Canceled) | Document<br>Revision | Effective<br>Date | Description  |
|--|----------------------|-------------------|--|
| Baseline                                       |                      | 5/14/99           | Document converted from MSFC-P06.1-C01 to a Directive. Previous history retained in system as part of canceled or superseded ISO Document files.   |
| Revision                                       | A                    | 8/16/99           | Changes made to reflect new MSFC reorganization.   |
| Revision                                       | B                    | 5/10/03           | Changed title of the document. Updated URL in footers. Renumbered document to comply with format required by MPG 1410.2. To comply with implementation of Integrated Financial Management Program (IFMP), at 3. Applicable Documents and C. (3), (new 6.3.4) changed title of MWI 5100.1, Procurement "Initiators" Guide" to Procurement "Requisitioners" Guide" and at 3.(3), (new 6.3.4) changed "Procurement Request to "Purchase" Request. At 6.4.4, added requirement for MSFC Form 4440, MSFC Grants/Cooperative Agreements Congressional Notification. Paragraph 9. and 9.2 changed "quality records" to "records".   |
| Revision                                       | C                    | 6/28/2004         | Throughout the document, revised NPG to reflect NPR and made grammatical and renumbering revisions as needed. Paragraph 5.9, deleted references to C.A.S.E. Report. Paragraph 6.2.2, added references to Officer's representative. Paragraph 6.3.4 deleted C.A.S.E. Report (NASA Form 1356). Paragraph 6.3.4, revised statement to include "If for funding or technical reasons the technical evaluating office recommends not to process the proposal for award, the evaluator shall forward MSFC Form 4236 to PS10, stating the reason(s) the proposal is not recommended for award". Paragraph 6.3.5, replaced "Selection Official" with "the responsible contract special and technical officer". Throughout the document, revised the title of MSFC Form 4440 from MSFC Grants/Cooperative Agreements Congressional Notification Data Sheet to Congressional Notification of Research Selection. Paragraph 9.2.5 Records, Deleted reference to NASA Form 1356 and renumbered as needed. Renumbered Paragraph 12 Cancellation revised MWI 5115.1A dated August 16, 1999 to MWI 5115.1B dated May 10, 2003 and Directors name revised from A.G. Stephenson to David A. King.  |
| Revision                                       | D                    | 9/27/2004         | Throughout the document, denoted requirements with the verb "shall". Throughout the document, revised references of MWI 5100.1, "Procurement Requisitioners Guide" to "Initiating Procurement Requisitions" PRG to IPR,. Throughout the document, revised NPG to reflect NPR, MPG to MPR and made grammatical and renumbering revisions as needed. Paragraph 12 Cancellation revised MWI 5115.1B dated May 10, 2003 to MWI 5115.1C dated June 28, 2004 and revised the Ombudsman from Alex Roth to Robin N. Henderson. Revised paragraph 5.6 Submitter, removed instructions to Appendix Z due to Headquarters Rule Review Initiative. Revised 5.9 Unsolicited Proposal Evaluation Request Package, to include definition. 5.9.1 Justification for Other Than Full and Open Competition (JOFOC) Guide for Unsolicited Proposals and 5.9.7 Recommendation and Determination to Solicit from One Source (RDSS), deleted reference to \$100k applicability. Revised definitions 5.3, 5.4 and 5.5 and deleted references to FAR 26.301. Revised 5.9.6 Notice and 6.1 Instructions, to delete references to unsolicited proposal. Revised 6.2.5 to include references for a proposal from outside the US. Revised 6.2.6 to include references for a proposal received from Academia. Revised 6.3.4 to include a JAUP (for grants and cooperative agreements), JOFOC (for contracts over \$100k), or |

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|--|--|--|---|
|  |  |  | RDSS (for purchase orders under \$100k) and Proposal Budget Evaluation sheet (MSFC Form 4236-2) to the Procurement Office if the proposal has been evaluated and is to be funded for award. Throughout the document, revised "Procurement Manager" to " Procurement Office Department Manager". Paragraph 8 " SAFETY PRECAUTIONS AND WARNING NOTES" revised to include Restrictive Legend. Added Appendix Z "GUIDANCE". |
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## 1. PURPOSE

This document provides instructions for processing unsolicited proposals received at the Marshall Space Flight Center (MSFC). The Procurement Office (PS) shall be the organization responsible for receipt and disposition of all unsolicited proposals at MSFC.

## 2. APPLICABILITY

This MWI applies to all MSFC organizational elements involved in the receipt and processing of unsolicited proposals.

## 3. APPLICABLE DOCUMENTS

3.1 Federal Acquisition Regulation (FAR), Subparts 3.1, 15.6 and 26.3

3.2 NASA Federal Acquisition Regulation Supplement (NFS), Subpart 1815.6

3.3 NPR 5800.1, "Grant and Cooperative Agreement Handbook"

3.4 Unnumbered, "Guidance for the Preparation and Submission of Unsolicited Proposals", <http://ec.msfc.nasa.gov/hq/library/unSol-Prop.html>

3.5 MPR 5000.1, "Purchasing"

3.6 MWI 5000.1, "Processing NASA Research Announcements (NRAs) and Cooperative Agreement Notices (CANs)"

3.7 MWI 5100.1, "Initiating Procurement Requisitions"

3.8 PS-OWI-07, "Noncompetitive Procurement Documentation"

## 4. REFERENCES

None

## 5. DEFINITIONS

5.1 Academia. Private or state-supported school, university, or educational institution.

5.2 Controlled Unsolicited Proposal. An unsolicited proposal that has been assigned a control number by PS10.

5.3 Historically Black Colleges and Universities (HBCU). HBCU means an institution determined by the Secretary of Education to meet the requirements of 34 CFR 608.2 .

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5.4 Minority Institutions (MI). MI means an institution of higher education meeting the requirements of Section 1046(3) of the Higher Education Act of 1965, including a Hispanic-serving institution of higher education, as defined in Section 316(b)(1) of the Act.

5.5 NASA Research Announcement (NRA). NRA is a solicitation used to announce research interests in support of NASA's programs, and select proposals for funding using peer or scientific review.

5.6 Submitter. Individual or legal representative of an institution who submits the unsolicited proposal for consideration. (See Guidance for the Preparation and Submission of Unsolicited Proposals, <http://ec.msfc.nasa.gov/hq/library/unSol-Prop.html>)

5.7 Unsolicited Proposal. A written proposal submitted to NASA on the initiative of the submitter (independently originated) for the purpose of obtaining a contract (or other agreement) with the Government, that is not in response to a formal or informal request (other than a NASA request constituting a publicized general statement of needs). It has to demonstrate an innovative and unique concept or capability, contain sufficient technical and cost information to permit a meaningful evaluation, and present a product or service not otherwise available that would contribute to NASA's mission. (See FAR 15.6, NFS 1815.6, and NPR 5800.1.)

5.8 Unsolicited Proposal Coordinating Office (UPCO). A point of contact established within the MSFC Procurement Office to coordinate the receipt, evaluation, and disposition of unsolicited proposals.

5.9 Unsolicited Proposal Evaluation Request Package. A package of evaluation materials sent by the UPCO to a MSFC technical organization to assist in the evaluation of the package. It includes the following:

5.9.1 Justification for Other Than Full and Open Competition (JOFOC) Guide for Unsolicited Proposals.

5.9.2 MSFC Form 4236. Unsolicited Proposal Recommendation.

5.9.3 MSFC Form 4236-1. Justification for Acceptance of an Unsolicited Proposal (JAUP).

5.9.4 MSFC Form 4236-2. Proposal Budget Evaluation.

5.9.5 MSFC Form Letter 129. Request for Evaluation of Unsolicited Proposal.

5.9.6 Notice. Unsolicited Proposal-Use of Data Limited.

5.9.7 Recommendation and Determination to Solicit from One Source (RDSS)

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### 5.9.8 Technical Evaluation Guide for Unsolicited Proposals.

## 6. INSTRUCTIONS

6.1 This section outlines the responsibilities of the Procurement Office and other organizations related to the receipt, processing, evaluation and administration, and disposition of all unsolicited proposals received at MSFC.

### 6.2 Responsibilities of the Procurement Office.

(PS10) shall:

6.2.1 Receive all unsolicited proposals submitted to MSFC. Maintain an Official File copy of each proposal, and a log containing the submitter's name, date received, subject/title and amount in U.S. currency and disposition of the proposal.

6.2.2 Forward a copy of the unsolicited proposal to the Procurement Officer's representative for review and approval or disapproval. Notify the submitter by letter if disapproved, explaining the reasons for disapproval. Maintain a copy of the proposal, Procurement Officer's disapproval, and disapproval letter in the Official File.

6.2.3 Assign a control number for each approved unsolicited proposal and forward the proposal, with an unsolicited proposal evaluation package, to the cognizant Directorate, Program/Project or Office, requesting an evaluation.

6.2.4 Forward a copy of the proposal to the Equal Opportunity Office/OS01 for evaluation and funding if the proposal is from an MI or HBCU.

6.2.5 Forward a copy of the proposal to the Technology Transfer Department/CD30 for evaluation and funding, if the proposal is from outside the United States.

6.2.6 Forward a copy of the proposal to the Education Programs Department/CD60 for Center statistics if the proposal is received from Academia.

6.2.7 Forward a copy of the proposal to the office administering the NRA, for technical evaluation when an unsolicited proposal has congruence to that NRA. (See MWI 5000.1, "Processing NASA Research Announcements (NRAs) and Cooperative Agreement Notices (CANs)").

6.2.8 Maintain a copy of MSFC Form 4236 in the Official Unsolicited Proposal file.

6.2.9 Notify the submitter with the reason(s) why the proposal was not recommended for funding. This recommendation provided shall be provided by the evaluator using MSFC Form 4236.

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### 6.3 Responsibilities of Centerwide Organizations:

Centerwide organizations shall:

6.3.1 Forward to PS10 without taking action, any unsolicited proposal received without a control number.

6.3.2 Upon receipt of a Request for Technical Evaluation (evaluation request package) of an Unsolicited Proposal from PS10, complete MSFC Form 4236 and return it to PS10 within 14 days of the date of the request.

6.3.3 Complete a technical evaluation and search for funds within 45 days.

6.3.4 Prepare a procurement package consisting of a purchase requisition, written technical evaluation, and as appropriate, a JAUP (for grants and cooperative agreements), JOFOC (for contracts over \$100k), or RDSS (for purchase orders under \$100k); Proposal Budget Evaluation sheet (MSFC Form 4236-2) to the Procurement Office if the proposal has been evaluated and is to be funded for award.

6.3.4.1 Forward MSFC Form 4236 to PS10, stating the reason(s) why the proposal is not recommended for award. (See MWI 5100.1, "Initiating Procurement Requisitions").

6.4. Congressional Notification is required if a controlled unsolicited proposal is to be awarded as a grant or cooperative agreement. The responsible contract specialist and technical officer shall document the selection on MSFC Form 4440, Congressional Notification of Research Selection, and provide the completed form to the cognizant Procurement Office Department Manager no later than 12 hours after final selection has been made and withhold all other releases of information regarding the selection for a minimum period of 36 hours after notification of the cognizant Procurement Office Department Manager.

6.4.1 The cognizant Procurement Department Manager shall review the MSFC Form 4440, Congressional Notification of Research Selection and ensure all pertinent data has been entered on the form. The Procurement Manager will forward the completed form to the CD50/Government and Community Relations Department, point of contact for Legislative Affairs, no later than 12 hours after receipt.

6.4.2 CD50 shall provide the information received on the MSFC Form 4440, Congressional Notification of Research Selection to NASA Headquarters' Congressional Inquiries Division, Office of Legislative Affairs, via electronic mail no later than 24 hours after receipt of the selection list and at least 48 hours prior to the scheduled notification to the selectees by the Selection Official.

## 7. NOTES

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None

## **8. SAFETY PRECAUTIONS AND WARNING NOTES**

"Unsolicited Proposal-Use Of Data Limited." Restrictive Legend.

## **9. RECORDS**

9.1 Records. Procurement Office records, with locations and retention periods, are identified in MPR 5000.1, "Purchasing."

9.2 Forms. The blank forms listed below are not records.

9.2.1 MSFC Form Letter 129 -- Request for Evaluation of Unsolicited Proposal

9.2.2 MSFC Form 4236 -- Unsolicited Proposal Recommendation

9.2.3 MSFC Form 4236-1 -- Justification for Acceptance of an Unsolicited Proposal (JAUP)

9.2.4 MSFC Form 4236-2 -- Proposal Budget Evaluation

9.2.5 MSFC Form 4440 -- Congressional Notification of Research Selection

9.3 Formats. The blank formats listed below are not records.

9.3.1 Notice -- Unsolicited Proposal--Use of Data Limited

9.3.2 JOFOC -- Justification for Other Than Full and Open Competition Guide for Unsolicited Proposals

9.3.3 RDSS -- Recommendation and Determination to Solicit from Only One Source

9.3.4 Technical Evaluation Guide for Unsolicited Proposals

## **10. PERSONNEL TRAINING AND CERTIFICATION**

See MWI 5100.1 "Initiating Procurement Requisitions".

## **11. FLOW DIAGRAM**

See Appendix A.

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## 12. CANCELLATION

MWI 5115.1C dated June 28, 2004

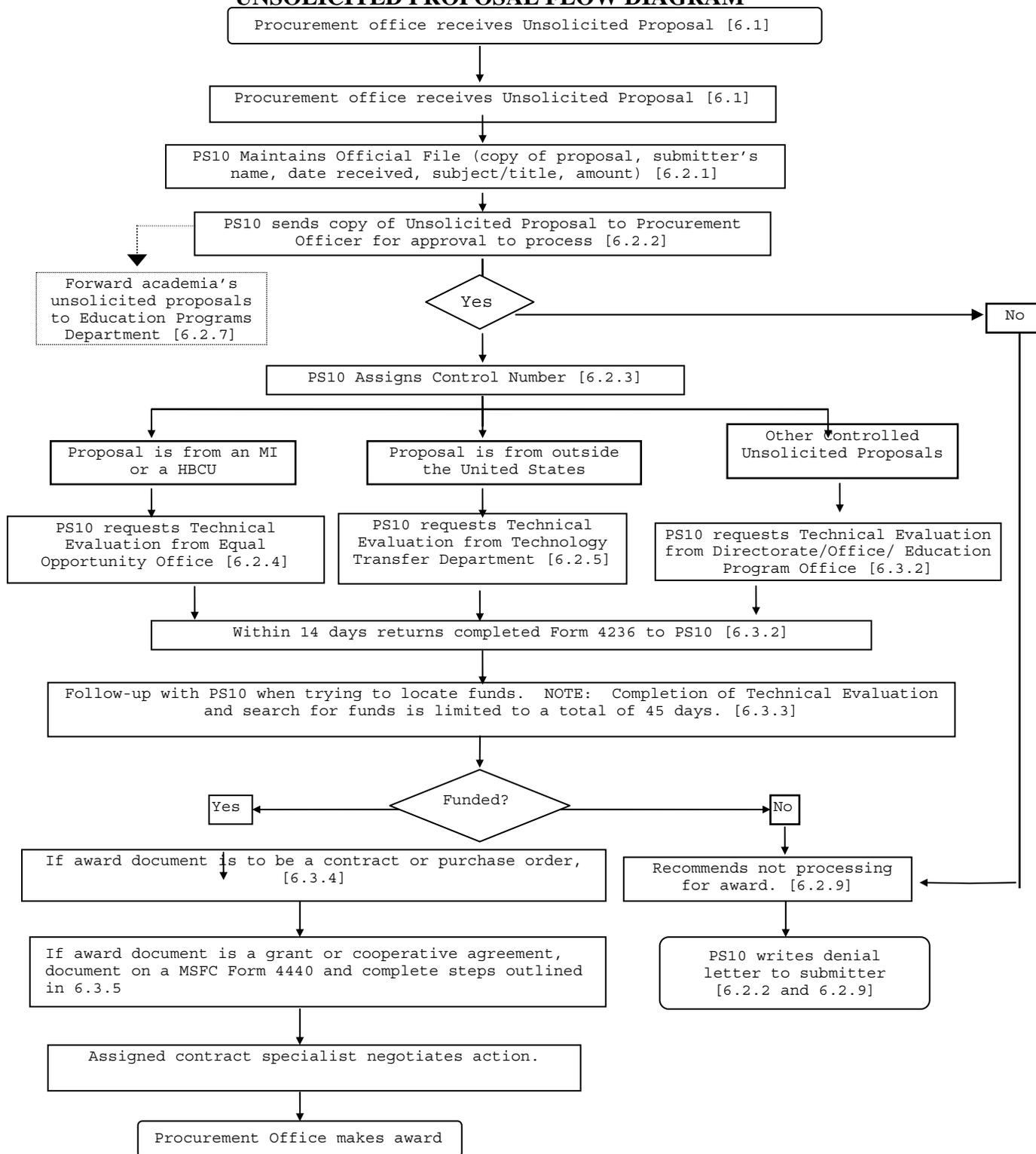
Original signed by  
Robin Henderson for

David A. King  
Director

Appendix A Unsolicited Proposal Flow Diagram

|                                   |                          |               |
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## APPENDIX A UNSOLICITED PROPOSAL FLOW DIAGRAM



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