



Unsolicited Proposal Guide

The purpose of this guide is assist vendors with the preparation and submission of an unsolicited proposal (as defined by the Federal Acquisition Regulation (FAR) **15.601 -- Definitions**) to the Internal Revenue Service (IRS). The guide will discuss what is and what is not an unsolicited proposal, provide information on proposal content, provide IRS specific submission requirements, explain the evaluation process at the IRS, and the next steps in the event of a favorable evaluation. The guide is prepared in accordance with **Subpart 15.6 -- Unsolicited Proposals** and contains one appendix. Appendix A includes the Legends required to protect the proprietary nature of your proposal.

Additionally, you may wish to review the Department of the Treasury's **Unsolicited Proposals Frequently Asked Questions**.

INTRODUCTION

Unsolicited proposals are meant to encourage non-government sources to submit unique and innovative ideas or approaches to the government for consideration. Although unsolicited proposals are normally used in a Research and Development (R&D) environment, they may be submitted for any IRS mission objective. Submission of an unsolicited proposal **may** result in a sole source award. FAR 15.602 – Policy provides:

“It is the policy of the Government to encourage the submission of new and innovative ideas in response to Broad Agency Announcements, Small Business Innovation Research topics, Small Business Technology Transfer Research topics, Program Research and Development Announcements, or any other Government-initiated solicitation or program. When the new and innovative ideas do not fall under topic areas publicized under those programs or techniques, the ideas may be submitted as unsolicited proposals.”

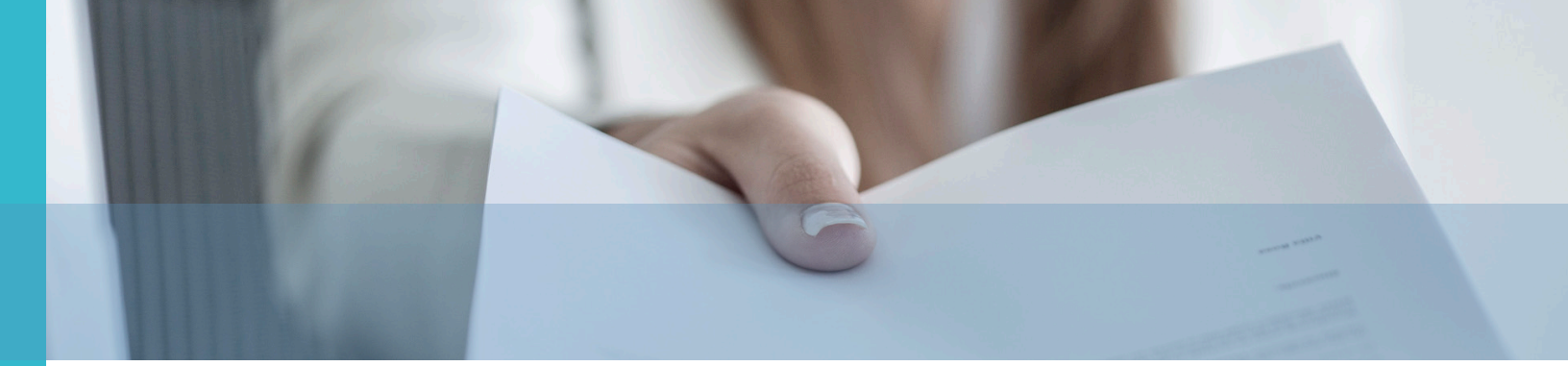
Proposal Considerations

Because unsolicited proposals 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. Also, you must be careful with any contact you have with IRS personal. **DO NOT** furnish your unsolicited proposal to any other office in the IRS to avoid jeopardizing its eligibility as an unsolicited proposal, and to prevent unintended or unwarranted disclosure of its contents. As discussed in the what constitutes an unsolicited proposal section, one of the FAR **15.603 (c)** criteria for an unsolicited proposal is it must be prepared without Government supervision, endorsement, direction, or direct Government involvement. Any preliminary contact should only be 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. It is always desirable to have a Contracting Officer present during any discussions. You may contact the Unsolicited Proposal Monitor, the IRS small business office, or IRS procurement to request Contracting Officer participation. You may not construe these discussions in any way as authority to begin contractual work performance.

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 an unsolicited proposal, 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.

It is recommended that you consider submitting an abridged proposal initially. The proposal should be complete enough to present your idea, establish its technical feasibility and demonstrate that it meets the criteria to be considered an unsolicited proposal. It should also include a summary cost estimate. An initial evaluation will be completed. If the concept is favorably evaluated, the unsolicited proposal monitor will coordinate with you on submission of a full proposal in accordance with FAR **15.605 Content of Unsolicited Proposals**. Be sure to include the ledger at FAR **15.609 -- Limited Use of Data** to protect the proprietary nature of your submission.

Submitting an abridged proposal will conserve your company valuable resources in the event that the IRS does not select to pursue the proposal. If you feel a full proposal maximizes your chances for proposal selection, you may elect to submit a full proposal.



Excessive marketing or general company background information tends to detract from your proposal and may be perceived as advertising material.

If you have specific questions concerning how to present your proposal or its format, you may contact the unsolicited proposal monitor.

What constitutes an Unsolicited Proposal

The first step in your decision to submit an unsolicited proposal is to determine whether or not your proposal meets the FAR **15.601** definition of an unsolicited proposal. Although all FAR 15.6 unsolicited proposals are unsolicited, not all proposals submitted to the IRS, which have not been requested or solicited by the IRS, constitute a FAR 15.6 unsolicited proposal. FAR 15.6 unsolicited proposals represent a very distinct sub set.

FAR **15.603 (c)** provides a valid unsolicited proposal 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.**

In the last several years, the IRS has received several proposals submitted as FAR 15.6 unsolicited proposals, but have been returned by the IRS unsolicited proposal monitor, as they did not meet the criteria listed at FAR **15.603 (c)** to be considered as an unsolicited proposal or were considered to be advertising material, commercial item offers, or a contribution as defined in **15.601**. Some examples include:

- 1. Submission of a proposal in which the innovative approach was to use IRS resources in support of a contractor product - The idea forwarded is that proposal execution would benefit tax payers. It was rejected as having no benefit to the IRS.**
- 2. A submission of a proposal by a firm to act on behalf of overseas tax debtors - It was rejected as the IRS would specify a firm to represent tax payers.**
- 3. A concept to increase efficiency - An unsolicited proposal must propose performing effort or service past the concept.**
- 4. The IRS has rejected a proposal, as being unsolicited, as a result of being developed in conjunction with a business unit. The business unit may submit a requisition to obtain the service proposed, but it will not be processed as an unsolicited proposal.**
- 5. If a proposal is submitted, which contains an element that would require a statutory change, it is a legislative proposal and not an unsolicited proposal. Any proposal that would place a requirement on a taxpayer would need to be reviewed to ensure no statutory change is required. The IRS has received these types of proposals in the past.**

6. **Having a superior product does not, in and of itself, constitute a unique and innovative idea. Having a superior set of algorithms or filters has been rejected in the past by the IRS as not being unique or innovative. However, it is possible to meet the definition of an unsolicited proposal by presenting something unique. For example, an algorithm that developed in some novel way or using a completely new method.**
7. **Known agency requirement - For example, the IRS has received multiple unsolicited proposals for Cyber Security and Identity Thief Prevention. These proposals were rejected as the IRS has contracts for those requirements. An offeror may work with current contractors or compete for future contracts to provide their service or product to the IRS.**

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.fbo.gov>. The Department of the Treasury and its bureaus use the System for Award Management (SAM) to find small business sources. SAM can be found at <https://www.sam.gov/SAM>. For more information future on procurement opportunities, contact the IRS Small Business Program Office via email at SBRO@irs.gov or by phone at (240) 613-7120. The Small Business Specialist is available to offer advice and assistance, particularly to qualifying small businesses, regarding Treasury and IRS procurement opportunities.

Proposal Submission

After you have reviewed your proposal and determined it meets the criteria listed at FAR **15.603 (c)** you may submit it to:

IRS Unsolicited Proposal Monitor
Policy and Procedures (P&P) Branch, OS:PR:P:B
Work Phone (240) 613-7337
Email: Procurement.Unsolicited.Proposals@irs.gov

Proposals should be submitted by email. The IRS will acknowledge receipt of unsolicited proposals within 10 workdays after the proposal is received by the Office of Procurement Policy.

Review Process

The first step in the evaluation process is a review by the IRS Unsolicited Proposal Monitor to ensure that your proposal meets the FAR **15.603 (c)** requirements. If the proposal is determined not to meet those specifications, the proposal will be returned by the unsolicited proposal monitor.

Remember, that although ultimately your proposal will be reviewed by a professional with extensive knowledge of the operational aspect of your proposal, it will initially be reviewed by the unsolicited proposal monitor in the Office of Procurement Policy. That individual will most likely have a limited operational expertise. Part of your proposal should explain your innovative idea with that audience in mind. Also, the proposal is routed for review by the unsolicited proposal monitor. If there is a particular office inside the IRS, who you believe would be most interested in the benefits from your proposal, that information needs to be presented to the unsolicited proposal monitor in your proposal introduction email.

Once your proposal has been determined to meet the FAR **15.603 (c)** requirements, it will be forwarded by the unsolicited proposal monitor for technical review.

Favorable Evaluation

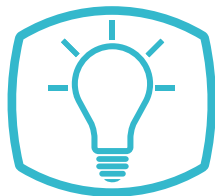
If the concept is favorably evaluated, and you have submitted an abridged proposal, the unsolicited proposal monitor will contact you to provide additional instruction and request you submit a full proposal in accordance with FAR **15.605 Content of Unsolicited Proposals**. If you submitted a full proposal, the unsolicited proposal monitor will inform you of that fact and identify a Contracting Officer to begin the acquisition process.

Offerors must take note that a favorable evaluation of an unsolicited proposal does not, in and of 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. Even if the evaluation is favorable, other priorities or program funding limitations may preclude the Internal Revenue Service from making an award.

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 in order to determine whether there are capable alternative sources or means by which the Government may obtain the proposed product or services.

Questions, suggestions, or comments concerning the unsolicited proposal evaluation process or this guide, may be submitted to the unsolicited proposal monitor.

Good luck with your submission.



APPENDIX A - LEGENDS

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]*.

Unsolicited Proposal -- 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 purpose 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.