

1. What do you mean by the following:

Attachment 15: Past Performance

- Applicants shall provide information on recent and relevant contracts and assistance awards. Applicants shall submit no more than five (5) recent and relevant contracts and assistance awards. Applicants shall submit only those recent and relevant contracts and assistance awards for identical or similar efforts to the program requirements as stated in the APEX Accelerator Terms and Conditions. These may include Federal, state, and local Government efforts. “Recent” includes performance that has occurred within five (5) years of the date of the posting of this funding opportunity. “Relevant past performance” is defined as past performance that demonstrates support for the Procurement Technical Assistance Program or any other similar activities performed in support of improving Defense Industrial Base or Government Industrial Base Readiness.

Do you want APEX programs to list the past Cooperative Agreements I've had with you and DLA for the past five years?

Answer: In accordance with 10 U.S.C. § 4954(c), past performance will be an evaluation factor. This paragraph is expected to change. It is recommended that you prepare to list your past cooperative agreements for the last five years in anticipation of the upcoming Notice of Funding Opportunity.

2. Are these accelerators intended to be different and separate from any existing accelerators? An eligible entity could apply even if they have never hosted an accelerator before?

Answer: No, this is the same program pursuant to 10 U.S.C. 4951 et seq. This special announcement was posted in anticipation of the upcoming Notice of Funding Opportunity, which will be posted later. An eligible entity could apply even if they have never hosted an Accelerator before. Note that per Title 10 U.S.C. §4954 (c) the Secretary shall give significant weight to successful past performance of eligible entities operating an APEX Accelerator program.

3. Are there any other special requirements or past performance that an eligible entity would have to possess?

Answer: An eligible entity would need to comply with the Notice of Funding Opportunity and terms and conditions of the agreement. Past performance is not required, but significant weight will be given to successful past performance of eligible entities in accordance with 10 U.S.C. 4954(c).

4. Can an eligible entity apply as part of a team? (i.e. with partners or subcontractors)

Answer: An eligible entity can include subrecipients in their proposal.

- 5. Would the accelerator be limited to performing work within their respective state or would nationwide activities be required as well?**

Answer: The Accelerator would be primarily engaged in providing procurement technical assistance within their assigned coverage area listed in their award. There is no requirement to provide procurement technical assistance to areas not listed in your award.

- 6. I see the ceiling is \$1.5 million. Is that annually?**

Answer: Funding limitations are defined in 10 U.S.C. §4955.

- 7. Please confirm that public academic institutions are NOT eligible to apply for the APEX Accelerator Program.**

Answer: A public academic institution may be eligible if it is a nonprofit organization. See 10 U.S.C. § 4951 for the definition of “eligible entity.”

- 8. As a competitive FOA, will language be included in the final Terms and Conditions, similar to FAR 37.110 and FAR 52.237-3, addressing Continuity of Services?**

Answer: This is currently being considered for inclusion into the terms and conditions.

- 9. As a competitive FOA, will language be included in the final Terms and Conditions, similar to DOL’s final regulations of 14 DEC 23 (signed by POTUS on 18 NOV 21) that implemented Executive Order 14055, addressing the requirement for a successor to offer the ‘Right of First Refusal’ to predecessor employees? See: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/11/18/executive-order-on-nondisplacement-of-qualified-workers-under-service-contracts/> .**

Answer: This is currently being considered for inclusion into the terms and conditions.

- 10. As a competitive FOA, will a successor be required to provide a Staffing Plan?**

Answer: This is currently being considered.

- 11. As a competitive FOA, will a successor be required to provide a Transition Plan?**

Answer: This is currently being considered.

- 12. As a competitive FOA, will a successor be required to provide resume’(s) of Key Personnel?**

Answer: A resume will be required for the Program Manager only.

- 13. Pp. 2-3, under “II. Federal Award Information”: A \$450,000 funding limitation is listed for APEX Accelerator programs wholly within one service area of the BIA. It’s my**

understanding the current \$450k threshold was set in place sooner than initially planned, and rolled out for the Fiscal Year 2023 program period. In order for programs to budget for increased costs (inflation/cost of living), salary increases & improved parity (to retain successful staff, and attract suitable candidates for vacancies), and expanded scope of services, is it possible to increase this threshold to \$550,000, either immediately for use beginning April 2025, or to gradually approach this figure over the course of the base plus four option year periods (ex: \$470k for base year; \$490k for OY1; \$510k for OY2; \$530k for OY3; and \$550k for OY4)?

Answer: Funding limitations are statutory. Please see 10 U.S.C. § 4955.

14. Pg. 2, under “I.B.: Program Description/Objective”, states: “Award recipients must establish and maintain an APEX Accelerator with physical location(s) to serve as a resource for large and small businesses to obtain procurement technical assistance.” For Native APEX Accelerator programs serving one or more BIA Regions covering multiple states, which have limited staffing (who almost exclusively connect remotely with their clients, as opposed to requesting clients to travel several miles to receive in-person counseling), is it possible to provide an exemption from the physical office space requirements for these programs (holding one or more physical offices could be made optional for us)?

Answer: No exemption from the requirement to have a physical location is currently available for any programs.

15. How do programs determine the weight of the work that would equal 33% of the dollar value of a clients agreement? Referencing pg 6, attachment 15 Past Performance, contract information paragraph

Answer: One way an applicant could determine that they performed at least 33% of the agreement is by demonstrating that it received payment for at least 33% of the total dollar value of the agreement.

16. The Applicant shall forward the Past Performance Questionnaire forms, NFO Attachment 15a, directly to the Government Point of contact identified in the Relevant Experience Form. The Government requests the Government Point of contact return the Past Performance Questionnaire forms prior to close of the NFO closing date directly to Army Contracting Command – Aberdeen Proving Ground (ACC-APG) via e-mailing the Agreements Officer identified on the cover page of this NFO. How much in advance are the questionnaires going to be due before the grant due date?

Answer: The questionnaires will be due on the close date of the Notice of Funding Opportunity.

17. Version 4.0 of the APEX Accelerator Award-Specific Terms & Conditions states that a Performance Report for the Reporting Period of 271 Days through 360 Days is due by 390 Days after Award, while the Financial Report for this same Reporting Period is due

480 Days after Award. However, in Version 2.0 of the APEX Accelerator General Terms and Conditions, under OAR Article VI. Closeout, Section C. Final Reports, which points to Section C of REP Articles I & II, both the Final Performance and Financial Reports appear to be due no later than 120 calendar days after the end date of the period of performance. Are the two Terms and Conditions documents using different due dates in relation to the Final Performance Report and, if so, which is the correct due date to use?

Answer: In the Award-Specific Terms & Conditions, the report due 390 days after award is the performance portion of the quarterly report. The financial portion is due 480 days after award as stated in the Award-Specific Terms & Conditions and in the General Terms and Conditions.

18. We could not locate the Relevant Past Performance Information form, which is supposed to be available on grants.gov as NFO attachment 15. Could you kindly provide us with a copy of the template for the FY25 contract for our review, or direct us to where it is stored?

Answer: The Relevant Past Performance Information form is still being created and has not been released yet.

19. We are inquiring about the whereabouts of the Past Performance Questionnaire forms, NFO attachment 15a. These were not included in last year's award, and we are curious if there was a posting that we might have missed.

Answer: The Past Performance Questionnaire forms is still being created and has not been released yet.

20. III. A Eligible Applicants –Institutions of Higer Ed are not included as eligible entities. Do they legally fall under one of the other categories? Could they be included in this list? I don't think it would fall under the definition of "state".

Answer: Eligible entities are defined by statute at 10 U.S.C. §4951. Definitions, and the list cannot be amended by Army Contracting Command – Aberdeen Proving Ground. An Institution of Higher Education would need to demonstrate that they meet one of these definitions. For example, Institutions of Higher Education that are nonprofit organizations have previously qualified as eligible entities.

21. If awarded, will we be informed of our Past Performance Relevancy Ratings and Program Execution Factor ratings? Feedback would be helpful to improve our programs.

Answer: Yes.

22. If the existing program is not awarded, how would a transition to a new program in that territory be handled?

Answer: The plan to transition to a new program from an existing program that is not awarded in FY25 is currently being planned.

- 23. At I. Program Description, A. Background: “APEX Accelerators serve as a resource for businesses....” Is the term “businesses” inclusive of both for-profit and non-profit businesses?**

Answer: Yes. See, 10 U.S.C. § 4951(5)

- 24. At I. Program Description, B Program Description/Objective: “You must collaborate with DoD and other Federal agencies and work cooperatively with them to accomplish the work under this award.” Should this be inclusive of State and Local Government Agencies?**

Answer: Yes.

- 25. At III. Eligibility Information, A Eligible Applicants: Please provide examples of what disclosures of current and pending support made in the application may render an applicant not eligible.**

Answer: Examples of disclosures of current and pending support made in the application that may render an applicant not eligible include, but are not limited to, a single audit that reveals the entity is not financially stable or an accounting system audit that shows the entity does not have a method of accounting for expenses.

- 26. At III. Eligibility Information, B Cost Sharing or Matching: Please provide an example of the documentation needed to verify a program has the necessary commitments to meet cost sharing requirements.**

Answer: The applicant will provide a Certification of Cost Matching form to certify that matching funds are available.

- 27. At IV Application and Submission Information, A Submission Date and Time: Is it anticipated the submission deadline would be the beginning – middle – or end of October 2024?**

Answer: The submission deadline is expected to be the beginning of October 2024.

- 28. At IV Application and Submission Information, C Component Specific Requirements, Attachment 12: Please provide acceptable examples to show the total amount of and the calculation of indirect costs.**

Answer: Acceptable examples to show the total amount of and calculation of indirect costs include inputting the formula in Excel or putting a note in the cell of what direct costs are used as the indirect cost base.

29. At IV Application and Submission Information, C Component Specific Requirements, Attachment 15: Please provide acceptable examples of recent and relevant contracts and assistance awards. What action should be taken if the Agency no longer manages the program used as past performance, and if the past performance Grants Officer is no longer employed?

Answer: The Government anticipates addressing this concern in the Notice of Funding Opportunity.

30. At V Application Review Information, A Selection Criteria: What are the weights per evaluation factor? Who are the evaluation team members, and will evaluation results be shared with the applicant, if not, why not?

Answer: Each evaluation factor's weights have not been decided yet. Evaluation team members are not disclosed. The decision as to whether an award will be made or not and evaluation results will be provided.

31. At V Application Review Information, A Selection Criteria, ii Program Execution, 1) Personnel: What weighted evaluation criteria will be used to determine if proposed personnel meet Program Requirements of the Award Specific Terms and Conditions? What level of information will be shared? What is the process to follow if you exclude a proposed staff member and the host wants to redress the decision?

Answer: The weighted evaluation criteria, if any, that will be used to determine if proposed personnel meet Program Requirements of the Award Specific Terms and Conditions is still being determined at this time. The level of information to be shared is the experience and education of personnel that demonstrate their qualifications to support an APEX Accelerator program. The Government will not be involved in the process if a proposed staff member is excluded, and the host wants to redress the decision. The Government will consider application documents that are authorized or submitted by the person signing the application.

32. At V Application Review Information, A Selection Criteria, ii Program Execution, 2) Facilities: What criteria will be used to evaluate the facility used by the APEX Accelerator, what is meant by the "availability" of facilities?

Answer: See APEX Accelerator Specific Terms and Conditions Version 3.0 21 July Section E. Resources 2. Facilities.

33. At V Application Review Information, A Selection Criteria, ii Program Execution, 3) Program Understanding: What are the criteria elements used to determine a program's "Soundness" of the approach, as well as "Realism" and Logic"?

Answer: The criteria, if any, are still being determined at this time. Generally, the soundness of approach, realism, and logic will be determined by considering how you describe management and coordination of program operations. A sound, realistic, and logical

approach would be one that is possible, cost-efficient, and meets the requirements of the agreement, as an example.

34. At V Application Review Information, A Selection Criteria, ii Program Execution, 4) Program Management: What are the minimum criteria you anticipate in the management and coordination of the Program?

Answer: The criteria, if any, are still being determined at this time.

35. At V Application Review Information, A Selection Criteria, ii Program Execution, 5) Government Findings: What criteria will be used to determine unsuccessful performance, and what are examples flaws which will impact a program's performance?

Answer: Criteria, if any, used is still being determined at this time. Examples of flaws would be a program that was unable to collect feedback from their clients or a program unable to control costs.

36. At V Application Review Information, A Selection Criteria, iii Cost: Please provide examples of other non-cost factors which can determine best value?

Answer: Past performance and program execution are the other non-cost factors that will be evaluated to determine best value.

37. At V Application Review Information, B Review and Selection Process: What is the process to cure a flaw resulting from an irregularity, and what are potential irregularities?

Answer: The process to cure a flaw resulting from an irregularity is communication, normally email. Potential irregularities are missing signatures and incorrect calculations.

38. At V Application Review Information, B Review and Selection Process: Who will comprise the team of merit reviewers? Please share the adjectival rating structure to evaluate eligible applications, and the respective weights, and will final ratings be shared with the applicant?

Answer: The team of merit reviewers are not disclosed. The adjectival rating structure has not been published yet. An applicant's final ratings will be shared with the applicant.

39. At V Application Review Information, B Review and election Process: Will an applicant have the ability to redress determinations made where funds are not made available or if the application was funded at a level lower than requested?

Answer: No.

40. The Native APEX Accelerators that cover 1.5 or more BIA Service Areas have traditionally been considered “Statewide” Programs, receiving the same DOD funding as the non-Native Statewide Programs at 1 million dollars. Effective 2023, the non-Native Statewide APEX Accelerators were eligible for 1.5 million dollars in DOD Funding while the Native APEX Accelerators funding remained at 1 million. Why are the Native APEX Accelerators being discriminated against and when will the Native APEX Accelerators receive parity in funding with non-Native State APEX Accelerators?

Answer: Funding limitations are statutory. Please see 10 U.S.C. § 4955(a).

41. In past years, if the Native APEX Accelerator Program did not expend all its DOD budget (formerly 4.5 million, recently raised to 5 million annually), what happened to the excess funds? Were these given to the non-Native APEX Accelerators (former PTACs) and if not, where did the funds go?

Answer: Funding limitations are set forth at 10 U.S.C. § 4955(a). This special announcement is for the anticipated FY25 open Notice of Funding opportunity and does not address current or past expenditures of the Apex Accelerator program.

42. Our Native APEX Accelerator covers 61 tribes in 33 States. At our current funding of 1 million dollars and the expectation that our staff attend the DOD Small Business Training Week, DOD Mentor-Protégé Conference, and the NAPEX (former APTAC) Fall and Spring Training Conferences, there are no funds available to visit the tribes in our service area. How does DOD expect us to reach out to these reservations to create new businesses for the DIB? How are we expected to outreach to 33 States at our current funding of 1 million, especially when a non-Native State APEX Accelerator can apply for 1.5 million just to cover 1 state?

Answer: Funding limitations are statutory. Please see 10 U.S.C. § 4955(a).

43. The current DOD Budget set-aside for the Native APEX Accelerators is currently 5 million dollars. Currently there are 7 Native American APEX Accelerators. 4 of those programs cover 1.5 BIA areas, 2 of the 4 cover three BIA Service Areas. There are also 3 Native APEX Accelerators serving 1 BIA Service Area. If all these programs were to receive full DOD funding, the total amount would be \$5.35 million. This demonstrates a need for the overall DOD Budget for the Native APEX Accelerators to be raised to 6 million and eventually to 7 million for them to achieve their full potential.

Answer: Thank you for this feedback. Please note that all appropriations are provided for by Congress and funding limitations are set forth at 10 U.S.C. § 4955(a).

44. Why don't most of the Native APEX's receive their full funding when asked (\$1M for more than one BIA Region and \$450k for serving one BIA Region)? It seems as if we are discouraged from applying for full funding knowing it will be negotiated way down. Native APEX funding is set at \$5M yet between the 7 Native APEX programs we are

not receiving/expending the full funding, where does the rest of our allocation go? Is it given to non-Native APEX programs?

Answer: Funding limitations are set forth at 10 U.S.C. § 4955(a) and the cost share limitations are set forth in both the Notice of Funding Opportunity and at 10 U.S.C. § 4954. This special announcement is for the anticipated FY25 open Notice of Funding Opportunity and does not address current or past expenditures of the Apex Accelerator program.

- 45. Why hasn't there been an increase in eligible Native APEX funding to 1.5M for those covering more than one BIA service region (multiple states) yet the non-Native statewide programs are eligible for that amount? Native APEX service areas are two to three times larger than any statewide program in the country yet we are hardly ever given the full amount allocated to the programs or receive an increase.**

Answer: Funding limitations are statutory and are set forth at 10 U.S.C. § 4955(a). This special announcement is for the anticipated FY25 open Notice of Funding Opportunity and does not address current, past, or future funding of the Apex Accelerator program.

- 46. Would you be interested in a cultural sensitivity training as it pertains to Native Americans as well as procurement in Indian Country? This could bring some light as to why the Native APEX Accelerator programs need more funding for people and travel. Being present in our Native communities is a large contribution to the success of the programs.**

Answer: Please send details to osd.pentagon.ousd-a-s.mbx.apex-accelerators@mail.mil.

- 47. Although cost share is decreased from previous years from 80-20 to 85-15, of which we are most appreciative, can it be considered that Native APEX Accelerators receive a larger decrease or none at all? Again, the communities we serve are reflected in most of our host organizations as well and would be a burden we would no longer have to carry allowing us to spend more time serving the people.**

Answer: Funding limitations are set forth at 10 U.S.C. § 4955(a) and the cost share limitations are set forth in both the Notice of Funding Opportunity and at 10 U.S.C. § 4954. This special announcement is for the anticipated FY25 open Notice of Funding Opportunity and does not address current or past expenditures of the Apex Accelerator program.

- 48. Are you looking for us to submit our past 5 DOD APEX awards to meet this requirement? Meaning 4 of our DLA APEX Accelerator Awards and then last year's award from ACC-Aberdeen?**

Answer: It is recommended that you be prepared list your past cooperative agreements for the last five years to in anticipation of the upcoming Notice of Funding Opportunity.

- 49. I did not see attachment 15 nor attachment 15a in the Special Announcement Posting. Can you please send me attachment 15 and 15a so I have it. Also please clarify**

how we would demonstrate that we performed a minimum of 33% of the dollar value of the agreement. What are you looking for as far as demonstration? Can you give some examples please.

Answer: Attachments have not been published yet. The applicant could demonstrate that they performed at least 33% of the agreement by expending at least 33% of the total dollar value of the agreement. See answer to question 15.

50. When will you be posting the Notice of Funding in Grants.gov?

Answer: The Notice of Funding Opportunity is anticipated to be posted on Grants.gov in July 2024.

51. When will you be posting / sending out the new FY25 attachment 14 Performance Metric Proposal Template?

Answer: The Performance Metric Proposal Template will be posted with the Notice of Funding Opportunity anticipated to be posted in July 2024.

52. When will you be posting / sending out the new FY25 U.S. Department of Defense APEX Accelerators Goals and Metrics 2.0?

Answer: It is anticipated these will be posted no later than June 30, 2024.

53. In 1. In the draft Special Announcement, it is stated that NA APEX Accelerators operating programs that serve more than one BIA region have a funding cap of \$1,000,000. However, why hasn't this cap been raised for NA APEX Accelerators that serve more than 1 BIA region. Given that an APEX Accelerator serving multiple BIA regions would be responsible for a geographical area spanning several states, it would seem logical that a larger budget would be necessary due to the expanded territory.

Answer: Funding limitations are set forth at 10 U.S.C. 4955(a).

54. Given that the budget allocation for NA APEX is established at \$5,000,000, why aren't the proposed budgets for NA APEX Accelerators fully awarded? They appear to be cut without any additional conversation.

Answer: Funding limitations are set forth at 10 U.S.C. § 4955(a) and the cost share limitations are set forth in both the Notice of Funding Opportunity and at 10 U.S.C. § 4954. This special announcement is for the anticipated FY25 open Notice of Funding Opportunity and does not address current or past expenditures of the Apex Accelerator program.

55. Has the entire \$5,000,000 been granted to NA APEX Accelerators, excluding any other state resources that aid Native American businesses in their local vicinity?

Answer: Please see answer to question 54.

56. Where is the unallocated portion of the \$5,000,000 appropriations for NA APEX Accelerators being directed if it is not fully spent?

Answer: Funding limitations are set forth at 10 U.S.C. § 4955(a) and the cost share limitations are set forth in both the Notice of Funding Opportunity and at 10 U.S.C. § 4954. This special announcement is for the anticipated FY25 open Notice of Funding Opportunity and does not address current or past expenditures of the Apex Accelerator program.