

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
OFFICE OF ACQUISITION MANAGEMENT, HAAM-10
400 SEVENTH STREET, SW
WASHINGTON, DC 20590



A GUIDE TO
FEDERAL HIGHWAY ADMINISTRATION
POLICIES AND PROCEDURES
FOR SUBMITTING
UNSOLICITED PROPOSALS

FOREWORD

The FHWA is responsible for developing and managing a program to identify and correct highway and street conditions that are contributing causes of highway fatalities, injuries, and property damage. The FHWA is also responsible for developing and administering safety standards relating to the identification and surveillance of accident locations, highway design, construction, and maintenance, including highway-related aspects of pedestrian safety and traffic control.

The FHWA coordinates wide-ranging programs in research, development, and highway planning. The programs are directed toward the problems of traffic congestion, improvement of street and highway safety, development of more efficient and effective planning and design techniques for use by States and local jurisdictions, reduction in the costs of the construction and maintenance of highway transportation systems, and the minimization of the social, economic, and environmental impact of highway transportation on the general public. These programs are of a continuing long-range nature and are typically planned at least five years in advance.

While it is normal practice for the FHWA to develop its own requirements, solicit proposals, and contract with offerors whose proposals are deemed most advantageous to the government, we recognize the valuable, innovative contribution that educational and other nonprofit institutions, commercial concerns, and individuals may bring to proposing relevant research projects that they believe will help meet FHWA's current and long-range program requirements. To this extent, the FHWA encourages and invites all parties to submit unsolicited proposals that they believe will support the FHWA mission.

This guide sets forth the general policy and prescribes the procedure for submitting unsolicited proposals to the FHWA as prescribed under Federal Acquisition Regulation Subpart 15.6.

THE UNSOLICITED PROPOSAL

An "unsolicited proposal" means a written offer to perform a proposed task or effort that is innovative and unique, initiated and submitted to the FHWA by a prospective contractor (offeror) without a solicitation from the FHWA, with the objective of obtaining a contract. It should present the proposed work in sufficient detail to allow a determination to be made that FHWA support could be worthwhile and that the proposed work could enhance, benefit, and provide valuable input to the FHWA research and development mission or to some other area of FHWA responsibility. The following kinds of correspondence will not be considered as proposals: (1) written inquiries regarding FHWA interest in research and/or development areas, (2) proposal explorations, (3) technical inquiries, (4) research descriptions, and (5) offers to sell commercial off-the-shelf equipment. Such communications rarely contain sufficient information to permit adequate review or to allow even a tentative decision regarding sponsorship.

The unsolicited proposal is the formal means by which research ideas are brought to the attention of the FHWA, submitted in the hope that the Government will contract with the offeror for further research on, or development of, the ideas it contains. Because of the breadth of FHWA

Rev. 10/01/02

technological interests and the necessity for providing a foundation for its long-range objectives, the criterion of relevance is interpreted broadly. Insight into current and anticipated research needs can be gained by following the progress of related work in various Government publications, attending transportation-related conferences such as those conducted by the Transportation Research Board and the American Association of State Highway Transportation Officials, and exploring the FHWA Internet home page located at <http://www.fhwa.dot.gov>.

Requests for product endorsement or venture capital funds to bring a developed product to market are not considered unsolicited proposals.

ROLE OF THE OFFICE OF ACQUISITION MANAGEMENT

A significant portion of FHWA research and related activities is performed outside FHWA installations under contracts, grants, or cooperative agreements between FHWA and educational institutions, commercial concerns and other organizations having scientific and technological capabilities. To facilitate such outside participation, the FHWA Office of Acquisition Management (HAAM) is responsible for: (1) establishing contracting policies and procedures that govern the activities of commercial concerns, and nonprofit, scientific, and educational institutions participating in FHWA research and related activities, (2) awarding contracts, grants, or cooperative agreements to such organizations, and (3) processing unsolicited proposals submitted to FHWA from prospective contractors to ensure their prompt and impartial evaluation.

The FHWA encourages direct technical communications with its scientists and engineers in areas of mutual interest. Accordingly, whenever appropriate, HAAM will make every effort to guide interested individuals to the responsible program office. However, both the FHWA and offeror staff must exercise caution to ensure that communications do not lead to inadvertent collaboration on the development of a work statement that would subsequently be incorporated in the unsolicited proposal, thus possibly invalidating the “unsolicited” nature of the proposal and disqualifying the proposal from being considered.

PREPARATION AND SUBMISSION

All unsolicited proposals submitted for FHWA consideration should be addressed to:

Department of Transportation
Federal Highway Administration
Office of Acquisition Management, HAAM-10
400 Seventh Street, SW Washington, D.C. 20590

Unsolicited proposals submitted directly to other FHWA elements (including field installations) cannot be acted upon officially until all copies are forwarded to HAAM. Five copies of each proposal are required, one of which must be a manually signed original. Unsolicited proposals should be prepared in conformance with the guidelines set forth below. Offerors may submit their proposals in their own format as long as the required data are provided. E-mail submissions may be

Rev. 10/01/02

made provided a single, manually signed “hard copy” is mailed concurrently.

Basic Information

- a. Name and address of offeror submitting the proposal.
- b. Type of organization (profit, nonprofit, educational, small business, other).
- c. Names and telephone numbers of the offeror’s technical and business personnel whom FHWA may contact for evaluation purposes.
- d. Identification of any proprietary data which the offeror intends to be used by the agency only for evaluation purposes. (See page 5 for instructions).
- e. Names of any other Federal, State, local agencies, or other parties receiving the proposal.
- f. Date of submission of the proposal.
- g. A signature of a responsible official authorized to contractually obligate the organization.

Technical Information

- a. A concise title and an abstract (approximately 200 words) of the proposed effort.
- b. A reasonably complete discussion stating the objectives of the effort, method of approach, the nature and extent of the anticipated results, and the manner in which the work will help support the FHWA mission.
- c. The names and brief biographical information of the offeror’s key personnel who would be involved.
- d. The type of support, if any, the offeror requests of the FHWA; e.g., facilities, equipment, materials, or personnel resources.

Supporting information

- a. A cost estimate for the proposed effort sufficiently detailed, by element of cost, for meaningful evaluation (including subcontractors).
- b. Period of time for which the proposal is valid (minimum of six months).
- c. Proposed work schedule.
- d. A statement if applicable, regarding proposed cost sharing.

- e. Identification of any organizational conflicts.
- f. A brief description of the offeror's organization and previous work or experience in the field of the proposal.

Proprietary Data

Whenever possible, an offeror should submit a proposal without restrictions on the use of technical data provided. The offeror must state whether or not the proposal contains proprietary information.

- a. If an unsolicited proposal includes proprietary data which the offeror does not want disclosed for any purpose other than evaluation of the proposal, the title page shall be marked with the following legend:

USE AND DISCLOSURE OF DATA

The data in this proposal 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 the proposal; provided, that if a contract is awarded to this offeror as a result of or in connection with submission of this data, the Government shall have the right to duplicate, use, or disclose the data to the extent provided in the contract. This restriction does not limit the Government's right to use information contained in the data if it is obtainable from another source without restriction. The data subjected to this restriction are contained in Sheet(s) _____.

The offeror shall also mark each restricted sheet¹ with the following legend:

Use or disclosure of proposal data is subject to the restriction on the title page of this proposal.

- b. An unsolicited proposal will be returned to the offeror if it is marked with a different legend than that provided in paragraph (a) above. The offeror will be informed that the proposal cannot be considered because it is impracticable for the Government to comply with the legend. However, the offeror shall also be informed that the proposal will be considered if it is resubmitted with the legend provided in paragraph (a).

EVALUATION OF RESEARCH PROPOSALS

Preliminary Review. Prior to making a comprehensive technical evaluation of a document

¹*If only a portion of the sheet is proprietary, it must be so indicated.*

submitted as an unsolicited proposal, HAAM will determine that the document contains sufficient technical, staffing, and cost information to enable meaningful evaluation. If the document lacks certain information, the offeror will be notified and given the opportunity to submit the needed information. A comprehensive technical evaluation cannot begin until the needed information is received.

If it is determined that the submission does not meet the criteria for consideration as an unsolicited proposal, a prompt reply will be sent to the submitter, indicating how the document is being interpreted and the reason(s) for not considering it a proposal.

Comprehensive Evaluation. Upon acceptance of an unsolicited proposal for evaluation, HAAM will convene a panel of FHWA experts comprised of scientists and engineers from program offices familiar with the research interests, to perform an independent evaluation. The decision as to whether favorable action will be taken on the proposal will be based upon an assessment by the panel of the potential contribution of the proposed research to the objectives of the FHWA program under which it might be funded; also, whether or not sole source procurement can be justified under the circumstances. When it is determined to be in the best interest of the FHWA, other Federal agencies may be approached to share in the evaluation and consideration of the proposal.

When the technical evaluation has been completed, HAAM will inform the offeror of the results of the evaluation and whether or not negotiation of a contract on the basis of the proposal is contemplated.

Normally, unsolicited proposals are not returned after completion of the evaluation, they are retained in a secure location for a period of time and then destroyed. If the offeror wishes the proposal to be returned, a statement to that effect should be clearly made in the submission.