

NOTICE OF FUNDING OPPORTUNITY (NOFO) 2019-NIST-SBIR-03

EXECUTIVE SUMMARY

- **Federal Agency Name:** National Institute of Standards and Technology (NIST), United States Department of Commerce (DoC)
- **Funding Opportunity Title:** Small Business Innovation Research (SBIR) Technical and Business Assistance (TABAs)
- **Announcement Type:** Initial
- **Funding Opportunity Number:** 2019-NIST-SBIR-03
- **Assistance Listings (CFDA Number):** 11.620, Science, Technology, Business and/or Education Outreach
- **Dates:** Applications must be received at Grants.gov no later than 11:59 p.m. Eastern Time, Friday, September 20, 2019. Applications received after this deadline will not be reviewed or considered.

Applicants should be aware, and factor in their application submission planning, that the Grants.gov system is expected to be closed for routine maintenance at the following times. Applications cannot be submitted when Grants.gov is closed.

From 12:01 A.M. Eastern Time Saturday	To 6:00 A.M. Eastern Time Monday
July 20, 2019	July 22, 2019
August 17, 2019	August 19, 2019

NIST expects to complete its review, selection of successful applicants, and award processing by November 2019. NIST expects the earliest anticipated start date for awards under this NOFO to be November 2019.

Applicants are strongly urged to read Section IV.2.a., Required Forms and Documents, with great attention. Applicants should carefully follow the instructions and recommendations regarding attachments and using Grants.gov's Download Submitted Forms and Applications feature to check that all required attachments were contained in their submission.

Applications submitted without the required documents will not pass the Initial Administrative Review, described in Section V.3.a. of this NOFO.

When developing the submission timeline, please keep in mind that (1) all applicants are required to have current registrations in the System for Award Management (SAM.gov) and Grants.gov; (2) the free annual registration process in the electronic System for Award Management (SAM.gov) (see Section IV.3. and Section IV.7.a.(1).(b). of this NOFO) generally takes between three and five business days but can take more than two weeks; and (3) applicants will receive email notifications over a period of up to two business days as the application moves through intermediate systems before the applicant learns via a validation or rejection notification whether NIST has received the application. (See [Grants.gov](https://www.grants.gov) for full information on application and notification through Grants.gov). Please note that a federal assistance award cannot be issued if the designated recipient's registration in the System for Award Management (SAM.gov) is not current at the time of the award.

- **Application Submission Address:** Applications must be submitted using Grants.gov.
- **Funding Opportunity Description:** NIST invites applications from eligible parties to provide technical and business assistance to NIST SBIR Phase I and Phase II awardees.
- **Anticipated Amounts:** NIST anticipates funding one award for up to \$78,000 with a project performance period of one (1) year. Total funding for this award will be dependent on the number of SBIR Phase I and Phase II awardees that request technical and business assistance.
- **Funding Instrument:** Grant
- **Eligibility:** Accredited institutions of higher education, non-profit organizations, and commercial organizations that are organized and operated in the United States and its territories.
- **Cost Sharing Requirements:** This program does not require cost sharing.

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FULL ANNOUNCEMENT TEXT

I. Program Description

The Small Business Innovation Research (SBIR) program was originally established in 1982 by the Small Business Innovation Development Act (P.L. 97-219), codified at 15 U.S.C. § 638. It has received subsequent reauthorization and extensions, the most recent of which extends the SBIR program through 2022. (P.L. 114-328).

Congress has authorized agencies participating in the SBIR program to enter into an agreement with one or more vendors to provide small business concerns (SBCs) with SBIR awards with technical and business assistance services, such as:

access to a network of scientists and engineers engaged in a wide range of technologies, assistance with product sales, intellectual property protections, market research, market validation, and development of regulatory plans and manufacturing plans, or access to technical and business literature available through on-line data bases.

See 15 U.S.C. § 638(q)(1). The purpose of this technical and business assistance is to assist SBCs in: improving technical decision-making; resolving technical issues that may arise; reducing technical risks; and “advancing and commercializing new commercial products and processes. . . including intellectual property protections.” *Id.*

As authorized in 15 U.S.C. § 638(q), NIST is establishing a Technical and Business Assistance (TABA) program.

1. Overview. NIST promotes U.S. innovation and industrial competitiveness by advancing measurement science, standards, and technology in ways that enhance economic security and improve our quality of life. NIST's Technology Partnerships

Office (TPO) works with regional, state and local economic development organizations, technology incubation centers, public-private business development initiatives and other organizations and partnerships to facilitate the transfer of technologies developed within NIST scientific laboratories to the private sector through licensing and/or collaboration. NIST scientists conduct research, create technologies and make discoveries in nearly every scientific and technological field. TPO encourages commercialization of these results through programs and activities that advance mutual interests of NIST and its partners, and in turn, the general public. See <http://www.nist.gov/tpo/>.

TPO's activities include NIST's SBIR program, through which NIST funds small businesses conducting scientific and engineering related research and development (R&D) projects responding to specific technical areas at NIST (15 U.S.C. § 638). The program encourages technological innovation and conversion of Federal R&D into commercial applications.

The NIST SBIR program provides cooperative agreements to qualified small businesses to fund innovative research projects that support NIST's strategic priorities. The NIST SBIR program has three phases. Phase I is a six-month award to conduct a technical feasibility study. All NIST SBIR Phase I recipients are eligible to submit an application to the subsequent Phase II competition. NIST SBIR Phase II awardees continue the R&D effort over a 24-month award period. In Phase III, the small business uses non-SBIR funds to commercialize the product developed during previous phases. For more information see <http://www.nist.gov/tpo/sbir/>.

2. Project Objectives. The NIST SBIR TABA program will provide support to NIST SBIR Phase I and Phase II awardees.

It should be noted that the NIST SBIR awardees have the option to not participate in this assistance effort that is made available to them and may select to utilize similar support from an organization other than the TABA recipient under this program. In the event that a NIST SBIR awardee opts not to participate in this program, the TABA recipient is not expected to provide services to that NIST SBIR awardee.

The TABA recipient will be awarded \$6,500 for each of the NIST SBIR Phase I and/or Phase II awardee that participates in the TABA program, up to an estimated 12 Phase I and/or Phase II awardees. The TABA recipient will provide those NIST SBIR Phase I and/or Phase II awardees with technical and business expertise and resources to identify optimum pathways to promote successful transition of the Phase I and/or Phase II results to commercialization.

Through this program, the TABA recipient will engage with NIST SBIR Phase I and Phase II awardees in technical and business development activities such as:

- 1) making better technical and business decisions concerning SBIR projects;
- 2) solving technical and business problems that arise during the conduct of SBIR projects;
- 3) minimizing technical and business risks associated with SBIR projects; and
- 4) developing and commercializing new commercial products and processes resulting from the SBIR projects.

The TABA recipient will identify the current state of each NIST SBIR awardee's research and provide appropriate advice and assistance about commercialization pathways. Since each NIST SBIR awardee may be at a different level of product development, the TABA recipient will work with each NIST SBIR awardee to customize activities that best support the NIST SBIR awardee.

In order to conduct these commercialization assessments, NIST will provide the TABA recipient non-proprietary information available about each NIST SBIR awardee's project. The TABA recipient will then seek more specific technical and business information from each NIST SBIR awardee.

II. Federal Award Information

1. **Funding Instrument.** The funding instrument that will be used is a grant.
2. **Funding Availability.** The grant recipient is anticipated to receive \$6,500 per TABA request from current SBIR Phase I and Phase II grantees for a total of up to \$78,000, with a period of performance of one (1) year. Total funding for this award will be dependent on the number of SBIR Phase I and Phase II awardees that request technical and business assistance.

III. Eligibility Information

1. **Eligibility.** Accredited institutions of higher education, non-profit organizations, and commercial organizations that are organized and operated in the United States and its territories are eligible to submit applications.

NIST will only consider one application per applicant.

2. **Cost Sharing or Matching.** Matching funds are not required for this NOFO.

IV. Application and Submission Information

1. **Address to Request Application Package.** The application package is

available at www.Grants.gov under Notice of Funding Opportunity Number 2019-NIST-SBIR-03.

2. Content and Format of Application Submission

a. Required Forms and Documents

The Application must contain the following:

(1) SF-424, Application for Federal Assistance. The SF-424 must be signed by an authorized representative of the applicant organization.

- SF-424, Item 8.d Zip/Postal Code field should reflect the zip code + 4 (##### - ####) format.
- SF-424, Item 12, should list the NOFO number 2019-NIST-SBIR-04.
- SF-424, Item 18, should list the total Federal budget amount requested for the entire project.

(2) SF-424A, Budget Information - Non-Construction Programs. The budget should reflect anticipated expenses for the project.

The Grant Program Function or Activity on Line 1 under Column (a) should be entered as "Science, Technology, Business, and/or Education Outreach". The Catalog of Federal Domestic Assistance Number on Line 1 under Column (b) should be entered as "11.620".

These sections of the SF-424A should reflect funds for the whole term of the award: Section A; Section B; Section C; and Section D. Section E is not relevant to a one-year proposal.

(3) SF-424B, Assurances - Non-Construction Programs. The SF-424B is required for all applicants that have not updated their System for Award Management (SAM.gov) entity registration since February 2, 2019 to include the Federal financial assistance certifications and representations. If an applicant has updated their SAM.gov entity registration since February 2, 2019 to include the certifications and representations, then the SF-424B is not required.

(4) CD-511, Certification Regarding Lobbying. Enter "2019-NIST-SBIR-03" in the Award Number field. Enter the title of the application used in field 15

of the SF-424, or an abbreviation of that title, in the Project Name field.

(5) SF-LLL, Disclosure of Lobbying Activities (if applicable).

(6) Project Proposal. The Project Proposal is a document of no more than fifteen (15) pages responsive to the program description (see Section I. of this NOFO) and the evaluation criteria (see Section V.1. of this NOFO). It should contain the following information:

a) Executive Summary. The Executive Summary should briefly describe the proposed project, consistent with the evaluation criteria (see Section V.1. of this NOFO).

b) Technical Experience. Describe the applicant's understanding of the requirements and knowledge of the SBIR program and NIST program areas, and related markets and industries, sufficient to permit evaluation of the proposal, in accordance with the evaluation criteria (see Section V.1.a. of this NOFO).

c) Project Narrative. Provide a description of the proposed project. The narrative should include a section addressing each of the following paragraphs in sufficient detail to permit evaluation in accordance with this NOFO's evaluation criteria (see Section V.1.b. of this NOFO):

i. Types of Technical and Business Development Activities.

Describe the types of technical and business development activities that will be provided to NIST SBIR Phase I and/or Phase II awardees, including but not limited to, activities to enable NIST SBIR awardees to:

- A. make better technical and business decisions concerning NIST SBIR projects;
- B. solve technical and business problems that arise during the conduct of NIST SBIR projects;
- C. minimize technical and business risks associated with NIST SBIR projects; and
- D. develop and commercialize new commercial products and processes resulting from their NIST SBIR projects.

ii. Engagement of NIST SBIR Awardees. Describe how the applicant will engage with NIST SBIR awardees (see Section V.1.c.), including a description of:

- A. the applicant's plans and methods for engaging with NIST SBIR awardees, informing and training the NIST SBIR

awardees on the proposed technical and business development activities, and coaching NIST SBIR awardees as they participate in the activities;

- B. the applicant's plans for identifying the current state of each NIST SBIR awardee's research and providing appropriate advice and assistance about commercialization pathways;
- C. the applicant's approach to work with each NIST SBIR awardee and customize activities to best support awardees at different levels of product development that lead to increased commercialization of projects.

d) Qualifications of the Applicant. Describe the qualifications of the applicant in sufficient detail to permit evaluation in accordance with this NOFO's evaluation criteria (see Section V.1.d. of this NOFO) including:

- i. the qualifications and experience of the applicant's key personnel to provide high quality technical and/or commercialization assistance to NIST SBIR award recipients; and
- ii. the applicant's experience providing technical and/or commercialization assistance to SBIR award recipients.

e) Project Management Plan. Describe the project management plan in sufficient detail to permit evaluation in accordance with this NOFO's evaluation criteria (see Section V.1.e. of this NOFO) including:

- i. the applicant's proposed methods and approach to manage the proposed project and the extent to which the proposed methods and approach meet SBIR program objectives;
- ii. the management structure and the operational or management activities of key personnel who will be assigned to work on the proposed project;
- iii. the measurable performance outcomes that demonstrate the value of the technical and business development activities and the successful engagement of NIST SBIR awardees; and
- iv. the steps that will be taken to resolve problems with NIST SBIR awardees, such as, but not limited to, non-responsiveness of NIST SBIR awardees invited to participate or lack of engagement of NIST SBIR awardees after they agree to participate.

(7) Budget Narrative. (This document does not count toward the page limit). The Budget Narrative must address the budget categories for which Federal funds are requested (i.e. personnel, fringe benefits, supplies,

other direct costs, and indirect costs). It must include the necessity and the basis of costs and be sufficient to permit evaluation in accordance with this NOFO's evaluation criteria (see Section V.1.f.).

Proposed funding levels must be consistent with the project scope, and only allowable costs should be included in the budget. Information on cost allowability is available in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. Part 200 (<http://go.usa.gov/SBYh>), which apply to awards in this program.

Planning and delivery of technical and business assistance, in addition to any required costs for the administration and management of this award (e.g. indirect cost) must not exceed \$6,500 per SBIR Phase I and Phase II awardees that request TABA services. It is anticipated that TABA services will be provided for up to 12 SBIR Phase I and Phase II awardees, for a total award budget of up to \$78,000 (see Section II.).

Specific information needed for each budget category is as follows:

- a) **Personnel** – At a minimum, the budget justification for all personnel should include the following: name, job title, commitment of effort on the proposed project in terms of average number of hours per week or percentage of time, salary rate, total direct charges on the proposed project, description of the role of the individual on the proposed project and the work to be performed.
- b) **Fringe Benefits** – Fringe benefits should be identified separately from salaries and wages and based on rates determined by organizational policy. The items included in the fringe benefit rate (e.g., health insurance, parking, etc.) should not be charged under another cost category.
- c) **Travel** - Not an allowable cost under this NOFO.
- d) **Equipment** – Not an allowable cost under this NOFO.
- e) **Supplies** – Provide a list of each supply, and the breakdown of the total costs by quantity or unit of cost. Include the necessity of the cost for the completion of the proposed project.
- f) **Contractual (i.e. Contracts or Subawards)** – Not an allowable cost under this NOFO.

g) Construction – Not an allowable cost under this NOFO.

h) Other Direct Costs – For costs that do not easily fit into the other cost categories, please list the cost, and the breakdown of the total costs by quantity or unit of cost. Include the necessity of the cost for the completion of the proposed project. Only allowable costs can be charged to the award.

j) Indirect Costs – Commonly referred to as Facilities & Administrative Costs, Indirect Costs are defined as costs incurred by the applicant organization that cannot otherwise be directly assigned or attributed to a specific project. For more details, see Section IV.2.a.(8) of this NOFO.

(8) Indirect Cost Rate Agreement. If indirect costs are included in the proposed budget, provide a copy of the current, approved negotiated agreement if this rate was negotiated with a cognizant Federal audit agency. If the rate was not established by a cognizant Federal audit agency, provide a statement to this effect. If the successful applicant includes indirect costs in the budget and has not established an indirect cost rate with a cognizant Federal audit agency, the applicant will be required to obtain such a rate in accordance with the [Department of Commerce Financial Assistance Standard Terms and Conditions, dated April 30, 2019](#).

Alternatively, in accordance with 2 C.F.R. § 200.414(f), applicants that have never received a negotiated indirect cost rate may elect to charge indirect costs to an award pursuant to a de minimis rate of 10 percent of modified total direct costs (MTDC), in which case a negotiated indirect cost rate agreement is not required. Applicants proposing a 10 percent de minimis rate pursuant to 2 C.F.R. § 200.414(f) should note this election as part of the budget portion of the application.

b. Attachment of Required Documents

Items IV.2.a.(1) through IV.2.a.(5) above are part of the standard application package in Grants.gov and can be completed through the download application process.

Items IV.2.a.(6) through IV.2.a.(8) must be completed and attached by clicking on “Add Attachments” found in item 15 of the SF-424, Application for Federal Assistance. This will create a zip file that allows for transmittal

of the documents electronically via Grants.gov.

Applicants should carefully follow specific Grants.gov instructions at www.Grants.gov to ensure the attachments will be accepted by the Grants.gov system. *A receipt from Grants.gov indicates only that an application was transferred to a system. It does not provide details concerning whether all attachments (or how many attachments) transferred successfully.* Applicants using Grants.gov will receive a series of e-mail messages over a period of up to two business days before learning whether a Federal agency's electronic system has received its application.

Applicants are strongly advised to use Grants.gov's "Download Submitted Applications" option to check that their application's required attachments were contained in their submission.

After submitting the application, follow the directions found in the Grants.gov Online Help located here: [Grants.gov Online Help](#).

If any, or all, of the required attachments are absent from the submission, follow the attachment directions found above, resubmit the application before the deadline, and check again for the presence of the required attachments.

Applicants utilizing System 2 System (S2S) interfaces to submit their application to Grants.gov should contact the S2S vendor or Grants.gov Help Desk if they encounter submission challenges.

If assistance is needed, please visit the [Grants.gov Online Help](#) page or contact the Grants.gov Help Desk immediately. If calling from within the United States or from a U.S. territory, please call 800-518-4726. If calling from a place outside the United States or a U.S. territory, please call 606-545-5035. E-mails should be addressed to support@grants.gov. Assistance from the Grants.gov Help Desk will be available around the clock every day, with the exception of Federal holidays. Help Desk service will resume at 7:00 a.m. Eastern Time the day after Federal holidays.

Applicants can track their submission in the Grants.gov system by following the procedures at the Grants.gov site (<http://go.usa.gov/cjamz>). It can take up to two business days for an application to fully move through the Grants.gov system to NIST.

NIST uses the Tracking Numbers assigned by Grants.gov and does not issue Agency Tracking Numbers.

c. Application Format

(1) Paper, E-mail and Facsimile (fax) Submissions. Will not be accepted.

(2) Figures, Graphs, Images, and Pictures. Should be of a size that is easily readable or viewable and may be landscape orientation.

(3) Font. Easy to read font (10-point minimum). Smaller type may be used in figures and tables but must be clearly legible.

(4) Page Limits.

Fifteen (15) pages for the Project Proposal.

Project Proposal Page Limit Includes: Project Proposal (including any figures, graphs, tables, images, and pictures), and all other pages of an application, with the exception of the page limit exclusions listed below.

Project Proposal Page Limit Excludes: SF-424, Application for Federal Assistance; SF-424A, Budget Information – Non-Construction Programs; SF-424B, Assurances – Non-Construction Programs; if applicable; CD-511, Certification Regarding Lobbying; SF-LLL, Disclosure of Lobbying Activities; Resumes (although individual resumes are limited to three (3) pages each); Budget Narrative; and Indirect Cost Rate Agreement.

(5) Page size. 21.6 centimeters by 27.9 centimeters (8 ½ inches by 11 inches).

(6) Application language. English. All documents must be in English, including but not limited to the initial application, any additional documents submitted in response to a NIST request, all reports, and any correspondence with NIST.

d. Application Replacement Pages. Applicants may not submit replacement pages and/or missing documents once an application has been submitted. Revisions may only be made by submitting a complete new application that is received by NIST before the submission deadline.

e. Pre-Applications. Pre-applications will not be accepted under this NOFO.

f. Certifications Regarding Federal Felony and Federal Criminal Tax Convictions, Unpaid Federal Tax Assessments and Delinquent Federal Tax Returns. In accordance with Federal appropriations law, an authorized representative of the selected applicant(s) may be required to provide certain pre-award certifications regarding federal felony and federal criminal tax convictions, unpaid federal tax assessments, and delinquent federal tax returns.

- 3. Unique Entity Identifier and System for Award Management (SAM).** Pursuant to 2 C.F.R. part 25, applicants and recipients (as the case may be) are required to: (i) be registered in SAM before submitting its application; (ii) provide a valid unique entity identifier in its application; and (iii) continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency, unless otherwise excepted from these requirements pursuant to 2 C.F.R. § 25.110. NIST will not make a Federal award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements and, if an applicant has not fully complied with the requirements by the time that NIST is ready to make a Federal award pursuant to this NOFO, NIST may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant.
- 4. Submission Dates and Times.** Applications must be received at Grants.gov no later than 11:59 p.m. Eastern Time, Friday September 20, 2019. Applications received after this deadline will not be reviewed or considered.

Applicants should be aware, and factor into their application submission planning, that the Grants.gov system is expected to be closed for routine maintenance at the following times. Applications cannot be submitted when Grants.gov is closed.

From 12:01 A.M. Eastern Time Saturday	To 6:00 A.M. Eastern Time Monday
July 20, 2019	July 22, 2019
August 17, 2019	August 19, 2019

NIST expects to complete its review, selection of successful applicants, and award processing by November 2019. NIST expects the earliest anticipated start date for awards under this NOFO to be November 2019.

When developing your submission timeline, please keep in mind that (1) all applicants are required to have current registrations in the System for Award Management (SAM.gov) and Grants.gov; (2) the free annual registration process in the electronic System for Award Management (SAM.gov) (see Sections IV.3. and IV.7.a.(1).(b). of this NOFO) generally takes between three and five business days but can take more than two weeks; and (3) applicants will receive e-mail notifications over a period of up to two business days as the application moves through intermediate systems before the applicant learns via a validation or rejection notification whether NIST has received the application. (See <http://www.grants.gov> for full information on application and notification through Grants.gov.). Please note that a federal assistance award cannot be issued if the designated recipient's registration in the System for Award Management (SAM.gov) is not current at the time of the award.

5. Intergovernmental Review. Applications under this Program are not subject to Executive Order 12372.

6. Funding Restrictions. Profit or fee is not an allowable cost.

7. Other Submission Requirements

a. Applications must be submitted electronically.

(1) Applications must be submitted via Grants.gov at www.grants.gov.

(a) Applicants should carefully follow specific Grants.gov instructions to ensure that all attachments will be accepted by the Grants.gov system. A receipt from Grants.gov indicating an application is received does not provide information about whether attachments have been received. For further information or questions regarding applying electronically for the 2019-NIST-SBIR-03 announcement, contact Leon Sampson by phone at 301-975-3086 or by e-mail at grants@nist.gov.

(b) Applicants are strongly encouraged to start early and not wait until the approaching due date before logging on and reviewing the instructions for submitting an application through Grants.gov. The Grants.gov registration process must be completed before a new registrant can apply electronically. If all goes well, the registration process takes three to five business days. If problems are encountered, the registration process can take up to two weeks or more. Applicants

must have a valid unique entity identifier number and must maintain a current registration in the Federal government's primary registrant database, the System for Award Management (<https://www.sam.gov/>), as explained on the Grants.gov Web site. See *also* Section IV.3. of this NOFO. After registering, it may take several days or longer from the initial log-on before a new Grants.gov system user can submit an application. Only individuals authorized as organization representatives will be able to submit the application, and the system may need time to process a submitted application. Applicants should save and print the proof of submission they receive from Grants.gov. If problems occur while using Grants.gov, the applicant is advised to (a) print any error message received and (b) call Grants.gov directly for immediate assistance. If calling from within the United States or from a U.S. territory, please call 800-518-4726. If calling from a place other than the United States or a U.S. territory, please call 606-545-5035. Assistance from the Grants.gov Help Desk will be available around the clock every day, with the exception of Federal holidays. Help Desk service will resume at 7:00 a.m. Eastern Time the day after Federal holidays. For assistance using Grants.gov, you may also contact support@grants.gov.

- (c) To find instructions on submitting an application on Grants.gov, Applicants should refer to the "Applicants" tab in the banner just below the top of the www.grants.gov home page. Clicking on the "Applicants" tab produces two exceptionally useful sources of information, Grant Applications and Applicant Resources, which applicants are advised to review.

Applicants will receive a series of e-mail messages over a period of up to two business days before learning whether a Federal agency's electronic system has received their application. Closely following the detailed information in these subcategories will increase the likelihood of acceptance of the application by the Federal agency's electronic system.

Applicants should pay close attention to the guidance under "Applicant FAQs," as it contains information important to successful submission on Grants.gov, including essential details on the naming conventions for attachments to Grants.gov applications.

All applicants should be aware that adequate time must be factored into applicants' schedules for delivery of their application. Applicants

are advised that volume on Grants.gov may be extremely heavy leading up to the deadline.

The application must be both received and validated by Grants.gov. The application is “received” when Grants.gov provides the applicant a confirmation of receipt and an application tracking number. If an applicant does not see this confirmation and tracking number, the application has not been received. After the application has been received, it must still be validated. During this process, it may be “validated” or “rejected with errors.” To know whether the application was rejected with errors and the reasons why, the applicant must log in to Grants.gov, select “Applicants” from the top navigation, and select “Track my application” from the drop-down list. If the status is “rejected with errors,” the applicant may still seek to correct the errors and resubmit your application before the deadline. If the applicant does not correct the errors, the application will not be forwarded to NIST by Grants.gov.

Refer to important information in Section IV.4. Submission Dates and Times, to help ensure the application is received on time.

- b. Amendments.** Any amendments to this NOFO will be announced through Grants.gov. Applicants may sign up on Grants.gov to receive amendments by e-mail or may request copies from J’aime Maynard by telephone at (301) 975- 8408 or by e-mail to jaime.maynard@nist.gov.

V. Application Review Information

1. Evaluation Criteria. The criteria that will be used in evaluating applications and associated point values are as follows, for a maximum total of 100 points:

- a. Technical Experience.** (20 points)

Reviewers will evaluate the extent to which the applicant demonstrates an understanding of the requirements and knowledge of the SBIR program and NIST program areas, and related markets and industries.

- b. Types of Technical and Business Development Activities.** (15 points – subcategories weighted equally)

Reviewers will evaluate:

1. The extent to which the applicant identifies and describes the types of technical and business development activities to be provided to NIST SBIR Phase I and/or Phase II awardees.
2. The likelihood that the proposed activities will enable NIST SBIR awardees to make better technical and business decisions concerning their projects; solve technical and business problems that arise during the conduct of NIST SBIR projects; minimize technical and business risks associated with NIST SBIR projects; and develop and commercialize new commercial products and processes resulting from their projects.

c. Engagement with NIST SBIR Awardees. (15 points – subcategories weighted equally)

Reviewers will evaluate:

1. The quality and comprehensiveness of the applicant's plans and methods for engaging with NIST SBIR awardees, informing and training the NIST SBIR awardees on the proposed technical and business development activities, and coaching NIST SBIR awardees as they participate in the activities.
2. The comprehensiveness and rationality of the applicant's plans for identifying the current state of each NIST SBIR awardee's research and providing appropriate advice and assistance about commercialization pathways.
3. The likelihood that the applicant's approach to work with each NIST SBIR awardee and customize activities to best support awardees at different levels of product development will lead to increased commercialization of projects funded by NIST SBIR awards.

d. Qualifications of the Applicant. (20 points – subcategories weighted equally)

Reviewers will evaluate:

1. The appropriateness of the qualifications and experience of the applicant's key personnel to provide high quality technical and/or commercialization assistance to NIST SBIR award recipients.
2. The extent of the applicant's experience providing technical and/or commercialization assistance to SBIR award recipients.

e. Project Management Plan. (20 points – subcategories weighted equally)

Reviewers will evaluate:

1. The quality and comprehensiveness of the applicant's proposed methods and approach to manage the proposed project and the extent to which the proposed methods and approach meet SBIR program objectives.
2. The appropriateness of the management structure and the operational or management activities of key personnel who will be assigned to work on the proposed project.
3. The likelihood that the proposed measurable performance outcomes will demonstrate the value of the proposed technical and business development activities and the successful engagement of NIST SBIR awardees.
4. The breadth of the steps proposed to be undertaken to resolve problems with NIST SBIR awardees, such as, but not limited to, non-responsiveness of NIST SBIR awardees invited to participate or lack of engagement of NIST SBIR awardees after they agree to participate.

f. Budget Narrative. (10 points)

Reviewers will compare the proposed budget against the proposed activities to determine the likelihood of successfully executing the objectives of the proposed project.

- 2. Selection Factors.** The Selecting Official, who is the Director of the NIST Technology Partnerships Office, shall generally select and recommend applications for award based upon the rank order of the applications. The Selecting Official may select and recommend an application for award out of rank order based on one or more of the following selection factors:

- a. Comments provided by evaluators.
- b. How well a proposal addresses the objectives as set forth in the Program Description (see Section I. of this NOFO).
- c. The availability of Federal funds.

3. Review and Selection Process

Proposals, reports, documents and other information related to applications submitted to NIST and/or relating to financial assistance awards issued by NIST will be reviewed and considered solely by Federal employees.

- a. Initial Administrative Review.** An initial review of applications received by the deadline will be conducted to determine eligibility, completeness, and responsiveness to this NOFO. Applications determined to be ineligible, incomplete, and/or non-responsive may be eliminated from further review.

However, NIST, in its sole discretion, may continue the review process for an application that is missing non-substantive information, the absence of which may

be easily rectified during the review process.

b. Review of Eligible, Complete, and Responsive Applications. Applications determined to be eligible, complete, and responsive will proceed for full reviews in accordance with the review and selection process below:

(1) Evaluation and Review. At least three independent, objective reviewers, who are Federal employees, and knowledgeable of this NOFO's objectives, will evaluate each application based on the evaluation criteria (see Section V.1. of this NOFO). The applications will be ranked by average review score.

(2) Ranking and Selection. The Selecting Official will be provided all eligible, complete, and responsive applications, and all technical reviewer score sheets. The Selecting Official will determine, through consideration of the ranked list and selection factors, which application will be recommended for award to the NIST Grants Officer.

NIST reserves the right to negotiate budget costs with the selected applicant. Negotiations may include requesting that the applicant remove certain costs. NIST also reserves the right to reject an application where information is uncovered that raises a reasonable doubt as to the responsibility of the applicant. NIST may select some, all, or none of the applications. The final approval of selected application and issuance of an award will be by the NIST Grants Officer. The award decision of the NIST Grants Officer is final.

c. Federal Awarding Agency Review of Risk Posed by Applicants. After applications are proposed for funding by the Selecting Official, the NIST Grants Management Division (GMD) performs pre-award risk assessments in accordance with 2 C.F.R. § 200.205, which may include a review of the financial stability of an applicant, the quality of the applicant's management systems, the history of performance, and/or the applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on non-Federal entities.

4. Anticipated Announcement and Award Date. NIST expects to complete its review, selection of successful applicants, and award processing by November 2019. NIST expects the earliest anticipated start date for awards under this NOFO to be November 2019.

5. Additional Information

a. Notification to Unsuccessful Applicants. Unsuccessful applicants will be notified by e-mail.

- b. Retention of Unsuccessful Applications.** Unsuccessful applications will be retained in accordance with the General Record Schedule 1.2/021.

VI. Federal Award Administration Information

- 1. Federal Award Notices.** Successful applicants will receive an award package from the NIST Grants Officer.

2. Administrative and National Policy Requirements

- a. Uniform Administrative Requirements, Cost Principles and Audit Requirements.** Through 2 C.F.R. § 1327.101, the Department of Commerce adopted Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. Part 200, which apply to awards in this program. Refer to <http://go.usa.gov/SBYh> and <http://go.usa.gov/SBg4>.
- b. Department of Commerce Financial Assistance Standard Terms and Conditions.** The Department of Commerce will apply to any award made under this NOFO the Financial Assistance Standard Terms and Conditions in effect on the date of award. The current version, dated April 30, 2019, is accessible at http://www.osec.doc.gov/oam/grants_management/policy/default.htm. Refer to Section VII. of this NOFO, Federal Awarding Agency Contacts, Grant Rules and Regulations, for more information.
- c. Pre-Award Notification Requirements.** The Department of Commerce will apply the Pre-Award Notification Requirements for Grants and Cooperative Agreements dated December 30, 2014 (79 FR 78390), accessible at <http://go.usa.gov/hKkR> to any award made under this NOFO. Refer to Section VII. of this NOFO, Federal Awarding Agency Contacts, Grant Rules and Regulations, if you seek the information at this link and it is no longer working or for more information.
- d. Funding Availability and Limitation of Liability.** In no event will NIST or the Department of Commerce be responsible for application preparation costs, including, but not limited to, if the program fails to receive funding or is cancelled because of agency priorities. Publication of this NOFO does not oblige NIST or the Department of Commerce to award any specific project or to obligate any available funds.

- e. Collaborations with NIST Employees.** All applications should include a description of any work proposed to be performed by an entity other than the applicant, and the cost of such work should ordinarily be included in the budget. If an applicant proposes collaboration with NIST, the statement of work should include a statement of this intention, a description of the collaboration, and prominently identify the NIST employee(s) involved, if known. Any collaboration by a NIST employee must be approved by appropriate NIST management and is at the sole discretion of NIST. Prior to beginning the merit review process, NIST will verify the approval of the proposed collaboration. Any unapproved collaboration will be stricken from the application prior to the merit review. Any collaboration with an identified NIST employee that is approved by appropriate NIST management will not make an application more or less favorable in the competitive process.
- f. Use of NIST Intellectual Property.** If the applicant anticipates using any NIST-owned intellectual property to carry out the work proposed, the applicant should identify such intellectual property. This information will be used to ensure that no NIST employee involved in the development of the intellectual property will participate in the review process for that competition. In addition, if the applicant intends to use NIST-owned intellectual property, the applicant must comply with all statutes and regulations governing the licensing of Federal government patents and inventions, described in 35 U.S.C. §§ 200-212, 37 C.F.R. Part 401, 2 C.F.R. § 200.315, and in Section C.03 of the Department of Commerce Financial Assistance Standard Terms and Conditions. The current version, dated April 30, 2019, is accessible [here](#). Questions about these requirements may be directed to the Chief Counsel for NIST, (301) 975-2803, nistcounsel@nist.gov.

Any use of NIST-owned intellectual property by an applicant is at the sole discretion of NIST and will be negotiated on a case-by-case basis if a project is deemed meritorious. The applicant should indicate within the statement of work whether it already has a license to use such intellectual property or whether it intends to seek one.

If any inventions made in whole or in part by a NIST employee arise in the course of an award made pursuant to this NOFO, the United States government may retain its ownership rights in any such invention. Licensing or other disposition of NIST's rights in such inventions will be determined solely by NIST.

- g. Collaborations Making Use of Federal Facilities.** All applications should include a description of any work proposed to be performed using Federal

facilities.

If an applicant proposes use of NIST facilities, the statement of work should include a statement of this intention and a description of the facilities. Any use of NIST facilities must be approved by appropriate NIST management and is at the sole discretion of NIST. Prior to beginning the merit review process, NIST will verify the availability of the facilities and approval of the proposed usage. Any unapproved facility use will be stricken from the application prior to the merit review. Examples of some facilities that may be available for collaborations are listed on the following NIST Web site: <https://www.nist.gov/labs-major-programs/user-facilities>.

3. Reporting

- a. Reporting Requirements.** The following reporting requirements described in Section A.01 Reporting Requirements of the Department of Commerce Financial Assistance Standard Terms and Conditions. The current version, dated April 30, 2019, is accessible [here](#) apply to awards in this program:

- (1) Financial Reports.** Each award recipient will be required to submit an SF-425, Federal Financial Report on a semi-annual basis for the periods ending March 31 and September 30 of each year. Reports will be due within 30 days after the end of the reporting period to the NIST Grants Officer, NIST Grants Specialist, and Federal Program Officer named in the award documents. A final financial report is due within 90 days after the end of the project period.
- (2) Performance (Technical) Reports.** The award recipient will be required to submit a technical progress report to the NIST Grants Officer, NIST Grants Specialist and the NIST Federal Program Officer on a semi-annual basis for the periods ending March 31 and September 30 of each year. Reports will be due within 30 days after the end of the reporting period. Technical progress reports shall conform to the requirements in 2 C.F.R. § 200.328 (<http://go.usa.gov/xkVgP>) and Department of Commerce Financial Assistance Standard Terms and Conditions, Section A.01. A final technical progress report shall be submitted within 90 days after the expiration date of the award, and publication citation information as well as links to publicly available data shall be submitted as soon as they become available.
- (3) Patent and Property Reports.** From time to time, and in accordance with the Uniform Administrative Requirements and other terms and conditions

governing the award, the recipient may be required to submit property and patent reports.

(4) Recipient Integrity and Performance Matters. In accordance with section 872 of Public Law 110-417 (as amended; see 41 U.S.C. 2313), if the total value of a recipient's currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of an award made under this NOFO, then the recipient shall be subject to the requirements specified in Appendix XII to 2 C.F.R. Part 200, <http://go.usa.gov/cTBwC>, for maintaining the currency of information reported to SAM that is made available in FAPIIS about certain civil, criminal, or administrative proceedings involving the recipient.

- b. Audit Requirements.** The Department of Commerce Financial Assistance Standard Terms and Conditions, Section D.01, and 2 C.F.R. Part 200 Subpart F, adopted by the Department of Commerce through 2 C.F.R. § 1327.101, require any non-Federal entity (i.e., including non-profit institutions of higher education and non-profit organizations) that expends Federal awards of \$750,000 or more in the recipient's fiscal year to conduct a single or program-specific audit in accordance with the requirements set out in the Subpart. Additionally, unless otherwise specified in the terms and conditions of the award, entities that are not subject to Subpart F of 2 C.F.R. Part 200 (e.g., for-profit commercial entities) that expend \$750,000 or more in DOC funds during their fiscal year must submit to the Grants Officer either: (i) a financial related audit of each DOC award or subaward in accordance with Generally Accepted Government Auditing Standards; or (ii) a project specific audit for each award or subaward in accordance with the requirements contained in 2 C.F.R. § 200.507. Applicants are reminded that NIST, the Department of Commerce Office of Inspector General, or another authorized Federal agency may conduct an audit of an award at any time.
- c. Federal Funding Accountability and Transparency Act of 2006.** In accordance with 2 C.F.R. Part 170, all recipients of a Federal award made on or after October 1, 2010, are required to comply with reporting requirements under the Federal Funding Accountability and Transparency Act of 2006 (Public Law No. 109-282). In general, all recipients are responsible for reporting sub-awards of \$25,000 or more. In addition, recipients that meet certain criteria are responsible for reporting executive compensation. Applicants must ensure they have the necessary processes and systems in place to comply with the reporting requirements should they receive funding. Also see the Federal

Register notice published September 14, 2010, at 75 FR 55663 available here <http://go.usa.gov/hKnQ>.

VII. Federal Awarding Agency Contacts

Questions should be directed to the following contact persons:

Subject Area	Point of Contact
Programmatic and Technical Questions	Mary Clague Phone: 301-975-4188 E-mail: mary.clague@nist.gov
Technical Assistance with Grants.gov Submissions	Grants.gov Phone: 800-518-4726 E-mail: support@grants.gov
Grant Rules and Regulations	Dean Iwasaki Phone: 301-975-8449 Fax: 301-975-6368 E-mail: dean.iwasaki@nist.gov

VIII. Other Information

1. Personal and Business Information

The applicant acknowledges and understands that information and data contained in applications for financial assistance, as well as information and data contained in financial, performance and other reports submitted by applicants, may be used by the Department of Commerce in conducting reviews and evaluations of its financial assistance programs. For this purpose, applicant information and data may be accessed, reviewed and evaluated by Department of Commerce employees, other Federal employees, and also by Federal agents and contractors, and/or by non-Federal personnel, all of whom enter into appropriate conflict of interest and confidentiality agreements covering the use of such information. As may be provided in the terms and conditions of a specific financial assistance award, applicants are expected to support program reviews and evaluations by submitting required financial and performance information and data in an accurate and timely manner, and by cooperating with Department

of Commerce and external program evaluators. In accordance with 2 C.F.R. § 200.303(e), applicants are reminded that they must take reasonable measures to safeguard protected personally identifiable information and other confidential or sensitive personal or business information created or obtained in connection with a Department of Commerce financial assistance award.

In addition, Department of Commerce regulations implementing the Freedom of Information Act (FOIA), 5 U.S.C. Sec. 552, are found at 15 C.F.R. Part 4, Public Information. These regulations set forth rules for the Department regarding making requested materials, information, and records publicly available under the FOIA. Applications submitted in response to this Notice of Funding Opportunity may be subject to requests for release under the FOIA. If an application contains information or data that the applicant deems to be confidential commercial information that should be exempt from disclosure under FOIA, that information should be identified, bracketed, and marked as Privileged, Confidential, Commercial or Financial Information. In accordance with 15 CFR § 4.9, the Department of Commerce will protect from disclosure confidential business information contained in financial assistance applications and other documentation provided by applicants to the extent permitted by law.