

**A GUIDE FOR PREPARING AND
SUBMITTING
UNSOLICITED PROPOSALS**



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IRS MISSION STATEMENT

*Provide America's taxpayers top quality service
by helping them understand and
meet their tax responsibilities and by
applying the tax law with integrity
and fairness to all.*

INTRODUCTION

This guide has been prepared, pursuant to Federal Acquisition Regulation (FAR) Part 15.6, to inform potential offerors of unsolicited proposals about the Internal Revenue Service (IRS), its functions, and how it handles unsolicited proposal submissions. Inside, you will find basic instructions for submitting an unsolicited proposal, particularly what type of information must be included to qualify the submission for further consideration. An adequate unsolicited proposal package is used by non-Government sources to present and explain the merits of a particular innovative approach or idea for accomplishing Government missions. Each proposal should, therefore, be clear and complete with respect to the content and format details addressed in this guide. The IRS mission and organization are discussed in greater detail in official agency publications and documents. A list of such published references is included in Appendix A of this guide.

NOTE: *In accordance with IRSAP, **ALL** unsolicited proposals received in IRS shall be forwarded to the Office of Procurement Policy for consideration.*

IRS Procurement Mission

Our business is service. Our purpose is to acquire the right goods and services, at the right time, consistent with law, regulation, internal policy, and sound business judgment. In doing these things as a total quality procurement organization, we enhance the overall mission of the Internal Revenue Service.

The IRS procurement organization contracts with the private sector for a variety of supplies, equipment and services. Services that have been acquired by contract are training, architect-engineering, advisory and assistance, custodial, guard, operation and maintenance, telecommunications and information technology (IT) services, maintenance and support. Supplies and equipment that have been acquired are office supplies, office furnishings, furniture, IT equipment such as computers (micros, minis, mainframes, and peripherals), forklifts, copiers, facsimile machines, and telephone equipment. The value of IRS purchases spans a wide range, from less than \$3,000 up to several billion dollars.

All prospective contractors are encouraged to follow the more conventional practice of submitting offers in response to official IRS solicitations for supplies, equipment and services. Solicitation documents specify the supplies, equipment or services that will be acquired to support the mission of the IRS.

Another way that the IRS acquires supplies, equipment or services is through acceptance of unsolicited proposals. Advertising material, commercial item offers, contributions, and routine correspondence *on technical issues are not* considered unsolicited proposals. (See FAR 15.601 and 15.603).

Definitions (FAR 15.601):

Advertising material means designed to acquaint the Government with a prospective contractor's present products, services, or potential capabilities, or designed to stimulate the Government's interest in buying such products or services.

Commercial item offer means an offer of a commercial item that the vendor wishes to see introduced in the Government's supply system as an alternate or a replacement for an existing supply item. This term does not include innovative or unique configurations or uses of commercial items that are being offered for further development and that may be submitted as an unsolicited proposal.

Contribution means a concept, suggestion, or idea presented to the Government for its use with no indication that the source intends to devote any further effort to it on the Government's behalf.

Unsolicited proposal means a written proposal for a new or innovative idea submitted to an agency on the initiative of the offeror for the purpose of obtaining a contract with the Government, and is not in response to a request for proposals, Broad Agency Announcement, Program Research and Development Announcement, or any other Government-initiated solicitation or program.

*"An unsolicited proposal is a written proposal for a new or innovative idea that is submitted...for the purpose of obtaining a contract with the Government and ... **is not in response** to a request ... proposals..., or any other Government-initiated solicitation or program.*

Routine correspondence on technical issues is a written request for information regarding Government interest in research areas, submission of research descriptions, pre-proposal exploration, and other written technical inquiries.

Acceptable Unsolicited Proposals

By regulation, an unsolicited proposal must fulfill **all** of the requirements that are found in FAR 15.603(c). This means it must:

- (1) Be innovative and unique;
- (2) Be independently originated and developed by the offeror;
- (3) Be prepared without Government supervision, endorsement, direction, or direct Government involvement;
- (4) Include sufficient detail to permit a determination that Government support could be worthwhile and the proposed work could benefit the agency's research and development or other mission responsibilities;
- (5) Not be an advance proposal for a known agency requirement that can be acquired by competitive methods; and
- (6) Not address a previously published agency requirement.



PRELIMINARY CONTACTS WITH IRS

Because unsolicited proposal are developed on the initiative of the submitter, the Government is not responsible for any costs incurred in the preparation or processing of an unsolicited proposal. For this

reason, the IRS recommends that you contact agency personnel before expending extensive effort on a detailed unsolicited proposal or before submitting proprietary data to the Government.

*Agency technical personnel **may only be contacted for the limited purpose of obtaining an understanding of the agency mission and the responsibilities relative to fulfilling that mission.***

Your preliminary contacts should include inquiries as to the general need for the type of effort contemplated. Agency technical personnel may only be contacted for the limited purpose of obtaining an understanding of the agency mission and the responsibilities relative to fulfilling that mission. Any such meetings between you and agency technical personnel are strictly informal discussions. You may not construe these discussions in any way as authority to begin contractual work performance.

Be advised that detailed discussions may also be limited, depending on the circumstances, by particular laws that govern the conduct of lobbying efforts in connection with the expenditure of Congressionally-appropriated funds (see Public Law 101-121, Restrictions on Lobbying), and that control the exchange of information in connection with procurements already underway (see Public Law 101-189, Procurement Integrity).

Should questions arise during the preparation of an unsolicited proposal, the proposer is encouraged to contact the following office:

Internal Revenue Service
Office of Procurement Policy, OS:A:P:P:A
Constellation Centre, 5th Floor
6009 Oxon Hill Road
Oxon Hill, MD 20745



WHO MAY SUBMIT PROPOSALS

The Internal Revenue Service will only accept unsolicited proposals from individuals or organizations determined to be responsible, prospective contractors. To qualify as a responsible, prospective contractor you must satisfy the following regulatory requirements:

- a) have adequate financial resources to perform the contract, or the ability to obtain them;
- b) be able to comply with the required or proposed delivery or performance schedule, taking into consideration all existing commercial and Governmental business commitments;
- c) have a satisfactory performance record;
- d) have a satisfactory record of integrity and ethics;
- e) have the necessary organization, experience, accounting and operational controls, and technical skills, or the ability to obtain them;
- f) have the necessary technical equipment and facilities, or the ability to obtain them; and
- g) be otherwise qualified and eligible to receive an award under applicable laws and regulations.

WHAT TO SUBMIT

Those who are interested in preparing an unsolicited proposal package for submission to the IRS must begin by preparing the following:

Project Technical Information (FAR 15.605)

- 1) Concise title and abstract (approximately 200 words) of the proposed effort;
- 2) A reasonably complete discussion stating the objectives of the effort or activity, the method of approach and extent of effort to be employed, the nature and extent of the anticipated results, and the manner in which the work will help to support accomplishment of the agency's mission;
- 3) Names and biographical information on the offeror's key personnel who would be involved, including alternates; and
- 4) Type of support needed from the agency; e.g., facilities, equipment, materials, or personnel resources.

The abstract (no more than 200 words in length) should contain a description of the proposed project including project objectives and benefits. The statement of work should contain a complete functional description of the project to be undertaken, with a reasonably complete discussion stating the objectives of the effort or activity, the method of approach and extent of effort to be employed, the nature and extent of the anticipated results, and the manner in which the work will help to support accomplishments of the agency's mission. It should also include a list of facilities, equipment, materials, or personnel resources to be used during the project, including whether these are to be Government-furnished; a schedule of major tasks and events to be accomplished; and a list of items to be delivered to the Government as end results of contract performance.

In addition to the project technical information above, unsolicited proposals should contain the following basic and supporting information to permit consideration in an objective and timely manner:

Basic Information (FAR 15.605)

- 1) Offeror's name and address and type of organization; e.g., profit, nonprofit, educational, small business;
- 2) Names and telephone numbers of technical and business personnel to be contacted for evaluation or negotiation purposes;
- 3) Identity of proprietary data to be used only for evaluation purposes;
- 4) Names of other Federal, State, Local agencies, or parties receiving the proposal or funding the proposed effort;
- 5) Date of submission; and
- 6) Signature of a person authorized to represent and contractually obligate the offeror.

Supporting Information (FAR 15.605)

- 1) Proposed price or total estimated cost for the effort in sufficient detail for meaningful evaluation;
- 2) Period of time for which the proposal is valid (a six month minimum is suggested);
- 3) Type of contract preferred;
- 4) Proposed duration of effort;
- 5) Brief description of the organization, previous experience, and past performance in the field, and facilities to be used;
- 6) Other statements, if applicable, about organizational conflicts of interest; security clearances, and environmental impacts; and
- 7) The names and telephone numbers of agency technical or other agency points of contact already contacted about the proposal.

Limited Use of Data (FAR 15.609)

If an unsolicited proposal contains information the offeror wishes to protect from unwanted disclosure the title page must be marked with the legend in Appendix B.

Ensure that the offeror also mark each restricted sheet with the following legend:

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

The agency Point of Contact (POC) shall return to the offeror any unsolicited proposal marked with a legend different from that identified in Appendix B. The return letter will state that the proposal cannot be considered because it is impracticable for the Government to comply with the legend, but will consider the proposal if it is resubmitted with the proper legend.

The agency POC shall place a cover sheet on the proposal, or clearly mark it with the legend identified in Appendix C, unless the offeror clearly states in writing that no restrictions are imposed on the disclosure or use of the data contained in the proposal.



EVALUATION OF THE PACKAGE

The IRS will acknowledge receipt of unsolicited proposals within 10 workdays after the proposal is received by the Office of Procurement Policy. The submitter will be notified by that office of the receipt of the proposals, the fact that the proposal is undergoing evaluation, and an estimated completion date.

Clarity and completeness of the unsolicited proposal package are important. The package that possesses these qualities will result in less time spent in review and prompt a quicker response.

In conducting a comprehensive evaluation of an unsolicited proposal, evaluators will consider the following factors (see (FAR 15.606-2), among any others appropriate for the particular proposal:

- 1) Unique, innovative, and meritorious methods, approaches or concepts demonstrated by the proposal;
- 2) Overall scientific, technical, or socioeconomic merits of the proposal;
- 3) Potential contribution of the effort to the agency's specific mission;
- 4) The offeror's capabilities, related experience, facilities, techniques, or unique combinations of these which are integral factors for achieving the proposal objectives;

- 5) The qualifications, capabilities, and experience of the proposed principal investigator, team leader, or key personnel who are critical in achieving the proposal objectives; and
- 6) The realism of the proposed cost.

Offerors must take note that a favorable evaluation of an unsolicited proposal does not in itself, justify awarding a contract without providing for full and open competition, nor does it constitute any obligation on the part of the Government to accept the proposal. Other priorities or program funding limitations may preclude the Internal Revenue Service from making an award even if the evaluation is favorable.

If an unsolicited proposal does not meet statutory criteria for award of a sole-source, or other noncompetitive contract, then a contract cannot be awarded in direct response to that proposal. In that case, a contract may only be awarded if the proposal is subsequently selected after full and open competition is obtained. Criteria for authorizing the Government to use noncompetitive contracts are found in the Competition in Contracting Act (Public Law 98-369) and in FAR Part 6. A market search will be necessary to determine whether there are capable, alternative sources or means by which the Government may obtain the proposed product or services.

If you decide that your proposal either does not meet the requirements for an innovative or unique approach, technique, or concept; closely resembles a pending competitive acquisition requirement; or, that similar products or services are available to the Government without restriction from another source, you may wish to consider submitting your proposal in response to a written solicitation issued by the Government. You may do this by submitting a proposal as a prime contractor or as a subcontractor. Information on federal procurement opportunities is advertised in the Federal Business Opportunities (FedBizOpps or FBO) found at <http://www.fedbizopps.gov>. The Department of the Treasury and its bureaus use the Central Contractor Registration (CCR) System to find small business sources. CCR can be found at <http://www.ccr.gov>. Click on Begin New Registration to enter your information into CCR. For more information on CCR or future procurement opportunities, contact Jodie Paustian, the IRS Small

Business Specialist, at Jodie.L.Paustian@irs.gov or via phone at (202) 283-1350. The Small Business Specialist is available to offer advice and assistance, particularly to qualifying small businesses, regarding Treasury and IRS procurement opportunities.



WHEN TO SUBMIT PROPOSALS

Unsolicited proposals may be submitted at any time throughout the year. All unsolicited proposals should be submitted well in advance of the anticipated starting date. This is to allow the agency time to make adjustments to accommodate the acceptance of unsolicited proposals, such as reallocating time and resources for proposal-related efforts not anticipated in previously-approved operating and budget plans. Due to funding considerations, action on proposals submitted near the beginning or end of the Federal Government's fiscal year may also be affected by the outcome of deliberations on annual Federal budget appropriations.

WHERE TO SUBMIT PROPOSALS

All unsolicited proposals should be submitted to the following address:

Internal Revenue Service
Office of Procurement Policy, OS:A:P:P:B
6009 Oxon Hill Road, 5th Floor
Oxon Hill, MD 20745

This office acts as a central receiving point for the distribution, handling, and reporting of unsolicited proposals. The receiving office will forward unsolicited proposals to appropriate program areas for evaluation.

NOTE: **DO NOT** furnish your unsolicited proposal to any other office in IRS to avoid jeopardizing its eligibility as an unsolicited proposal, and to prevent unintended or unwarranted disclosure of its contents.

APPENDIX A – REFERENCES

The following publications are suggested for additional information:

Title 48 Code of Federal Regulations (CFR). Chapter 1, The Federal Acquisition Regulation (FAR), Subpart 6.3 – Other than Full and Open Competition, and Subpart 15.6 – Unsolicited Proposals, available at the Acquisition Network website at <http://www.arnet.gov>.

Treasury Department Marketing Publications. The Department of the Treasury Forecast of Procurement Opportunities and the Small Business Subcontracting Opportunities Directory are available at the Treasury Office of Small Business Development website at <http://www.treas.gov/sba>. Scroll down and click on Marketing Publications and then on the appropriate document.

Internal Revenue Service Published References. To obtain the documents below, visit the IRS website at <http://www.irs.gov>. Search Forms and Publications for:

Publication 594, The IRS Collection Process.

To obtain the documents below, visit the IRS website at <http://www.irs.gov> and click on About IRS and then on Strategic Plan and Other References.

IRS Strategic Plan, Fiscal Years 2005 - 2009.

Budget in Brief FY-2009.

IRS Long-Term Measures.

IRS Performance Measures.

APPENDIX B

UNSOLICITED PROPOSAL (FAR 15.609)

USE AND DISCLOSURE DATA

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. However, if a contract is awarded to this offeror as a result of – or in connection with – the submission of these 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 these data if they are obtained from another source without restriction. The data subject to this restriction are contained in Sheets [*insert numbers or other identification of sheets*].

APPENDIX C

UNSOLICITED PROPOSAL (FAR 15.609)

USE OF DATA LIMITED

All Government personnel must exercise extreme care to ensure that the information in this proposal is not disclosed to an individual who has not been authorized access to such data in accordance with FAR 3.104, and is not duplicated, used, or disclosed in whole or in part for any purposes other than evaluation of the proposal, without the written permission of the offeror. If a contract is awarded on the basis of this proposal, the terms of the contract shall control disclosure and use. This notice does not limit the Government's right to use information contained in the proposal if it is obtainable from another source without restriction. This is a Government notice, and shall not by itself be construed to impose any liability upon the Government or Government personnel for disclosure or use of data contained in this proposal.