

35.007 Solicitations.

(a) The submission and subsequent evaluation of an inordinate number of R&D proposals from sources lacking appropriate qualifications is costly and time-consuming to both industry and the Government. Therefore, *contracting officers should* initially distribute *solicitations* only to sources technically qualified to perform research or *development* in the specific field of science or technology involved. Cognizant technical personnel *should* recommend potential sources that appear qualified, as a result of-

- (1) Present and *past performance* of similar work;
- (2) Professional stature and reputation;
- (3) Relative position in a particular field of endeavor;
- (4) Ability to acquire and retain the professional and technical capability, including facilities, required to perform the work; and
- (5) Other relevant factors.

(b) Proposals generally *shall* be solicited from technically qualified sources, including sources that become known as a result of synopses or other means of publicizing requirements. If it is not practicable to initially solicit all apparently qualified sources, only a reasonable number need be solicited. In the interest of competition, *contracting officers shall* furnish copies of the *solicitation* to other apparently qualified sources.

(c) *Solicitations shall* require *offerors* to describe their technical and management approach, identify technical uncertainties, and make specific proposals for the resolution of any uncertainties. The *solicitation should* require *offerors* to include in the proposal any planned subcontracting of scientific or technical work (see [35.009](#)).

(d) *Solicitations may* require that proposals be organized so that the technical portions can be efficiently evaluated by technical personnel (see [15.204-5\(b\)](#)). *Solicitation* and evaluation of proposals *should* be planned to minimize *offerors'* and Government expense.

(e) R&D *solicitations should* contain evaluation factors to be used to determine the most technically competent (see [15.304](#)), such as-

- (1) The *offeror's* understanding of the scope of the work;
- (2) The approach proposed to accomplish the scientific and technical objectives of the contract or the merit of the ideas or concepts proposed;
- (3) The availability and competence of experienced engineering, scientific, or other technical personnel;
- (4) The *offeror's* experience;
- (5) Pertinent novel ideas in the specific branch of science and technology involved; and
- (6) The availability, from any source, of necessary research, test, laboratory, or shop facilities.

(f) In addition to evaluation factors for technical competence, the *contracting officer shall* consider, as appropriate, management capability (including cost management techniques), experience and *past performance*, subcontracting practices, and any other significant evaluation criteria (*e.g.*, unrealistically low cost estimates in proposals for cost-reimbursement or fixed-price incentive contracts). Although cost or price is not normally the controlling factor in selecting a contractor to perform R&D, it *should* not be disregarded in arriving at a selection that best satisfies the Government's requirement at a fair and reasonable cost.

(g) The *contracting officer should* ensure that potential *offerors* fully understand the details of the work, especially the Government interpretation of the work statement. If the effort is complex, the *contracting officer should* provide potential *offerors* an opportunity to comment on the details of the requirements as contained in the work statement, the contract Schedule, and any related specifications. This *may* be done at a preproposal conference (see [15.201](#)).

(h) If it is appropriate to do so, *solicitations should* permit *offerors* to propose an alternative contract type (see [16.103](#)).

(i) In circumstances when a concern has a new idea or product to discuss that incorporates the results of independent R&D work funded by the concern in the private sector and is of interest to the Government, there *should* be no hesitancy to discuss it; however, the concern *should* be warned that the Government will not be obligated by the discussion. Under such circumstances, it *may* be appropriate to negotiate directly with the concern without competition. Also, see [subpart 15.6](#) concerning *unsolicited proposals*.

(j) The Government *may* issue an exploratory request to determine the existence of ideas or prior work in a specific field of research. Any such request *shall* clearly state that it does not impose any obligation on the Government or signify a firm intention to enter into a contract.

Parent topic: [Part 35 - Research and Development Contracting](#)