



TASK REQUEST AWARD

PROCESS

TERMINOLOGY AND DEFINITIONS

Term or Word	Description/Definition
Task Request	Funded support, technical analysis, applied technology or study requested by the JPDO Director to which the Institute will request a fair and open competitive process to determine who and how the support, service or analysis will be accomplished.
Contract Award Panel (CAP)	An independent panel of no less than three qualified private sector participants chosen by the Executive Director based upon defined qualification criteria. Each member will have executed a non-disclosure agreement (NDA) and statement of non-conflict of interest related to specific task request.
Proposal	Any response or document submitted by a private sector participant or non-government organization in response to a posted or published task request from the Institute.
Request for Proposal (RFP)	General term used by the Institute to describe the requested form, document or formal submission to a task request. For the sake of brevity in this process document, this term will also encompass and apply equally to other such frequently used terms as Request for Information, Source Information Request or Request for Quote.
Respondent	An individual, team or organization that prepares and submits a formal proposal.
IMC	The Institute Management Council
Contractual Awards Oversight Board	A standing committee of the IMC will provide independent oversight and review of the task request process and subsequent selections. The CAOB reports to the IMC and is independent of the Executive Director, the Institute staff and the CAP. The terms “Contractual Awards Oversight Group” and “Contractual Review Oversight Board” refer to the same committee.
Other Transaction Agreement (OTA)	The legal and binding document by which the NGATS Institute executes the task award process and participates with the JPDO to facilitate private sector involvement in NGATS.
Participant	An organization or individual that expresses interest in participation in the NGATS Institute.

1. Direct Support Mission of the NGATS Institute

A key mission of the NGATS Institute is to provide private sector members for participation on the Integrated Product Teams and working groups requested by the inter-agency Joint Planning and Development Office (JPDO) as provided under Other Transactions Agreement (OTA) DTFAWA-05-A-00005. The Institute acts "as the mechanism through which the JPDO will access world-class private sector expertise, tools, and facilities for application to NGATS activities and tasks." Professional, technical and consulting services from a broad spectrum of industry will be provided through the NGATS Institute "as requested by the JPDO leadership in support of planning, research, analysis, assessment, architecture, functional requirements setting, prototyping, simulation, and demonstrating future system attributes."

1.1 Applicability

These procedures apply to all direct support tasks, projects, surveys, studies, analysis, and/or other activities initiated by Interagency Product Team (IPT) Directors and/or JPDO Division Directors to be performed through the NGATS Institute on a funded task request basis.

1.2 Developing a Task Request for Institute Work

Funded work performed through the NGATS Institute begins with a fully developed Task Request generated by an IPT Director or JPDO Division Director. The Task Request shall, at a minimum, include the following:

- Statement of work
- Proposed budget
- Proposed schedule
- Expected deliverables
- Desired resource characteristics, if any
- Participant selection criteria, if any
- Participant selection procedures, if any
- Criteria for acceptability of deliverables, if any.

Where possible and in accordance with the OTA, the Institute will work with the various JPDO elements during the task development phases to ensure that the proposed tasking and requests will satisfactorily meet expectations and desired outcomes. Industry experts and professionals serving on an IPT involved in defining and developing the proposed tasking will not be prohibited from bidding or otherwise supporting responses or performing on any subsequent formal SOW of that task on which they have helped the JPDO develop as long as such support has been done in accordance with the OTA guidance on avoiding conflict of interest. The following guidance applies:

- No Institute Participants (the Institute staff is not considered Participants) may be involved in the JPDO's development of an IPT recommendation into a formal task request and SOW, or in the JPDO review and decision process concerning such IPT recommendations.

- Development of the SOW that will formally result in a task request to the Institute is solely the responsibility of the JPDO government staff.

All Task Requests in the form of a SOW so approved will be submitted to the Institute Executive Director for subsequent processing and award. All industry tasking will be done on a competitive basis to ensure a robust consideration and response from the private sector.

2. Principles for the Evaluation and Selection Process for JPDO Task Requests

This document establishes a process and schedule to accomplish the review, evaluation, and selection of JPDO task requests. The process may be tailored to the nature of a specific task and the time available for review and selection. The process, and any major modifications made to it in actual execution, will be documented for the record. The review, evaluation, and selection process shall ensure that private sector support on task requests are selected in a fair, transparent, and expeditious manner, to include the following applications and concepts throughout the process.

- 2.1. Requiring that the evaluation of proposals is based on defined criteria reasonably calculated to identify the most qualified, cost effective, and effective performer.
- 2.2. Ensuring the application of a Contract Award Panel (CAP.) The CAP shall have no less than three independent reviewers selected by the Executive Director for the evaluation of proposals.
- 2.3. Establishing oversight by the Contractual Awards Oversight Board (CAOB), as required by Article 4, Paragraph J of the OTA. The CAOB will regularly review the process by which a selection is made to ensure adherence to the defined process and that the process by which a proposal is chosen reflects fairness, transparency, and objectivity.
- 2.4. Establishing guidelines and direction from the Executive Director to adjust the defined process to support task request critical deadlines, delivery dates and other such priorities that may be requested by the JPDO in the execution and completion of a task request.
- 2.5. The process will reasonably ensure the absence of any known or established conflicts of interest between a CAP member and a respondent, its company or related organizations. If a conflict of interest between a CAP member and respondent is revealed, this document details the process to ensure no prejudice to the selection outcome. If the outcome of a CAP may have been determined to be prejudiced, the Executive Director will refer the issue to the CAOB to determine whether it is possible to correct the prejudice and proceed, or if it is necessary to re-initialize the review, evaluation, and selection process.
- 2.6. As required by Article 4, Paragraph K of the OTA and in accordance with principles set forth herein, the CAOB will fully and expeditiously investigate protests.

3. Preparation for Source Selection and Evaluation

The Executive Director will establish the format and approach for soliciting the desired responses in accordance with the stated technical, cost and project management goals established by the JPDO. As part of this pre-notification process, the Executive Director will:

- 3.1. Use the Statement of Work (SOW) prepared by the JPDO to determine the requisite qualifications for participation on the CAP.
- 3.2. Prepare draft non-disclosure agreements (NDAs) and non-conflict of interest letters in accordance with the task request and guidelines in the SOW from the JPDO and in accordance with the non-conflict of interest policy in the OTA. Panel members should not be employed by or otherwise have close ties to bidding companies.
- 3.3. Develop a general description of the proposed Task Request based upon the SOW to be posted on the Institute website for general public dissemination.
- 3.4. Notify the CAO and the IMC principals of the proposed task request and relevant product, delivery and schedule information.
- 3.5. Solicit new CAP members to form a panel or notify existing qualified CAP members of the need for CAP members in support of the task proposal evaluations.
- 3.6. Prepare requisite or appropriate guidelines as may be needed to help the CAP in the proposal evaluation process.
- 3.7. The Executive Director will document for the record the criteria and requirements used in the choosing of CAP members for the specific task(s) to be awarded by the CAP.
- 3.8. General notices of expected awards and expected posted dates may be placed on the Institute web site at the discretion of the Executive Director.

4. Choosing the Contract Award Panel (CAP)

- 4.1. In furtherance of Article 4, Paragraph J of the OTA, the Executive Director will establish one or more Contract Award Panel(s) (CAP), each consisting of three or more qualified individuals, to assist in the selection of a qualified proposal. At the discretion of the Executive Director, the CAP may be the same for multiple contracts if its members are otherwise qualified to evaluate an additional or subsequent task request. The Executive Director will establish and terminate each CAP as necessary.
- 4.2. The Executive Director may form a CAP at any appropriate time. It is expected, however, that a CAP will be formed in response to specific tasking by the JPDO and that the composition of the CAP will be directly responsive to the task. In some cases to meet expedited requirements, the Executive Director may form the CAP in anticipation of tasking by the JPDO.
- 4.3. The Executive Director will constitute the CAP from among Institute Participants.
- 4.4. As may be needed, the Executive Director may provide advance general knowledge, material and insight to CAP members to better prepare them for their responsibilities.
- 4.5. Qualified CAP members must meet one or more of the following general requirements:
 - 4.5.1. Have sufficient knowledge of the task in order to understand the capabilities required to successfully execute it.
 - 4.5.2. Have familiarity with the NGATS vision and with the role and purpose of the JPDO and the NGATS Institute.
 - 4.5.3. Have relevant experience in or significant knowledge of aviation-related technical, project management, operations or research sectors;

- 4.5.4. Have familiarity with contracting procedures and issues, or other specialty areas directly related to the task to be awarded;
 - 4.5.5. Be willing to fully carry out the duties of a CAP member in a timely manner;
 - 4.5.6. Execute the responsibility of a CAP member fairly and transparently; and,
 - 4.5.7. Comply with such additional criteria as may be identified by the Executive Director as appropriate to the specific task to be evaluated.
- 4.6. CAP members may serve without compensation or may be compensated for their service and reasonable expenses in accordance with approved NGATS Institute procedures as provided by the OTA and the FAA contract officer. This expense will be considered as part of the NGATS Institute normal operations and as such, these expenses will be pre-approved by appropriate JPDO and FAA officials in accordance with the guidelines and agreements established by the OTA.
- 4.7. Routinely, there shall be notice on the NGATS Institute website announcing the intent to form a CAP, the requirements for participation, and information about how to apply. In addition, the Executive Director will inform IMC members of the need for CAP participation.
- 4.8. A record will be maintained of all qualified CAP participants and members.
- 4.9. The Executive Director will require the execution by each CAP member of the appropriate non-disclosure agreement and statement of non-conflict of interest as defined and required by the OTA's guidelines for conflict of interest. Failure to execute either document in a timely manner disqualifies the individual from service on the CAP.
- 4.9.1. In the event that a CAP member fails to timely execute either document, or is found to have a disqualifying conflict of interest, the Executive Director will notify the individual that he/she cannot serve as a CAP member on the task request in question. The Executive Director may choose a new member – and shall do so if necessary to constitute a panel of three.
- 4.10. The CAP members will be required to review the list of qualified respondents and identify any conflicts of interest prior to engaging in the review, evaluation, and selection process. In the event that during the course of the process, it is found that a CAP member has a conflict of interest with a qualified applicant, the member will be immediately removed from the CAP. The Executive Director may choose a new member – and shall do so if necessary to constitute a panel of three.
- 4.11. The NGATS Institute website will carry a notice of the formation of a CAP, including the member's name and the task(s) in which they will be evaluating.
- 4.12. A CAP member may be removed by the Executive Director for reasons of failure or inability to perform required activities, conflict of interest with respect to an applicant, unauthorized interactions with applicants, or clearly disruptive behavior in the review, evaluation, and selection process. If a CAP member is removed or has to end participation, the reasons shall be documented and notice will be provided to the COAB. The Executive Director shall replace him/her if necessary to maintain a three-person CAP.

5. The Role and Operations of the Contract Award Panel

- 5.1. Consistent with Article 4, Paragraph J of the OTA, the role of the CAP is to assist the Executive Director in evaluating applicants with respect to such factors as cost, capability, and past performance and in making recommendations as to selection.

- 5.2. The Executive Director is responsible for ensuring that the CAP members understand the process, and execute it to the best of their ability in a timely manner.
- 5.3. In the event that the CAO B inquires about any selection process or specific award, either during the course of the review, evaluation and selection process or subsequently as a result of a protest, the members of the relevant CAP will respond to questions and requests for information posed by the CAO B directly.

6. Communications With Respondents and Outside Individuals

- 6.1. Communications between the NGATS Institute staff and prospective and actual applicants is expected and encouraged throughout the announcement and evaluation and selection phases, but shall be carefully handled to protect against the appearance or reality of any apparent advantage to or prejudice against any respondent.
- 6.2. Care shall be exercised to ensure that the JPDO SOW approved by the FAA contracting officer, NGATS Institute solicitation document, or any details of the expected solicitation as being developed by the Institute that could prejudice competition are not provided, disclosed or revealed to any potential applicant prior to its posting and announcement on the NGATS Institute website.
 - 6.2.1. Documentation for the file shall be made regarding any discussion between NGATS Institute staff and interested parties or applicants that occurs following posting of the Announcement of Contract Opportunity and Request for Proposal on the NGATS Institute website and prior to announcement of the award selection. Documentation will be maintained for the duration of the protest period.
 - 6.2.2. During the review, evaluation, and selection process, CAP members may not discuss the activity with any respondent or any employee of a respondent's company or organization. CAP members also may not discuss the activity with others outside the CAP, the Institute or the CAO B. Failure to adhere to this restriction is grounds for disqualification from current or future membership in a CAP.

7. Notification of Request for Proposals

All notices of request for proposals related to the JPDO task request will be posted on the NGATS Institute web site for not less than two weeks and must include at a minimum:

- 7.1. A description of the requested support, work or products with amplifying details necessary to provide for thorough comprehension.
- 7.2. Minimum qualifications or experience required
- 7.3. Unless otherwise noted, all proposals will be firm fixed price.
- 7.4. Financial or specific not to exceed cost or fiscal constraints, if any.
- 7.5. The deadline for submission of proposals (submissions after the published deadline will not be accepted.)
- 7.6. Delivery schedule, milestones or other time constraints that will help tailor responses.
- 7.7. Instructions on how to respond, where to send responses and in what format and delivery methods by which the responses will be accepted.
- 7.8. Points of contact at the Institute on questions or additional information as may be needed.

- 7.9. Anticipated award dates or other dates which may be pertinent to the task selection process or project planning.
- 7.10. The evaluation/procurement schedule should alert the offerors to the fact that the Institute plans to establish a strict delivery and performance schedule, and that offerors will be expected to adhere accordingly.
- 7.11. Notification that participation in funded NGATS Institute tasks neither prejudices nor provides preferential status for firms bidding on any future JPDO/NGATS implementation activities or work.
- 7.12. A requirement that all respondents must acknowledge that any proposed support or effort will be compliant with the terms and conditions of the OTA as posted on the NGATS Institute web site and that the respondent understands that such terms and conditions are not negotiable.
- 7.13. A statement that payment is contingent on the receipt of funds from the FAA and satisfactory product acceptance.

8. Qualifications for Proposals and Conflict of Interest Review

- 8.1. At the close of the submission period, proposals will be reviewed by the Institute staff for responsiveness to the minimum criteria identified in the Request for Proposal. This review by Institute staff will involve compliance with the minimum acceptable criteria and will not involve evaluation of the items. The minimum criteria include:
 - 8.1.1. A concise statement of the proposed work which is consistent with the described task and reflects the respondents understanding of the requested effort;
 - 8.1.2. Cognizant qualifications and related information;
 - 8.1.3. Description of past performance relevant to accomplishing the required task;
 - 8.1.4. Proposed schedule for delivery of the requested work and/or products;
 - 8.1.5. If a firm fixed price contract, promise to complete the task within the financial ceiling;
 - 8.1.6. Agreement to abide by the pass through clauses and relevant provisions of the OTA;
 - 8.1.7. Information on financial status sufficient to demonstrate the capacity to complete the task through progress payments and periodic reimbursements.
 - 8.1.8. For research and development related task requests, the following criteria are to be included:
 - 8.1.8.1. The applicant's understanding of the scope of the work;
 - 8.1.8.2. The approach proposed to accomplish the scientific and technical objectives of the task or the merit of the ideas or concepts proposed;
 - 8.1.8.3. The availability and competence of experienced engineering, scientific, or other technical personnel;
 - 8.1.8.4. The applicant's related experience;
 - 8.1.8.5. Pertinent novel ideas in the specific branch of science and technology involved; and
 - 8.1.8.6. The availability, from any source, of necessary research, test, laboratory, or shop facilities;
 - 8.1.8.7. Management capability (including cost management techniques), experience and past performance with subcontracting, if applicable.

- 8.2. A proposal will be disqualified if it fails to address the minimum criteria identified above for the Request by Proposal. The Executive Director will review and approve the disqualification of any proposal, and documentation of the action will be made for the record. Thereafter a notice of disqualification specifying the reasons will be provided to the respondent.
- 8.3. The review by Institute staff is limited to determining whether proposals are responsive to RFP minimum criteria. The Institute shall not substantively evaluate any proposals.
- 8.4. After the Institute's cursory review, a list of qualified respondents (name and organizational affiliation) will be provided to the CAP members. Each CAP member is required to review the list and submit an affirmative statement that he/she has no known conflict of interest with any applicant. If a possible conflict is identified and cannot be quickly resolved to the satisfaction of the Executive Director, the CAP member will be removed from the CAP and the Executive Director will expeditiously appoint a new member.

9. Communications between NGATS Institute and Respondents

- 9.1. Communications between NGATS Institute staff and any potential respondent may take place throughout the source selection process.
- 9.2. Communications may start prior to the first public notice of a proposed tasking and continue through receipt of proposals.
- 9.3. No draft of the NGATS Institute solicitation document, nor any details of the expected solicitation as being developed by the Institute that could prejudice competition, shall be provided to any potential offeror prior to its posting on the NGATS Institute website.
- 9.4. All discussions between NGATS Institute staff and respondents or potential respondents that occur following posting of the solicitation on the NGATS Institute website and before announcement of the award selection shall be documented.
- 9.5. Any relevant correspondence or documents describing discussions with offerors or potential offerors that occur following posting of the solicitation on the NGATS Institute website and before announcement of the award selection shall be retained through the close of any applicable protest period.

10. Evaluation of Proposals

- 10.1. Tasks may vary significantly and therefore the evaluation criteria and process are not required to be standard. Nevertheless, the following practices will be followed in all cases:
 - 10.1.1. The evaluation criteria announced in the web site announcement will be applied in the actual evaluation of proposals, unless all qualified applicants are notified of modified criteria and offered a reasonable opportunity to modify their proposals or resubmit if so approved by the Executive Director;
 - 10.1.2. The CAP members will be required to apply the evaluation criteria as identified in the RFP and refrain from substituting independent measures;
 - 10.1.3. The method of ranking proposals will be as analytical as possible, i.e., proposal sections will be assigned weights and a scoring scale will be systematically applied to all proposals and used consistently by every CAP member;
 - 10.1.3.1. At a minimum the following selection criteria weights apply unless otherwise defined in the RFP:
 - 10.1.3.1.1. Technical Approach --- **50%**

- 10.1.3.1.2. Key Personnel (those personnel to be assigned at no less than 80% of their available time for duration of task) --- **35%**
- 10.1.3.1.3. Cost Realism --- **15%**
- 10.1.4. Evaluation of a subjective nature is permitted, but should not be the predominant factor;
- 10.1.5. Each reviewer will sufficiently document his/her evaluation of each proposal in a manner that allows the CAOB to review and determine sectional scoring and overall ranking is in compliance to the approved process and procedures;
- 10.1.6. The CAP will document how the final selection was made, i.e., whether the determination is arrived at by numerical ranking, vote by CAP members, etc.
- 10.1.7. CAP members or the Executive Director may seek additional information from respondent, but only if the action does not provide the applicant unfair advantage. Such requests must be fully documented for review by the CAOB.
- 10.1.8. Once proposals have been officially received by the Institute, CAP members may not contact respondents directly, but may submit requests to the Executive Director to seek additional information.
- 10.2. The CAP may determine that none of the proposals are adequate and prepare a letter so stating and documenting their findings to the Executive Director.
- 10.3. After notifying the JPDO Director accordingly, the Executive Director will notify all respondents of this action and announce any actions to cease resubmit or modify the request for future proposals for the specific task request.
- 10.4. In the event of pursuing a new request for proposals, all private sector entities, regardless of whether they submitted proposals during the initial period, will be eligible to submit a proposal for any such revised or modified task request.
- 10.5. The CAP will forward to the Executive Director in writing their selection or recommendations. In addition to identifying the proposal recommended for selection, the CAP will document the basis for the selection or recommendation.
- 10.6. The CAOB will be informed by the Executive Director of the CAP's recommendation and the Executive Director's intended action at least one week before the selection action is publicly announced or the Executive Director's chosen applicant is notified.
- 10.7. If the CAOB does not formally notify the Executive Director of any objection to the impending selection decision within one week of receipt of notice announce a selected respondent, the Executive Director may proceed with public announcement and finalization of the selection.
- 10.8. For cause, the CAOB may direct the Executive Director to delay the selection action. Such direction shall not be taken without substantial justification, such as evidence that the selection process was not conducted with due process or that the final determination was not arrived according to approved procedures. In the event the CAOB so directs, the CAOB will so notify the Executive Director, the CAP, and the IMC concurrently.

11. Notice of Award

The Executive Director shall provide written notice to the selected respondent(s) as well as for those not selected. Also, the Executive Director will post a notice to award on the Institute website.

- 11.1.1. The notice of a firm fixed price award and selection will be posted on the Institute's web site for no less than 15 calendar days.
- 11.1.2. During that time, each non-selected offeror or respondent will have an opportunity to meet with the Executive Director or his/her designee for a debriefing of the source selection process and address any questions on the individual responses that were not selected. If there is more than one such request, the Executive Director may establish a date and meeting location that will be convenient to the Institute.
- 11.1.3. Instructions and guidelines for payments and contractual oversight will be delineated in the award letter and subsequent communications with the selected respondent. The selected respondent will agree to these conditions prior to commencing the task.

12. Handling of Protests of Awards

- 12.1. In accordance with Article 4, Paragraph K of the OTA, a respondent who submits a qualifying proposal and whose proposal is reviewed by the CAP may protest an award made to another respondent by submitting this in writing within ten days of the announcement on the NGATS Institute website of the award, so long as the protest complies with this process.
- 12.2. All protests received by the NGATS Institute shall be expeditiously forwarded to the NCAT President and the Contractual Awards Oversight Board for its review and determination of recommended disposition.
- 12.3. The CAOB will refer to this process document, the published criteria for qualifying proposals, and the documented actions of the CAP to evaluate any protest submitted.
- 12.4. Any protest found invalid by the CAOB shall be rejected and no further review of that protest submission shall occur.
- 12.5. The CAOB shall provide its recommended disposition to the IMC within 30 days of the filing of the protest.
- 12.6. In notifying the IMC, the CAOB will ensure that no proprietary information from any respondent or their proposals is communicated to the IMC members.
- 12.7. The IMC has responsibility for the final determination of the outcome of any properly filed protest of a funded task request. If, after 45 business days from receipt of recommendations from the CAOB, the IMC does not approve, disapprove, or modify those recommendations, the recommendations of the CAOB shall become final.
- 12.8. Following the disposition of a protest, the Institute shall provide the affected parties a final notice in writing.

13. Review and Oversight by the Contractual Awards Oversight Board

- 13.1. As required by Article 4, Paragraph J of the OTA, the CAOB shall regularly assess the review, evaluation and selection process, as well as specific awards made, to ensure that the NGATS Institute awards sponsored work in accordance with principles of fairness, transparency, and efficiency.
- 13.2. As specified in this document, the CAOB will specifically be notified of the formation of a CAP and the Executive Director's intent to issue an award so that it may exercise review at these two critical stages.

- 13.3. The CAOB may conduct spot audits or make inquiries of the Executive Director, NGATS Institute staff, and CAP members as part of its oversight and monitoring function.
- 13.4. In assessing specific awards, it is the intent for the CAOB to validate that the award was made fairly, and not to conduct a re-evaluation of the content, technical merit or cost related to any proposal.
- 13.5. If the CAOB identifies unauthorized practices, it will document its findings and recommend appropriate actions. Its assessment will be shared with the Executive Director and the IMC.

14. Expedited Procedures

- 14.1. If a JPDO task request requires expeditious handling and cannot be acted upon in a timely manner by following the procedures set forth herein, the Executive Director may waive some or all of these procedures.
- 14.2. Waiver of the procedures set forth herein will be by exception and should not become standard practice.
- 14.3. The expedited process will be determined by the Executive Director, who will be responsible for ensuring that the process retains integrity for fairness and transparency.
- 14.4. The NGATS Institute must publish a notice on the NGATS Institute website that an expedited process will be applied to the review, evaluation, and selection of the particular task.