Broad Agency Announcement (BAA) for Advanced Research and Development to Expedite the Identification, Development, and Manufacturing of Medical Countermeasures against Infectious Diseases

BAA-16-100-SOL-00003

Biomedical Advanced Research and Development Authority

(BARDA)

330 Independence Avenue, SW, Room G644

Washington, DC 20201

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INTRODUCTION

This Broad Agency Announcement (BAA), which sets forth development areas of interest for the Biomedical Advanced Research and Development Authority (BARDA), is issued under paragraph 6.102(d)(2)(i) of the Federal Acquisition Regulation (FAR). Proposals selected for award are considered to be the result of full and open competition and in full compliance with "The Competition in Contracting Act of 1984" 41 U.S.C. § 253 et seq. A formal Request for Proposal and/or additional information regarding this announcement will not be issued. Paper copies of this announcement will not be issued. The Government reserves the right to select for award and fund all, some or none of the proposals in response to this announcement. All proposals will be treated as sensitive competitive information and the contents only disclosed for the purpose of evaluation.

Offerors that are not responsive to BARDA requests for information in a timely manner, defined as meeting government deadlines established and communicated with the request, may be removed from award consideration.

The Government reserves the right to award the instrument best suited to the nature of the research proposed and may award any appropriate contract type under the Federal Acquisition Regulation.

OVERVIEW INFORMATION

Agency Name:

Department of Health and Human Services, Office of the Secretary, Assistant Secretary for Preparedness and Response, Biomedical Advanced Research and Development Authority 330 Independence Avenue, SW, RM G644, Washington, DC, 20201

Issuing Office:

Department of Health and Human Services, Office of the Secretary, Assistant Secretary for Preparedness and Response, Acquisition Management, Contracts & Grants (AMCG), 330 Independence Avenue, SW, RM G644, Washington, DC, 20201

Development Opportunity Title:

Broad Agency Announcement for the Advanced Research and Development to Expedite the Identification, Development, and Manufacturing of Medical Countermeasures against Infectious Diseases

Announcement Type and Date:

Broad Agency Announcement renewal announcement, October 13, 2015 as: BAA-16-100-SOL-00003

Note: This Broad Agency Announcement is a re-issuance of the following versions which have been re-issued annually:

Initial Announcement as BARDA-BAA-11-100-SOL-00001, issued January 1, 2011 and expired December 31, 2011; and BARDA-BAA-12-100-SOL-00013, issued June 8, 2012

and expired June 7, 2013; and SST-BAA-13-100-SOL-00014, issued July 31, 2013 and expired July 30, 2014, and extended on April 2, 2014 to expire on July 30, 2015, and extended on July 28, 2015 to expire on October 31, 2015.

This BAA is available on the following websites:

- Federal Business Opportunities - FBO.gov[1]
- MedicalCountermeasures.gov[2]
- Public Health Emergency - PHE.gov[3]
- Grants.gov[4]

Amendments to this BAA will be posted to the websites listed above when they occur. Interested parties are encouraged to periodically check these websites for updates and amendments.

Eligible Offerors:

This BAA is open to **ALL** responsible sources. Offerors may include single entities or teams from private sector organizations, Government laboratories, and academic institutions.

To be eligible for award, a prospective recipient must meet certain minimum standards pertaining to financial resources, ability to comply with the performance schedule, prior record of performance, integrity, organization, experience, operational controls, technical controls, technical skills, facilities, and equipment.

Federally Funded Research and Development Centers (FFRDCs) and Government entities (Government/National laboratories, military educational institutions, etc.) are subject to applicable direct competition limitations and cannot propose to this BAA in any capacity unless they address the following conditions. FFRDCs must clearly demonstrate that the proposed work is not otherwise available from the private sector AND must also provide a letter on letterhead from their sponsoring organization citing the specific authority establishing their eligibility to propose to government solicitations and compete with industry, and compliance with the associated FFRDC sponsor agreement and terms and conditions. This information is required for FFRDCs proposing to be prime or subcontractors. Government entities must clearly demonstrate that the work is not otherwise available from the private sector and provide written documentation citing the specific statutory authority (as well as, where relevant, contractual authority) establishing their ability to propose to Government solicitations. Specific supporting regulatory guidance, together with evidence of agency approval will be required to fully establish eligibility. BARDA will consider eligibility submissions on a case-by-case basis; however, the burden to prove eligibility for all team members rests solely with the Proposer.

[1] https://www.fbo.gov/
[2] https://www.medicalcountermeasures.gov/
[3] http://www.phe.gov/
[4] http://www.grants.gov/

Historically Black Colleges and Universities (HBCU), Minority Institutions (MI), Small Business concerns, Small Disadvantaged Business concerns, Women-Owned Small Business concerns, Veteran-Owned Small Business concerns, Service-Disabled Veteran-Owned Small Business concerns, and HUBZone Small Business concerns are encouraged to submit proposals and to join other entities as team members in submitting proposals.

In accordance with federal statutes, regulations, and HHS policies, no person on grounds of race, color, age, sex, national origin, or disability shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving financial assistance from HHS.

Development Opportunity Description:

The Biomedical Advanced Research and Development Authority solicits the advanced research and development of medical countermeasures for chemical, biological, radiological, and nuclear agents that threaten the U.S. civilian population. BARDA anticipates that research and development activities awarded under this BAA will serve to advance candidate medical countermeasures towards licensure or approval by the Food and Drug Administration (FDA).

The purpose of this BAA is to solicit proposals that focus on one or more of the following solicited areas of interest as listed here and further described in Part I of this announcement.

Development Areas of Interest:

1. Platform Technologies to Expedite the Identification, Development, and Manufacturing of Medical Countermeasures against Infectious Diseases

Efforts proposed by Offerors may include activities in Non-Clinical Research and Development, Process Development, Formulation, and Manufacturing Development, and Clinical Evaluation.

Technological Maturity:

Offerors must identify in their Quad Chart and White Paper the current Technology Readiness Level (TRL) of their product, and the TRL level identified should meet or exceed the requirements of the given Development Area of Interest. Each White Paper should also contain sufficient supporting information to justify the TRL rating. Criteria for determining the appropriate TRL for a product can be found in Attachment 1. Note that all activities within a TRL (or sublevel) must be completed to have achieved that TRL status. One TRL criteria document is provided for use with diagnostics and medical devices (Attachment 1A) and one TRL criteria document is provided for use with therapeutics and vaccines (Attachment 1B).

Number of Awards:

Multiple awards of various values are anticipated and are dependent upon the program priorities, proposals' scientific/technical merits, how well the proposals fit BARDA's areas of interest, and available funding. Anticipated funding for the program (not per contract

or award) may range from $10M to $50M dollars subject to congressional appropriations. This funding profile is an estimate only and will not be a contractual obligation for funding. All funding is subject to change due to government discretion and funding availability.

Type of Award:

A contract awarded under this BAA may utilize: Cost-Reimbursement, Cost-plus-fixed-fee (CPFF), Cost-plus-incentive-fee (CPIF), Firm fixed price (FFP), or a cost sharing structure. Although cost sharing is not required under this BAA; however, formal or informal cost sharing is encouraged where there is a reasonable probability of a potential commercial application related to the proposed research and development effort.

If the government contemplates the award of a cost type contract, the offeror must demonstrate prior to award that its accounting system is adequate for administering a cost- reimbursement contract. Offerors should propose the type of arrangement they believe best satisfies the requirement.

BARDA may also elect to make awards in the form of grants and cooperative agreements, and Other Transactions (OT) agreements, as authorized for BARDA under the Pandemic and All Hazards Preparedness Reauthorization Act (2013).

The costs of preparing responses to this BAA are not considered an allowable direct charge on any resultant award.

Application Process:

Stage 1: Prepare a cover sheet, Quad Chart, and White Paper in accordance with the preparation guidance. The Quad Chart and White Paper should describe the effort in sufficient detail to allow evaluation of the concept's technical merit and its potential contribution to the BARDA mission. BARDA will evaluate White Papers based on the criteria provided in Part VII.

Offerors whose Quad Chart and White Paper receive a favorable evaluation will be invited by e-mail to submit a Full Proposal. Offerors whose Quad Chart and White Paper did not receive a favorable evaluation will be notified by e-mail, and will be provided with information on technical issues and concerns that BARDA has regarding the proposed product. This written feedback is the only response that will be provided to unsuccessful Stage 1 Offerors.

Stage 2: Offerors must submit their Full Proposals in accordance with the instructions provided Part VI. Full Proposals will be evaluated against criteria as described in Part VII. Proposals that do not conform to the requirements outlined in the BAA or to the instructions provided in the invitation letter will not be considered for further action.

Submission Deadlines and Government Response Time(s):

Table 1: Submission Deadlines and Government Response Time

Proposal Stage	Deadline for Submission*	USG Response
Stage 1: Quad Chart and White Paper	A Quad Chart and White Paper may be submitted on any day during the open period of the BAA. Interim deadlines are: 30-Jan-2016 30-Apr-2016 30-Jul-2016 30-Oct-2016 30-Jan-2017 30-Apr-2017 30-Jul-2017 30-Oct-2017 The final White Paper deadline is October 30, 2017.	Receipt confirmation within 1 week. Decision within 90 calendar days of interim submission deadline
Stage 2: Full Proposal	As specified in the invitation Letter	Receipt confirmation within 1 week.
Source Selection Notification (pending availability of funds)		Decision within 180 calendar days of receipt of Full Proposal or final revised proposal.

*Submissions are due each date at 4:30PM EST. Receipts for all White Papers submitted will be sent electronically within one (1) week of submission.

Contact/Submission Information:

All submissions and administrative inquiries regarding this BAA shall be addressed to SST-BAA@hhs.gov.

Technical questions should be directed to the Technical Point of Contacts (POCs) shown following each development areas of interest. These POC's are located, in "Part I: Development Areas of Interest." When an inquiry is made, please include all pertinent contact information.

Be advised that after a white paper (or full proposal) has been submitted, all communications related to that submission must be through the BARDA Contracting Office AMCG.

As a white paper is not considered a "proposal," no debriefing will be provided defined by FAR Subpart 15.5.

Quad Chart and White Papers WILL NOT BE ACCEPTED after 4:30 PM (Eastern Standard Time) on 30 October 2017. The submission deadlines are listed above.

Preliminary Inquiries:

BARDA realizes that the preparation of a development proposal often represents a substantial investment of time and effort by the Offeror. In an attempt to minimize this burden, BARDA encourages organizations and individuals interested in submitting development proposals to make preliminary inquiries as to the general need for the type of development effort contemplated before expending extensive effort in preparing a detailed development proposal or submitting proprietary information.

Offerors contemplating submitting Quad Charts, White Papers, and Full Proposals are strongly encouraged to contact the appropriate technical Point of Contact (POC) at BARDA (see names and e-mail addresses listed immediately after each development area of interest). Offerors are advised that only a Contracting Officer may obligate the Government to any agreement involving expenditure of Government funds.

TechWatch Program:

Offerors under this BAA are invited to arrange a meeting at BARDA headquarters through the TechWatch program. Participation in the TechWatch program affords offerors an opportunity to present their capabilities to BARDA scientific subject matter experts and program managers, as well as AMCG contract professionals. These personnel can evaluate products/technologies, suggest techniques and strategies for meeting technical and regulatory challenges, provide insight on how a product or technology may address BARDA's objectives, and provide general information about BARDA's mission and programs. To arrange a TechWatch meeting and for more information about the TechWatch program, offerors should visit the TechWatch website[5]. Please allow sufficient time for BARDA to schedule a meeting with your organization. Entities with a white paper or proposal currently under review under any ASPR solicitation are not eligible to schedule a TechWatch meeting related to that submission.

Special Instructions:

Special instructions will be advertised via the BAA as they become apparent. These additional instructions are tailored to a specific area of interest and may have a unique submittal date. The information requested in these instructions should be used along with Part VI of the BAA to format and prepare the Technical and Cost Proposals. Offerors should follow the instructions in Part VI of the BAA, and include the information requested therein.

Proposal Handling and Submission Information:

Treatment of Submission Documents: All proposals are treated as offeror's proprietary information prior to award and the contents are disclosed only for the purpose of evaluation. The Offeror must indicate any limitation to be placed on disclosure of information contained in the proposal in accordance with the instructions as set forth by FAR 52.215- 1(e) "*Restrictions on disclosure and use of data," and outlined in the Attachments to this BAA.*

CLASSIFIED SUBMISSIONS: Classified proposals will not be accepted. All submissions

[5] https://www.medicalcountermeasures.gov/barda/advancing-innovation/techwatch.aspx

must be Unclassified.

Use of Color Proposals: All proposals received shall be stored as electronic images. Electronic color images require a significantly larger amount of storage space than black-and- white images. As a result, Offerors' use of color in proposals should be minimal and used only when absolutely necessary for details. Do not use color unless necessary.

Post-Employment Conflict of Interest: There are certain post-employment restrictions on former federal officers and employees, including special government employees (Section 207 of Title 18, U.S.C.). If a prospective Offeror believes a conflict of interest may exist, the situation should be emailed to the appropriate Contracting Officer, prior to expending time and effort in preparing a proposal. The appropriate HHS personnel will discuss any conflict of interest with prospective Offerors.

Unsuccessful Proposal Disposition: Proposals will not be returned. The original of each proposal received will be retained by ASPR pursuant to FAR 4.805 and all other non-required copies destroyed.

Government Notice for Handling and Submitting Proposals: Refer to Attachment 6 for inclusion requirement of the government notice.

BACKGROUND

This Broad Agency Announcement (BAA) sets forth advanced development areas of interest for the Strategic Science and Technology Division of the Office of the Biomedical Advanced Research and Development Authority (BARDA), a component of the Office of the Assistant Secretary for Preparedness and Response within the U.S. Department of Health and Human Services. This BAA is issued under paragraph 6.102(d)(2) of the Federal Acquisition Regulation (FAR), and proposals selected for award are considered to be the result of full and open competition and in full compliance with The Competition in Contracting Act of 1984, 10 U.S.C.§ 2304.

BARDA is the lead Federal agency for the advanced development of medical countermeasures (MCM) to protect the United States against public health emergency threats, including chemical, biological, radiological and nuclear agents, emerging infectious diseases, and pandemic influenza. The Pandemic and All Hazard Preparedness Reauthorization Act directs BARDA to promote (i) innovations in technologies that may assist MCM advanced research and development, (ii) research and development of tools, devices, and technologies, and (iii) research to promote strategic initiatives, such as rapid diagnostics, broad spectrum antimicrobials, and vaccine manufacturing technologies.

BARDA’s mission to develop and provide countermeasures for CBRN threats, pandemic influenza, and emerging infectious diseases is being addressed by a comprehensive approach of product development, stockpile acquisition/building, and manufacturing infrastructure building. Countermeasures against a wide range of currently known threats have been and are being addressed directly via these programs. A more challenging part of the mission is to be able to respond in a timely fashion to newly

emerging infectious diseases, such as Middle East Respiratory Syndrome (MERS) and Ebola. In some cases, existing countermeasures such as broad-spectrum antimicrobials or other drugs may be applied or re-purposed for use against newly identified pathogens. But other countermeasures that work by eliciting protective immunity, either actively or passively, in the human host will typically need to be newly developed only after a pathogen has been identified. The time for conventional discovery and development of such products would require years, and not be helpful for dealing with an emergency situation. However, a number of technological advancements in recent years have supported the possibility of greatly reduced times for making such products available. These technologies can be consolidated into pathways (platforms) that are optimized for the discovery, development, and manufacturing of countermeasures to be developed as needed. The goal of this BAA is to promote and advance the establishment of workable platforms that will provide the capability for rapid countermeasure response. Support provided by BARDA will help to refine and evaluate such platforms and ensure their readiness to be applied in the case of future emerging infectious disease events.

BARDA funding bridges the "valley of death" characterizing the late stages of product development. BARDA's support ensures continuity of funding at a critical point for medical countermeasures developed by industry or emerging from the basic research and preclinical development activities sponsored by the National Institutes of Health (NIH). Contracts resulting from this BAA may also benefit from multiple core services that BARDA provides already, and will provide, in the future. These core services include an animal study network, flexible manufacturing facilities, and technical expertise in development, manufacturing, regulatory affairs, quality systems, and clinical studies

BARDA's priorities are aligned with the preparedness mission of the HHS Public Health Emergency Medical Countermeasures Enterprise (PHEMCE), as articulated in the 2012 PHEMCE Strategy and Implementation Plan.

For additional requirements information:

- The Pandemic and All Hazard Preparedness Act[6] Pub. L. No. 109-417, 42 U.S.C. § 241 et seq. (PAHPA) and

- The Pandemic and All Hazard Preparedness Reauthorization Act Pub. L. No. 113-5[7], (PAHPRA) authorizes BARDA to (i) conduct ongoing searches for, and support calls for, potential qualified countermeasures and qualified pandemic or epidemic products; (ii) direct and coordinate the countermeasure and product advanced research and development activities of the Department of Health and Human Services; (iii) establish strategic initiatives to accelerate countermeasure and product advanced research and development (which may include advanced research and development for purposes of fulfilling requirements under the Federal Food, Drug, and Cosmetic Act or section 351 of this Act) and innovation in such areas as the Secretary may identify as priority unmet need areas; and (iv) award contracts, grants, cooperative agreements, and enter into other transactions, for countermeasure and product advanced research and development.

[6] http://www.gpo.gov/fdsys/pkg/PLAW-109publ417/pdf/PLAW-109publ417.pdf
[7] http://www.gpo.gov/fdsys/pkg/PLAW-113publ5/pdf/PLAW-113publ5.pdf

Learn more about legal authorities, policies, and committees[8] and strategies and reports[9] for pandemic influenza.

[8] http://www.phe.gov/preparedness/legal/Pages/default.aspx
[9] https://www.medicalcountermeasures.gov/federal-initiatives/strategies-and-reports.aspx

Part I: Development Areas of Interest

This section presents an overview of the SST-related development projects that BARDA seeks to support through this BAA.

Offerors contemplating submitting Quad Charts and White Papers are strongly encouraged to contact BARDA technical point of contact for the respective area of interest. Be advised that after a White Paper (or full proposal) has been submitted, all communications related to that submission must be through the ASPR's Office of Acquisitions Management, Contracts, and Grants (AMCG).

Area of Interest #1: Platform Technologies to Expedite the Identification, Development, and Manufacturing of Medical Countermeasures against Infectious Diseases

A challenge to national and global health security and biopreparedness is the ability to respond rapidly and effectively with new vaccines and drugs for newly emerged infectious diseases. Existing broad-spectrum antimicrobial drugs and other drugs may be used or re-purposed against newly identified pathogens. However pathogen-specific countermeasures including vaccines and immunotherapeutics that provide protective immunity are not available when a new infectious pathogen emerges. The time line for conventional discovery and development of such products is typically 2-5 years. However, a number of new and innovative biological platform technologies have the potential to enable the rapid and reliable development and manufacturing of vaccines and monoclonal antibodies to known and unknown infectious diseases for preparedness and response.

I. A. In this area of interest we seek the development and demonstration of vaccine "plug-and-play" platform technologies using selected genes encoding immunoprotective proteins for designated emerging infectious diseases. The scope of work may include:

1. Cloning of genes or parts thereof encoding immunoprotective epitopes, domains, or proteins in infectious pathogens into gene expression systems or vectors;

2. Pre-clinical development in appropriate animal challenge and immunogenicity models;

3. Toxicology studies;

4. Development and qualification of master and working cell banks;

5. Development and qualification of master and working vectors, as appropriate;

6. Development and validation of a robust and controlled manufacturing process at pilot and commercial scale;

7. Development and validation of lot release tests;

8. Manufacturing of clinical investigational lots;

9. Development and validation of clinical immunogenicity assays; and

10. Dose-ranging and safety Phase 1 clinical studies in healthy adult subjects.

Additionally a real-time demonstration of the flexibility and nimbleness of the vaccine platform technology in a response scenario is required with a designated infectious pathogen.

I. B. In this area of interest we seek platform technologies for the discovery, development and demonstration of monoclonal antibodies derived from immunoprotective proteins in newly emerged infectious diseases. The scope of this work may include:

1. Immunization and selection (primary, secondary, and lead) of monoclonal antibodies from immunized animals or survivors of infection with designated emerging infectious diseases;

2. Development of multivalent, humanized monoclonal antibodies against pathogen targets;

3. Pre-clinical development in appropriate animal challenge models;

4. Development and qualification of master and working cell banks;

5. Development and validation of a robust and controlled manufacturing process at pilot and commercial scale;

6. Development and validation of lot release tests;

7. Manufacturing of clinical investigational lots;

8. Development and validation of clinical neutralization tests or equivalent assay; and

9. Pharmacokinetic/pharmacodynamics and safety Phase 1 clinical studies in healthy adult subjects.

Additionally a real-time demonstration of the flexibility and nimbleness of the monoclonal antibody technology in a response scenario is required with a designated infectious pathogen.

General Information

• Proposals on platform technologies submitted for consideration under this Area of Interest should fully describe all aspects of the platform and supportive technologies and should include a statement of work that applies the platform to a known pathogen or disease, as an example, to demonstrate the capabilities of the platform and allow evaluation of its feasibility and performance. The choice of pathogen or disease for the platform technologies should align with BARDA's mission (chemical, biological, radiological, and nuclear threats, pandemic influenza, and emerging infectious diseases) and should be explained.

• The countermeasure produced may consist of the antibody or vaccine antigen itself, but alternative methods of delivery and administration, such as viral or genetic (DNA or RNA) vectors will also be considered. The description of the platform

technologies should describe how target genes or proteins will be identified in the countermeasure for given threats, fully address advantages and/or challenges of the final product form chosen, and cite examples of its usage for products and diseases already studied.

- The manufacturing technologies that are chosen for the platform should be suitable for commercial scale production and product delivery in an emergency response. The description of the manufacturing process should address bulk and fill finish manufacturing timelines or the ramp-up time for additional doses based on the approximate dosage versus existing capacity, taking into account any need for process scale-up or finding new capacity.

- The pre-clinical and clinical testing plan, as well as the regulatory pathway, for obtaining approval for use of products developed via the platform technologies should be outlined. Ways in which the platform technologies may facilitate this process should be explained. Ways in which the platform technologies and resulting countermeasures may face regulatory challenges should also be identified.

Offerors for Area of Interest #1 should describe the maturity level of their proposed technology. The Technology Readiness Level ranking criteria can be found in Attachment 1B of this solicitation. Proposed activities should offer clinical and public health benefits.

Technical Point of Contact: Mark Craven; mark.craven@hhs.gov

Part II: Reserved

Part III: Reporting Requirements and Deliverables

Some reports and other deliverables are relevant to specific activities that may or may not be performed during the contract period of performance. The Offeror and the Government will agree during final contract negotiations on which reports and other deliverables are relevant and will be required as deliverables as determined in the negotiated SOW.

As part of the work to be performed under this BAA, the Contractor will prepare and deliver the following reports throughout the period of performance. Each document should be submitted electronically in Microsoft Word, Microsoft Excel, Microsoft Project, and/or Adobe Acrobat PDF file formats.

The following reports are not elements of the Full Proposal submission. They may be required as deliverables during the period of performance of a contract.

Reports:

1. **Technical Progress Reports**
   The frequency of Technical Progress Reporting will be determined by the Government during negotiation of the contract. Typically, on the fifteenth (15) day of each month, the Contractor will submit to the Contracting Officer and the COR a Technical Progress Report describing activities performed during the previous calendar month. The appropriate formats for the Technical Progress Report and Executive Summary will be provided by the COR. The Technical Progress Reports will include project timelines and summaries of product manufacturing, testing, and clinical evaluation activities. A Technical Progress Report will not be required for the month in which the Final Report is due. The Contractor should submit one (1) electronic copy of the Technical Progress Report. Any Technical Progress EVM Report documents should be submitted in Microsoft Word, Microsoft Excel, Microsoft Project, and/or Adobe Acrobat PDF file formats. The Contractor should inform the Contracting Officer and the COR in advance if the delivery of a Technical Progress Report will be delayed.

2. **Final Report**
   By the expiration date of the contract, the Contractor will submit a comprehensive Final Report that details, documents, and summarizes the results of all work performed under the contract. A draft Final Report will be submitted to the Contracting Officer and COR for review and comment, after which the Final Report will be submitted. The Contractor should submit two (2) paper copies and one (1) electronic copy to the Contracting Officer and COR.

There may be additional reports and deliverables required in the final negotiated contract.

Meetings:

The Contractor will participate in regular meetings to coordinate and oversee the contract effort as directed by the Contracting Officer and COR. Such meetings may include, but are not limited to, all Contractors and subcontractors to discuss clinical manufacturing progress, product development, product assay development, scale-up manufacturing development, clinical sample assay development, preclinical/clinical study designs and regulatory issues, or other relevant activities; meetings with individual Contractors and other HHS officials to discuss the technical, regulatory, and ethical aspects of the program; and meeting with Government technical consultants to discuss technical data provided by the Contractor.

Monthly teleconferences between the Contractor and subcontractors and BARDA will be held to review technical progress. BARDA reserves the right to request more frequent teleconferences and face-to-face meetings depending on the nature and importance of the work being performed. The Contractor will receive feedback from BARDA during the monthly teleconference regarding contract performance. The Contractor will have an opportunity to respond and recommend corrective actions.

The only contractual relationship will be between the Government and the prime Contractor. No business obligation exists between the Government and any subcontractors unless a teaming arrangement is established.

Regulatory and Quality Management:

FDA submissions and meetings:

a. The Contractor will forward the dates and times of any meeting with the FDA to BARDA and make arrangements for BARDA staff to attend.

b. The Contractor will provide BARDA the opportunity to review and comment on any documents prior to submission to the FDA. The contractor should provide BARDA with a minimum of five (5) business days to provide comments back to the Contractor.

c. The Contractor will forward the initial draft minutes and final draft minutes of any formal meeting with the FDA to BARDA.

d. The Contractor will provide BARDA with the final draft minutes of any informal meeting with the FDA.

e. The Contractor will forward copies of any relevant Standard Operating Procedures upon request from the Government.

f. The Contractor will provide upon request animal study and/or other data packages developed under this contract. Packages shall include complete protocols and information on critical reagents for animal models developed and/or improved with contract funding.

g. The Contractor will provide upon request raw data and/or specific analysis of data generated with Government funds.

Audits / Site Visits:

FDA Audits

Within thirty (30) calendar days of an FDA audit of Contractor or subcontractor facilities, the Contractor shall provide copies of the audit findings, final report, and a plan for addressing areas of nonconformance to FDA regulations and guidance for Good Laboratory Practice (GLP), Good Manufacturing Practice (GMP) or Good clinical practice (GCP) guidelines as identified in the final audit report.

Other U.S. Government Audits

The Government reserves the right to conduct an audit of the Contractor with 48 hours notice. The Government reserves the right to accompany the Contractor on routine and for-cause site visits and audits of subcontractors. At the discretion of the Government and independent of testing conducted by the Contractor, BARDA reserves the right to conduct site visits and audits and collect samples of product held by the Contractor and subcontractors.

Program Management Plans and Documentation:

1. **Integrated Master Schedule**: An Integrated Master Schedule (IMS), also known by its graphical representation as a Gantt chart, will be submitted by the Offeror as part of their Full Proposal and will be incorporated into the contract. The IMS shall include the key contract progress milestones and Go/No-Go decision criteria. The IMS for the period of performance will be negotiated prior to award.

2. **Integrated Product Development Plan**: Within fourteen (14) calendar days of the effective date of an award, the successful Offeror (or Contractor) shall submit an updated Integrated Product Development Plan (IPDP) which shall be approved by the Contracting Officer's Representative and the Contracting Officer prior to initiation of any activities related to their implementation.

   During the course of contract performance, in response to a need to change the IPDP, the successful Offeror (or Contractor) shall submit a Deviation Report. This plan shall request a change in the agreed-upon Plan and timelines. This plan shall include:

   a. Discussion of the justification/rationale for the proposed change.

   b. Options for addressing the needed changes from the approved timelines, including a cost-benefit analysis of each option.

   c. Recommendations for the preferred option that includes a full analysis and discussion of the effect of the change on the entire product development program, timelines, and budget.

3. **Risk Management Plan**: The Offeror will propose a risk management plan to identify potential risks that may arise during the life of the contract and the impact of these risks on cost, schedule and performance, and appropriate remediation plans. This plan should reference relevant Work Breakdown

Structure (WBS) elements where appropriate. The format for such a plan and timeline for submission will be determined during contract negotiations.

Learn more about ASPR Business Toolkit[10] for additional program management information and templates.

Earned Value Management:

Earned Value Management Systems (EVMS) will be required under contracts in excess of $10M and may be required for contracts in a smaller dollar amount when the contracted work falls within a certain technology readiness level (TRL). Learn more about Tools for Monitoring Development Progress[11].

Offerors will be informed of the need for implementation of an EVMS after at the time of invitation for full proposal or during negotiations. Learn more about AMCG's implementation of Earned Value Management systems[12].

[10] http://www.phe.gov/about/amcg/contracts/Pages/toolkit.aspx
[11] https://www.medicalcountermeasures.gov/federal-initiatives/guidance/about-the-trls.aspx
[12] http://www.phe.gov/about/amcg/contracts/Pages/evm.aspx

Part IV: Special Considerations

Special Instructions will be posted as amendments to the BAA on FedBizOpps when they become apparent. Please monitor this solicitation for future special instructions. In addition, please consider the following:

A. Contractor Responsibility Regarding Sensitive Information:

- The Contractor will investigate violations to determine the cause, extent, loss or compromise of sensitive program information, and corrective actions taken to prevent future violations. The Contracting Officer in coordination with BARDA will determine the severity of the violation. Any contractual actions resulting from the violation will be determined by the Contracting Officer.

B. Security Plan:

- In the event a security plan is needed for this requirement, the Contracting Officer will make a determination and inform the offeror of the need for a security plan. Should a security plan be requested, all pertinent documents for the creation of one will be provided to the offeror by the Contracting Officer.

C. Identification and Disposition of Data:

- The Contractor will be required to provide certain data generated under this contract to the HHS. HHS reserves the right to review any other data determined by HHS to be relevant to this contract. The contractor shall keep copies of all data required by the FDA relevant to this contract for the time specified by the FDA.

D. Confidentiality of Information:

- The following information is covered by HHSAR Clause 352.224-70, Privacy Act (January 2006): Data obtained from human subjects.

E. Publications:

- Any manuscript or scientific meeting abstract containing data generated under this contract must be submitted to BARDA Contracting Officer's Representative for review no less than thirty (30) calendar days for manuscripts and fifteen (15) calendar days for abstracts before submission for public presentation or publication. Contract support shall be acknowledged in all such publications. A "publication" is defined as an issue of printed material offered for distribution or any communication or oral presentation of information.

F. Press Releases:

- The Contractor agrees to accurately and factually represent the work

conducted under this contract in all press releases. Misrepresenting contract results or releasing information that is injurious to the integrity of the Government may be construed as improper conduct. Press releases shall be considered to include the public release of information to any medium, excluding peer-reviewed scientific publications. The contractor shall ensure that the Contracting Officer's Representative has received an advance copy of any press release related to this contract not less than four (4) working days prior to the issuance of the press release.

G. Export control notification:

- Offerors are responsible for ensuring compliance with all export control laws and regulations that maybe applicable to the export of and foreign access to their proposed technologies. Offerors may consult with the Department of State with any questions regarding the International Traffic in Arms Regulation (ITAR) (22 CRF Parts 120-130) and /or the Department of Commerce regarding the Export Administration Regulations (15 CRF Parts 730-774).

H. Manufacturing Standards:

- The Good Manufacturing Practice Regulations (GMP)(21 CFR Parts 210-211) and regulations pertaining to biological products (21 CFR Part 600) and regulations pertaining to diagnostic products (21 CFR Part 860) will be the standard to be applied for manufacturing, processing, packaging storage and delivery of this product.

- If at any time during the life of the contract, the Contractor fails to comply with GMP in the manufacturing, processing, packaging, storage, stability and other testing of the manufactured drug substance or product and delivery of this product and such failure results in a material adverse effect on the safety, purity or potency of the product (a material failure) as identified by the FDA , the Offeror shall have thirty (30) calendar days from the time such material failure is identified to cure such material failure. If the Offeror fails to take such an action to the satisfaction of the USG Contracting Officer's Representative within the thirty (30) calendar day period, then the contract may be terminated.

I. Prohibition on contractor Involvement with Terrorist Activities:

- The Contractor acknowledges that U.S. Executive Orders and Laws, including but not limited to Executive Order 13224 and Public Law 107-56, prohibit transactions with, and the provision of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of the contractor to ensure compliance with these Executive Orders and Laws. This clause must be included in all subcontracts issued under this contract.

J. Invoices:

- The Contracting Officer and Contractor will discuss the Contract Type

during contract negotiations. Regardless of contract type, a successful contractor should expect requirements similar to the following invoicing requirements:

1. The contractor agrees to provide a detailed breakdown on invoices of the categories similar, but not limited to, the following:

    a. Direct Labor - List individuals by name, title/position, hourly/annual rate, level of effort, and amount claimed.

    b. Fringe Benefits - Cite rate and amount

    c. Overhead - Cite rate and amount

    d. Materials & Supplies - Include detailed breakdown when total amount is over $1,000.

    e. Travel - Identify travelers, dates, destination, purpose of trip, and amount. Cite COA, if appropriate. List separately, domestic travel, general scientific meeting travel, and foreign travel.

    f. Consultant Fees - Identify individuals and amounts.

    g. Subcontracts - Attach subcontractor invoice(s).

    h. Equipment - Cite authorization and amount.

    i. G&A - Cite rate and amount.

    j. Total Cost

    k. Fixed Fee

    l. Total CPFF (if applicable)

2. Monthly invoices must include the cumulative total expenses to date, adjusted (as applicable) to show any amounts suspended by the Government. In order to verify allowability, further breakdown of costs may be requested at the Government's discretion.

3. The contractor agrees to immediately notify the Contracting Officer in writing if there is an anticipated overrun (any amount) or unexpended balance (greater than 10 percent) of the amount allotted to the contract, and the reasons for the variance. Also refer to the requirements of the Limitation of Cost (FAR 52.232-20) clause in the contract..

Part V: Quad Chart/White Paper Instructions (Stage 1)

The application process is in two stages as follows:

- **Quad Chart/White Paper (Stage 1)**
- Full Proposal (Stage 2)
    - Volume I - Technical Proposal
    - Volume I – Technical Proposal Attachments
    - Volume II - Cost Proposal
    - Volume II – Cost Proposal Attachments

Stage 1: Quad Chart and White Paper Preparation

Interested Offerors shall submit a Quad Chart, and White Paper which expands on the information provided in the Quad Chart. The initial submission is limited to a cover page, one-page Quad Chart, White Paper not to exceed ten (10) pages, and an addendum (not to exceed two (2) pages) as discussed below. **This results in a submission packet not to exceed 14 pages.** If submissions exceed these limitations, only those pages previously defined will be reviewed.

Combine all files and forms into a single searchable PDF file before submitting.

Complete a cover sheet, Quad Chart, White Paper and a Rough Order of Magnitude (ROM) estimate of costs must be submitted in accordance with the preparation guidance below. The Quad Chart and White Paper should describe the effort in sufficient detail to allow evaluation of the concept's technical merit and its potential contribution to the BARDA mission. Offerors whose Quad Chart and White Paper receive a favorable evaluation will be invited to submit a Full Proposal [Stage 2]. Offerors whose Quad Chart and White Paper did not receive a favorable evaluation will be notified by email. Note that an offeror who receives an unfavorable rating is not precluded from a submitting a Full Proposal, however, it is strongly recommended the offeror resubmit a revised white paper.

As a white paper is not considered a “proposal,” no debriefing will be provided defined by FAR Subpart 15.5.

Quad Chart Format: The format, information and sample template is located in Attachment #5. All Quad Charts should be laid out in landscape format.

1. Heading: Title, BAA#, Development Area of Interest, Technical/Administrative point of contact (Name, Email, Phone), Company’s Name & Address
2. Upper left: Objective, description of effort
3. Lower left: Benefits of proposed technology, challenges, maturity of technology research area addressed as indicated by the TRL (see Attachment 1)

4. Upper right: Picture or graphic

5. Lower Right: Milestones, period of performance, Rough Order of Magnitude (ROM) cost estimate.

White Paper Format

1. The white paper should provide a brief technical discussion of the offeror's objective, approach, level of effort, and the nature and extent of the anticipated results. Specifically, the white paper should include, at a minimum, the following core elements:

   a. A brief discussion on how the proposed countermeasure aligns with the objectives of the PHEMCE Implementation Plan and the BAA area of interest to which the submission is responding.

   b. Sufficient data to justify the proposed Technology Readiness Level (TRL) maturity of the candidate product or device. Appropriate supporting information could include summary data from preclinical studies and clinical trials, process development and manufacturing milestones, and regulatory status.

   c. A clear and concise plan for meeting product development objectives that includes all key activities (e.g., non-clinical, clinical, manufacturing, and regulatory activities).

   d. A high-level Gantt chart showing an overview of the proposed activities and timelines.

   e. A brief description of the offeror's intellectual property ownership of the proposed countermeasure. If intellectual property impediments may affect the Offeror's ability to develop the proposed technology, Offerors should briefly outline their strategy for addressing such impediments.

   f. An overview of the offeror's capabilities and experience (past and current) as they relate to the proposed development activities.

2. The cost portion of the White Paper shall contain a brief cost estimate revealing all the component parts of the proposal.

3. As an addendum to the White Paper, include biographical sketches (two pages) of the key personnel who will perform the research or managing project activities, highlighting their relevant qualifications and experience.

4. Any applicable references should also be cited if they are relevant to the proposed workplan.

5. Restrictive markings on White Papers: Proposal submissions will be protected from unauthorized disclosure in accordance with FAR Subpart 15.207, applicable law and HHS regulations. Offerors that include data in their proposal which they do not want disclosed shall mark their proposal in accordance with the instructions contained in HHSAR 352.215-1(e): Restrictions on disclosure and use of data. **Please note that any white paper submitted under this solicitation may be shared with other**

government agencies for non-BARDA funding considerations and evaluation.

6. IMPORTANT NOTE: The Government may reject white paper submissions that are deemed non-compliant. Non-compliant is defined in this context as a white paper which significantly deviates from the instructions in this BAA.

7. Furthermore, White Papers which are outside the scope of the BAA on their face may be returned to the Offeror.

ROM Preparation:

A Rough Order of Magnitude cost estimate (ROM cost estimate) is required with the Quad Chart and White Paper submission. The ROM cost estimate is based on the top level task(s) or objective(s) set forth in the white paper. It uses a top down estimating approach based on expert knowledge and/or previous experience. For the white paper each task (or objective) needs to have a ROM cost estimate with it. A total ROM cost (i.e. sum of all the tasks or objectives) should also be provided.

Quad Chart and White Paper Submission

Quad Chart and White Papers WILL NOT BE ACCEPTED after 4:30 PM (Eastern Standard Time) on 30 October 2017.

White Papers must be emailed directly to the following email address:

SST-BAA@hhs.gov.

IMPORTANT: The subject line of the email should read **BAA-16-100-SOL-00003 QUAD CHART & WHITE PAPER for Development Area #** .". White Papers do not require any special forms, but must be submitted in the following format:

- Single PDF formatted file as an email attachment
- Page Size: 8 ½ x 11" with 1" Margins
- Spacing – single
- Font – Arial, 11 point

The file will not exceed 10 Megabytes of storage space. Movie and sound file attachments, URL Links, or other additional files, will not be accepted.

Classification: All Quad Chart and White Paper submissions must be UNCLASSIFIED.

Quad Chart and White Paper Review

Quad Chart and White Paper submissions will be reviewed by a panel with primary focus on the submission's technical merit and relevance to BARDA programmatic priorities. Offerors will receive a response within 90 calendar days of the next interim or final deadline following submission. Technical feedback will be provided in the response, and the response will express whether a Full Proposal is recommended or not. Offerors may receive a response sooner than 90 calendar days depending on the number of White

Papers submitted to BARDA**.** Offerors who submit white papers after a given submission deadline may not have their materials reviewed until after the next submission date. **Debriefings prescribed under FAR Part 15 for Quad Chart and White Paper will not be provided, however, technical feedback will be provided in the response letter from BARDA.**

IMPORTANT NOTE: Titles given to the White Papers and Full Proposals should be descriptive of the work proposed and not be merely a copy of the title of this solicitation.

Part VI: Full Proposal Instructions (Stage 2)

The application process is in two stages as follows:

- Quad Chart/White Paper (Stage 1**)**
- **Full Proposal (Stage 2)**
    - Volume I - Technical Proposal
    - Volume I – Technical Proposal Attachments
    - Volume II - Cost Proposal
    - Volume II – Cost Proposal Attachments

Stage 2: Full Proposal Instructions

With a successful review of the Offeror's White Paper, the Offeror will be invited to submit a full proposal. Offerors invited to submit a Full Proposal are advised to schedule a teleconference with technical and contracting staff to address the written administrative and technical clarifications contained in the invitation for Full Proposal. The Full Proposal must be prepared in two separate Volumes as follows: Volume I Technical Proposal and Volume II Cost Proposal. Each Volume will have its separate related Attachments. Additional applicable forms will be provided in the letter of invitation to submit a full proposal.

Volume I – Technical Proposal

The technical proposal page limit is 50 pages of technical volume (excluding items A-C) and 70 pages of appended material *unless otherwise specified* in the invitation letter, including figures, tables and graphs**. This results in a Technical Proposal package not to exceed 120 pages.** If the proposal exceeds the number of pages specified, only the pages up to the limit will be reviewed. A page is defined as 8.5 X 11 inches, single-spaced, with one-inch margins in type not smaller than 11 point font. This should include the following items:

A. Cover Page:

- The follow information shall be provided on the first page of the technical proposal:

1. The words "Volume I: Technical Proposal"
2. BAA number
3. Title of proposal (descriptive of the work proposed and not a copy of the title of the solicitation)
4. Development Area of Interest
5. Date of submission

6. Prime Offeror and complete list of subcontractors, if applicable

7. Technical contact (name, address, phone/fax, electronic mail address)

8. Administrative/business contact (name, address, phone/fax, electronic mail address)

9. Proposed period of performance

B. Official Transmittal Letter:

- This is an official transmittal letter including:

1. The name, title, mailing address, telephone number, and fax number of the company or organization;

2. The name, title, mailing address, telephone number, fax number, and e-mail address of the division point of contact regarding decisions made with respect to the Offeror and who can obligate the proposal contractually;

3. The name, title, mailing address, telephone number, fax number, and e-mail address and those individual(s) authorized to negotiate with the USG; and

4. A statement indicating you are submitting a final Full Proposal for consideration.

C. Table of contents:

- An alphabetical/numerical listing of the sections within the proposal, including corresponding page numbers.

D. **Executive Summary**:

- An abstract or synopsis of the proposed project. The Government recommends that the length of the summary remain within 1 to 2 pages.

E. Introduction:

- Provide a brief description (one to two paragraphs) of the overall project and objectives in broad terms that indicates the size and magnitude of the proposed effort.

F. Statement of Work:

- **[NOTE TO OFFEROR: The Technical Requirements shall begin with the following introductory paragraph.]** "Independently, and not as an agent of the Government, the Contractor shall furnish all necessary services, qualified professional, technical, and administrative personnel, material, equipment and facilities, not otherwise provided by the Government under the terms of this contract, as needed to perform the tasks set forth below."

- The SOW should clearly detail the scope and objectives of the effort and the technical approach. It is anticipated that the proposed SOW will be incorporated as

an attachment to the resultant award instrument. To that end, the proposal should be specific, non-severable, discrete work segments, and be written as a self-standing document without any proprietary restrictions. The SOW should include a detailed listing of the technical tasks/subtasks organized by discrete work periods (base and option periods) including appropriate Work Breakdown Structure references for each task.

G. Development Approach**:**

- A detailed description of the experimental design, including the rationale for experimental approaches, acceptance criteria and measurable objectives, and a description of alternative approaches to be employed if these methods do not achieve the defined goals. Previous results and data should be included as necessary to justify the proposed development activities.

H. Gantt Chart/Integrated Master Schedule (IMS), Work Breakdown Structure (WBS) and Contract Go/No-Go Milestones:

- A detailed Gantt Chart/IMS with associated WBS and Contract Go/No – Go Milestones for each phase (base and options) will be provided as part of the technical submission. The break points of different phases proposed in the contract should be indicated. Learn more about the ASPR Business Toolkit[13] for additional program management information and templates.

I. Deliverables:

- A detailed description of the results and products to be delivered inclusive of the timeframe in which they will be delivered.

J. Key Personnel:

- A listing of key personnel (including proposed consultants) who possess the necessary education, training, and experience to successfully perform the work identified in the technical proposal (resumes to be included in the Appended material). A summary of related activities should also be provided for key personnel; instructions are provided in Attachment 4.

K. Organizational Chart:

- An organizational chart for the project with affiliations (who will report to whom).

L. Contractor provided Facilities, Infrastructure and other Resources Representative Activities.

- If applicable or specifically requested by the government this may include but is not limited to:

1. Current facility design including quality control labs for testing & release, laboratory areas supporting formulation and assay development, manufacturing process flow,

[13] http://www.phe.gov/about/amcg/contracts/Pages/toolkit.aspx

and animal studies.

2. Major equipment and layout (e.g. preliminary piping and instrumentation drawing).

3. Manufacturing capacity expansion plans to match the proposed manufacturing scale up.

4. Overview of the management of Quality Systems at the facility.

5. List of capabilities for clinical activities conducted in house and at contract research organizations. List of clinical sites engaged for product evaluations.

6. Qualified animal facilities where GLP studies would be conducted and appropriate certifications for humane care and use of vertebrate animals.

7. The handling, storing and shipping of potentially dangerous biological and chemical agents, including Select Agents, under biosafety levels required for working with the biological agents under study.

8. Validation master plan for key equipment, analytical methods and manufacturing process.

9. Commercial capabilities of the Offeror, including current products, and marketing, distribution and customer support capabilities (as applicable)

10. List of key vendors or service providers, locations, and brief description of their expertise/experience.

M. BARDA Intramural Core Services:

- Offerors are hereby informed that BARDA maintains a comprehensive set of medical countermeasure product development core services and manufacturing technology capabilities [e.g. Centers for Innovation in Advanced Development and Manufacturing (CIADM), Nonclinical Development Network (NDN)]. Offerors may be given the opportunity to utilize these core services and are encouraged to evaluate their potential application in their proposed work plan. Learn more about BARDA Core Services[14].

N. Past Performance Information:

- The Offeror shall provide a list of the last three (3) Government contracts during the past three years and all contracts currently being performed that are similar in nature to the proposed project. Contracts listed may include those entered into by the Federal Government, agencies of state and local Governments and commercial concerns. Offerors may also submit past performance information regarding predecessor companies, key personnel who have relevant experience or subcontractors that will perform major or critical aspects of the requirement when such information is relevant to the instant acquisition. For the purposes of this BAA, a "major subcontract" is defined as a subcontract that exceeds $25,000.

[14] https://www.medicalcountermeasures.gov/barda/core-services/

- Include the following information for each contract or subcontract listed:

    1. Name of Contracting Organization

    2. Contract Number (for subcontracts, provide the prime contract number and the subcontract number)

    3. Contract Type

    4. Total Contract Value

    5. Description of Requirement

    6. Contracting Officer's Name and Telephone Number

    7. Program Manager's Name and Telephone Number

    8. North American Industry Classification System Code

- The Offeror may provide information on problems encountered on the identified contracts and the Offeror's corrective actions.

O. Additional Requirements:

The offeror must also represent that they have adequately addressed the following requirements:

1. Research involving Human Subjects/Anatomical Substances (if proposed).

2. Research involving Animals (if proposed).

3. Evidence of GLP Compliance (if appropriate).

4. Evidence of GMP Compliance (if appropriate).

5. Evidence of GCP Compliance (if appropriate).

6. Evidence of Laboratory Licensure Requirements (if appropriate)

7. Compliant Use of Select Agents (if appropriate)

8. All required representations and certifications are completed and on file.

P. Deviation Report:

During the course of contract performance, in response to a need to change the SOW or IPDP, the Offeror shall submit a Deviation Report. This report shall request a change in the agreed-upon Plan and timelines. This report shall include:

1. Discussion of the justification/rationale for the proposed change.

2. Options for addressing the needed changes from the approved timelines, including a cost-benefit analysis of each option.

3. Recommendations for the preferred option that includes a full analysis and discussion of the effect of the change on the entire product development program, timelines, and budget

Q. Prior Approval Notification:

- The Offeror shall carry out activities within the contract SOW only as requested and approved by the Contracting Officer, and may not conduct work on the contract without prior approval from the Contracting Officer, including initiating work that deviates from the agreed-upon IPDP.

Volume I - Technical Proposal Attachments

Attachments should contain supplemental data that accompanies the technical proposal. The combined page total of Attachments in Volume I will be specified in the full proposal invitation letter. Additional specific information to be included is referenced below. If a particular item in not relevant to the proposed effort, state that it is not applicable along with any supporting justification. See Special Considerations Section for additional information on any of the Items listed below.

Table 2: Technical Proposal Attachments

	Item	Required	Reference & Document Type
1	Updated Quad Chart	Yes	Template in Attachment #5. Please note any differences with the original Quad Chart.
2	Protection of Human Subjects	If Applicable	Human Subject Research (45 CFR 46)[15]
3	Animal Welfare	If Applicable	Office of laboratory Animal Welfare (OLAW)[16]
4	Intellectual Property	Yes	
5	Biographical Sketches	Yes	
6	Use of Select Agents	If Applicable	Federal Select Agent Program[17] Agriculture Select Agent Service[18]
7	Laboratory License Requirements	If Applicable	
8	Target Product Profile (TPP)	Yes	Template in Attachment #2

[15] http://www.hhs.gov/ohrp/humansubjects/guidance/45cfr46.html
[16] http://grants.nih.gov/grants/olaw/olaw.htm
[17] http://www.selectagents.gov/
[18] www.aphis.usda.gov/wps/portal/aphis/ourfocus/animalhealth/sa_import_into_us/sa_ag_select_agent

	Item	Required	Reference & Document Type
9	Supporting Data	No	Any additional product development data referenced in Volume I may be included here, provided that the Attachments remain within the page limit.

1. Quad Chart

- Offerrors will need to include a revised Quad Chart showing differences from the original Quad Chart submitted during Stage 1 - Quad Chart/White Paper.

2. Protection of Human Subjects

- All research under this BAA must address the involvement of human subjects and protections from research risk related to their participation in the proposed research plan and comply with 32 CFR 219, 10 U.S.C. 980, and, as applicable, 21 CFR Parts 11, 50, 54, 56, 312)(45 CFR Part 46) and the ICH as well as other applicable federal and state regulations. HHS Policy also requires that women and members of minority groups and their subpopulations: children and the elderly (pediatric and geriatric) must be included in the study population of research involving human subjects, unless a clear and compelling rationale and justification is provided with respect to the health of the subjects or the purpose of the research. Learn more about HHS policy on studies that involved human subjects[19].

- Research projects involving humans and/or human specimens can only be initiated with written approval by the BARDA Project Officer.

- The Good Clinical Practice Regulations (GCP)(21 CFR Parts 50, 54, 56 312)(45 CFR Part 46)(ICH E6) as well as other applicable federal and state regulations will be standards that apply for use of human subject and/or human specimens in clinical studies.

- If at any time during the life of the contract, the Contractor fails to comply with GCP as identified by regulations outline above , the Offeror shall have thirty (30) calendar days from the time such material failure is identified to cure such or initiate cure to the satisfaction of the USG Project Officer. If the Offeror fails to take such an action within the thirty (30) calendar day period, then the contract may be terminated.

3. Animal Welfare

- If the Offeror proposes to use contract funds to conduct animal studies, the Offeror must demonstrate its understanding and ability to comply with the Public Health Services (PHS) Policy on Humane Care and Use of Laboratory Animals http://grants.nih.gov/grants/olaw/olaw.htm). If the Offeror has an Animal Welfare Assurance on file with the Office of Extramural Research (OER), Office of Laboratory Animal Welfare (OLAW), provide the Assurance number with the

[19] http://www.hhs.gov/ohrp/humansubjects/guidance/45cfr46.html

proposal. If the Offeror proposes animal studies, the Offeror must submit a plan that describes how the Offeror will comply with the PHS Policy and addresses the five points listed below:

a. Provide a detailed description of the proposed use of the animals in the work outlined in the experimental design and methods section. Identify the species, strains, ages, sex, and numbers of animals to be used in the proposed work.

b. Justify the use of animals, the choice of species, and the numbers used. If animals are in short supply, costly, or to be used in large numbers, provide an additional rationale for their selection and their numbers.

c. Provide information on the veterinary care of the animals involved.

d. Describe the procedures for ensuring that discomfort, distress, pain, and injury will be limited to that which is unavoidable in the conduct of scientifically sound research. Describe the use of analgesic, anesthetic, and tranquilizing drugs and/or comfortable restraining devices where appropriate to minimize comfort, distress, pain, and injury.

e. Describe any euthanasia method to be used and the reasons for its selection.

f. State whether this method is consistent with the recommendations of the Panel on Euthanasia of the American Veterinary Medical Association. If not, present a justification for not following the recommendations. Learn more about AVMA Guidelines for the Euthanasia of Animals[20].

4. Intellectual Property

- Offerors must describe any limitations on any intellectual property (patents, inventions, trade secrets, copyrights, technical data, or trademarks) that will impact the Offeror's performance of the contract or impact the Government's subsequent use of any deliverable under the contract. Offerors must describe how the Government can accomplish the stated objectives of this BAA with the limitations described or proposed by the Offeror. Offerors must include this information in Volume I – Attachments.

- For issued patents or published patent applications that will be used in the performance of the contract, provide the patent number or patent application publication number, a summary of the patent or invention title, and indicate whether the Offeror is the patent or invention owner. If the Offeror is licensing the candidate drug for the proposed work, Offeror is required to provide copies of any licensing agreements, or portions thereof, applicable to the candidate drug before a potential contract can be entered into.

5. Biographical Sketches

- This Section shall contain the biographical sketches for only the key personnel from both the contractor and subcontractor(s): The Full Proposal must list the

[20] https://www.avma.org/KB/Policies/Pages/Euthanasia-Guidelines.aspx

names and proposed duties of the professional personnel, consultants, and key subcontractor employees assigned to the project. Their resumes should be included in the attachments in Volume I of the Full Proposal. The resumes should contain information on education, background, recent experience, and specific or technical accomplishments as they pertain to their ability to support the objectives of this project. The approximate percentage of time each individual will be available for this project must be stated. The proposed staff hours of each individual should be allocated against each project task or subtask.

- Offerors must also include a list of those individuals authorized to contractually obligate the entity, as well as a list of those individuals authorized to negotiate with the Government on behalf of the entity.

6. Use of Select Agents

- An HHS chaired committee of contracting, security, safety and scientific program management will assess the applicability of the facilities, regulations, policies, and procedures for meeting the U.S. requirements described in 42 CFR part 73, 7 CFR part 331, and/or 9 CFR part 121.

7. Laboratory License Requirements

- The Contractor shall comply with all applicable requirements of Section 353 of the Public Health Service Act (Clinical Laboratory Improvement Act as amended). This requirement shall also be included in any subcontract for services under the contract.

8. Target Product Profile (TPP)

- Offerors should use the template in Attachment #2 to develop the Target Product Profile (TPP) to discuss the TPP of proposed candidate medical countermeasures.

a. The intended use or indication of the proposed medical countermeasure.

b. The intended product profile (strength, quality, purity and identity) noting the performance specifications and features of the medical countermeasure that provide benefit.

c. A description of the medical countermeasure as it is currently configured.

d. A description of the manufacturing process including expected formulation (configuration) of the final product.

e. A description and developmental status of the assays for product release which provide characterization, strength, identity, and purity, as well as any needed assays for product activity and efficacy.

f. Discussions with appropriate FDA reviewers that is relevant to development activities for the proposed medical countermeasure, including plans for generating data to support an Investigational New Drug (IND), Biologics License Application (BLA) or New Drug Application (NDA), Pre-Market Approval and/or

510(k) application: summary of any prior, time-relevant communication with FDA relevant to the product development for the indication noted; summary of audits and inspections relative to the current development or proposed manufacturing (Including at key sub-contractors) of the intended product.

9. Supporting Data

- Any additional product development data referenced in Volume I may be included here, provided that the Attachments remain within the page limit.

Volume II – Cost Proposal

The cost proposal shall contain sufficient information for meaningful evaluation, and should not exceed the page limitation specified in the full proposal invitation letter. Additionally, a cost summary (not to exceed 2 pages) must be prepared and submitted in conjunction with the detailed cost proposal. The detailed costs must readily track back to the cost presented in the summary and the WBS, IMS, and SOW. The Offeror must also provide a narrative to support the requirements in each cost element. The cost breakdown by tasks should reference the WBS task in the Technical Proposal. SOW Options should be priced separately.

A. Cover Page:

- The following information shall be provided on the first page of the cost proposal:

    1. The words “Volume II: Cost Proposal”;
    2. BAA Number;
    3. Title of proposal (descriptive of the work proposed and not a copy of the title of the solicitation):
    4. Development Area of Interest:
    5. Prime Offeror (name, address, telephone number, and email address);
    6. Technical contact (name, telephone number, email address);
    7. Administrative contact (name, address, telephone number, and email address) (if available);
    8. Audit Office (name, address, telephone number, and email address) (if available);
    9. Proposed cost and/or price; profit or fee (as applicable); and total;
    10. The following statement: “By submitting this proposal, the Offeror, if selected for discussions, grants the Contracting Officer or an authorized representative the right to examine, at any time before award, any of those books, records, documents, or other records directly pertinent to the information requested or submitted.”
    11. Date of submission; and
    12. Authorized representative (name, title and signature).
    13. DUNS number and CAGE code.

- This cover sheet information is for use by Offerors to submit information to the Government when cost or pricing data are not required but information to help establish price reasonableness or cost realism is necessary. Such information is not considered cost or pricing data, and shall not be certified in accordance with FAR 15.406-2.

B. Basic Cost/Price Information:

- The final cost proposal with a full cost proposal shall contain sufficient information to allow the Government to perform a basic analysis of the proposed cost or price of the work. This information shall include the amounts of the line items of the proposed cost or price. These elements will include the following elements by milestone event and/or proposed period as applicable:

    1. Direct Labor- Individual labor category or person, with associated labor hours and unburdened direct labor rates;

    2. Indirect Costs – Fringe Benefits, Overhead, G&A, etc. (Must show base amount and rate) Offerors should submit a copy of their most recent indirect cost rate agreement negotiated with any federal audit agency, if applicable.;

    3. Travel – Separate by destinations and include number of trips, durations - number of days, number of travelers, per diem (hotel and meals in accordance with the Federal Travel Regulations), airfare, car rental, if additional miscellaneous expense is included, list description and estimated amount, etc;Subcontract – A cost proposal shall be submitted by each subcontractor proposed under the contract. The subcontractor's cost proposal should include on company letterhead the following:

        a. Complete company name and mailing address, technical and administrative/business point of contacts, email

        b. Address, and telephone number.

        c. Include the DUNS number and CAGE code.

        d. A commitment letter from the proposed subcontractor's business official that includes:

            1) Willingness to perform as a subcontractor for specific duties (list duties) or a Statement of Work

            2) Proposed period of performance

            3) Supporting documentation for proposed costs (personnel documents to verify salaries, vendor quotes for equipment, negotiated indirect cost rate agreement; and

            4) Quotes from two other potential subcontractors for similar services (see FAR 44.202(a)(5)

        If the subcontractor's work entails any unpredictable aspects (e.g. includes experimentation, process development, etc.) a cost proposal conforming to all requirements of this section shall be provided, and shall reference the WBS of the prime contractor's proposal.

        If the subcontractor/vendor is providing commercially available, routine services/products (e.g. facilities audits; manufacturing from a defined protocol;

off-the-shelf reagents, hardware, or software; etc.) then a less detailed price quote is allowable. In each case where the latter level of detail is provided, the Offeror should assign subcontractor/vendor costs to the WBS, and should be prepared to document multiple competitive quotes for the service/product.

4. Consultants – For consultant subcontract arrangement, provide draft consulting agreement or other document which verifies the proposed loaded daily/hourly rate and labor category;

    a. Written verification from the consultant of their proposed rate, along with a statement that it is their usual and customary rate charged to other customers;

    b. Description of the work to be performed by the consultant and direct relevance to the contract work. Include information on why this expertise is not available in-house; and

    c. Verification that costs for the consultant are available within the total estimate cost of the contract and 4)Quotes from two other consultants for similar services (see FAR 44.202(a)(5)

5. Materials should be specifically itemized with costs or estimated costs. Where the cost is greater than $3,000, indicate pricing method (e.g., competition, historical costs, market survey, etc.). Include supporting documentation, i.e. vendor quotes, catalog price lists and past invoices of similar purchases.

6. Other Direct Costs, especially any proposed items of equipment. Equipment generally must be furnished by the Offeror. Justifications must be provided when Government funding for such items is sought.

7. Fee/profit including percentages.

C. Salary Rate Limitation:

- Pursuant to current and applicable prior HHS appropriations acts, it is anticipated that offerors submitting full proposals under this BAA may be subject to a salary rate limitation on funds used to pay the direct salary of individuals. The applicability of this mandate will be confirmed at the time a full proposal is requested and is subject to the appropriations used to fund the effort.

    1. Congress has stipulated in the HHS appropriations act that, under applicable extramural contracts appropriated funds cannot be used to pay the direct salary of an individual at a rate in excess of the Federal Executive Schedule Level II.

    2. For purposes of the salary rate limitation, the terms ``direct salary,'' ``salary”, and ``institutional base salary'', have the same meaning and are collectively referred to as ``direct salary'', in this clause. An individual's direct salary is the annual compensation that the Contractor pays for an individual's direct effort (costs) under the contract. Direct salary excludes any income that an individual may be permitted to earn outside of duties to the Contractor. Direct salary also excludes fringe benefits, overhead, and general and administrative expenses (also referred to as indirect costs or facilities and

administrative [F&A] costs). Note: The salary rate limitation does not restrict the salary that an organization may pay an individual working under an HHS contract or order; it merely limits the portion of that salary that may be paid with Federal funds.

3. The salary rate limitation also applies to individuals under subcontracts.

4. See the salaries and wages pay tables on the U.S. Office of Personnel Management Web site for Federal Executive Schedule salary levels that apply to the current and prior periods.

D. Travel

- Identify as separate items and provide uniform cost assumptions for each travel requirement, e.g., contract initiation meeting, annual progress review meetings, periodic meetings with the Contracting Officer's Representative, travel associated with training requirements and clinical site monitoring visits. Include the number of trips per year, location, number of days, and the number of Contractor/subcontract staff, as well as any external advisory group members for who travel expenses will be provided by the Contractor.

Volume II - Cost Proposal Attachments

Attachments to Volume II contain supplemental data of a cost and non-cost nature that should accompany the cost proposal. The combined total of all attachments should not exceed the page limitation specified in the full proposal invitation letter. Additional specific information to be included is referenced below. If a particular item in not relevant to the proposed effort, state that it is not applicable along with any supporting justification.

Table 3: Cost Proposal Attachments

	Item	Required	Reference & Document Type
1	DUNS, TIN, CAGE, and NAICS	Yes	Full Proposal Volume II – Cost Proposal
2	Representations and Certifications	Yes	System for Award Management[21] (SAM)
3	Breakdown of Proposed Estimated Cost (Plus Fee) and Labor Hours	Yes	Part VIII: Attachment #7 ASPR Business Toolkit[22] (for template)
4	SF-424 (for grant)	If applicable	Required: SF-424, SF-424A, SF-424B, SF-LLL For grant: Additional resources and templates are available in the ASPR Business Toolkit[23] and Grants.Gov[24]
5	HHS Small Business Subcontracting Plan	If applicable	Small Business SubContracting Plan[25]
6	Summary of Related Activities	Yes	Part VIII: Attachment #4 (for template)
7	Lobbying Activities	Yes	For Grant: SF-LLL: Disclosure of Lobbying Activities[26] For Contract: HHSAR 352.203-70[27]
8	Report of Government-Owned, Contractor-Held Property	If applicable	ASPR Business Toolkit[28] (for template)

[21] https://www.sam.gov/
[22] http://www.phe.gov/about/amcg/contracts/Pages/toolkit.aspx
[23] http://www.phe.gov/about/amcg/contracts/Pages/toolkit.aspx
[24] http://www.grants.gov/web/grants/forms.html
[25] http://www.hhs.gov/asfr/ogapa/osbdu/smallbusiness/subcontractplan.html
[26] https://www.whitehouse.gov/sites/default/files/omb/grants/sflllin.pdf
[27] http://www.hhs.gov/grants/contracts/contract-policies-regulations/hhsar/subpart352/
[28] http://www.phe.gov/about/amcg/contracts/Pages/toolkit.aspx

	Item	Required	Reference & Document Type
9	Financial Capacity and Annual Financial Report	Yes	
10	Past Performance Contact Information	Yes	Part VI, Section 10
11	Total Life Cycle Costs (TLCC) estimate for the proposed product or technology	Yes	Part VIII: Attachment #8, TLCC Definition. Additional resources and templates are available in the AMCG Business Toolkit[29].

1. DUNS[30], TIN, CAGE, and NAICS[31]

- These identification numbers or codes are required for companies to work with the government.

2. Representations and Certifications

- In accordance with FAR 4.1201 prospective Offerors shall complete and update the annual representations and certifications at System for Award Management (SAM). Learn more about System for Award Management[32] (SAM) for completion of annual Representations and Certifications.

3. Breakdown of Proposed Estimated Cost (Plus Fee) and Labor Hours

- Complete the template to provide a breakdown of the proposed estimated cost (plus fee) and labor hours.

4. SF-424

- The SF-424, SF-424A, SF-424B, and SF-LLL forms are required to be completed for grants and cooperative agreements. Refer to the letter of invitation to submit a full proposal for additional details and form requirements.

5. HHS Small Business Subcontracting Plan

- Successful contract proposals that exceed $700,000, submitted by all but small business concerns, will be required to submit a Small Business Subcontracting Plan in accordance with FAR 19.704.

6. Summary of Related Activities

[29] http://www.phe.gov/about/amcg/contracts/Pages/toolkit.aspx
[30] http://www.dnb.com/
[31] http://www.census.gov/eos/www/naics/index.html
[32] https://www.sam.gov/

- This specific information must be provided by the Offeror pertaining to the Project Director, Principal Investigator, and each of any other proposed key professional individuals designated for performance under any resulting contract.

7. Lobbying Activities

- In accordance with Prohibition on the Use of Appropriated Funds for Lobbying Activities [HHSAR 352.203-7], the following clause shall be inserted: "Pursuant to the current HHS annual appropriations act, except for normal and recognized executive-legislative relationships, the Contractor shall not use any HHS contract funds for (i) publicity or propaganda purposes; (ii) the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television or video presentation designed to support or defeat legislation pending before the Congress or any State legislature, except in presentation to the Congress or any State legislature itself; or (iii) payment of salary or expenses of the Contractor, or any agent acting for the Contractor, related to any activity designed to influence legislation or appropriations pending before the Congress or any State legislature."

8. Report of Government-Owned, Contractor-Held Property

- Complete the spreadsheet available at the ASPR Business Tookit[33], if Government Furnished Property (GFP) is a part of the proposal. Additionally, include a business case justification for review that outlines that providing GFP is in the Government's best interest and that there is no other commercial alternative other than GFP. Additionally, justify how any proposed costs of GFP are "fair and reasonable". Include the completed spreadsheet with your cost proposal.

9. Financial Capacity & Annual Financial Report:

- The offeror shall indicate if it has the necessary financial capacity, working capital, and other resources to perform the contract without assistance from any outside source. If not, indicate the amount required and the anticipated source. The offeror may also be asked to submit a copy of the organization's most recent annual report in the cost proposal attachment.

10. Past Performance:

- The Offeror shall provide a list of the last three (3) Government contracts during the past three years and all contracts currently being performed that are similar in nature to the BAA scope. Contracts listed may include those entered into by the Federal Government, agencies of state and local governments and commercial concerns. Offerors may also submit past performance information regarding predecessor companies, key personnel who have relevant experience or subcontractors that will perform major or critical aspects of the requirement when such information is relevant to the instant acquisition. For the purposes of this BAA, a "major subcontract" is defined as a subcontract that exceeds $25,000.

[33] http://www.phe.gov/about/amcg/contracts/Pages/toolkit.aspx

- Include the following information for each contract or subcontract listed:

    1. Name of Contracting Organization
    2. Contract Number (for subcontracts, provide the prime contract number and the subcontract number)
    3. Contract Type
    4. Total Contract Value
    5. Description of Requirement
    6. Contracting Officer's Name and Telephone Number
    7. Program Manager's Name and Telephone Number
    8. North American Industry Classification System Code

- The Offeror may provide information on problems encountered on the identified contracts and the Offeror's corrective actions.

11. Total Life Cycle Cost

- An increasing emphasis is being placed on the management of costs thorough out the operational life cycle of awards to be made under this BAA. Consequently, the TLCC spreadsheet available in the ASPR Business Toolkit should be completed. In addition, provide any additional information that best describes and forecasts the total costs of your proposal throughout its projected operational life cycle. These costs should include any one-time setup expenses, ongoing sustainment costs and potential decommissioning or disposal costs associated with your proposal. Include this information with your cost proposal.

Stage 2: Full Proposal Submission

Full proposals will be accepted under this BAA for 6 months following the final white paper submission date.

Unless directed by the Contracting Officer otherwise, mail two (2) copy of the Full Proposal to the below address. Additionally, Offeror should submit an electronic copy via email, to an email address to be provided in the invitation letter.* Note: Additional copies may be requested in the Full Proposal Invitation Letter.

Contracting Officer

Office of Acquisitions Management, Contracts and Grants 330 Independence Ave,

S.W. Room G644

Washington, D.C. 20201

Offeror shall include in the Full Proposal Cover Sheet:

- The name, title, mailing address, telephone number, and fax number of the company or organization;
- The name, title, mailing address, telephone number, fax number, and e-mail address of the division point of contact regarding decisions made with respect to the the Offeror and who can obligate the proposal contractually;
- The name, title, mailing address, telephone number, fax number, and e-mail address and those individual(s) authorized to negotiate with the USG; and
- A statement indicating you are submitting a final Full Proposal for consideration.

Submission file format for the electronic copy: Each volume of the proposal must be submitted as a separate and searchable Portable Document File (PDF) compatible with Adobe Acrobat version 9.0 or earlier. Each individual file shall not exceed 10 megabytes of storage space.

Notification to Offerors: All Offerors will receive an email acknowledging receipt of their Quad Chart/White Paper and Full Proposal.

Information to be requested from Offerors: Offerors whose proposals are selected for potential award may be contacted to provide additional clarification and technical information if required for award.

Offerors that are not responsive in a timely manner to Government requests for information (defined as meeting Government deadlines established and communicated with the request) may be removed from award consideration. Offerors that request significant revisions to their proposal subsequent to their selection for potential award may be removed from award consideration. Offerors may also be removed from award consideration if the Offeror and the Government fail to negotiate mutually agreeable terms within a reasonable period of time.

Part VII: Quad Chart/White Paper and Full Proposal Evaluation

A. Quad Chart/White Paper Evaluation Criteria

The decision to invite an offeror to submit a Full Proposal will be based on an evaluation of each Offeror's White Paper and Quad Chart. The White Paper and Quad Chart will be evaluated by a scientific review process based on the following criteria that are listed in descending order of importance pursuant to FAR 35.016. The sub-criteria listed under each criterion are of equal importance to each other.

1. PROGRAM RELEVANCE

    a. Medical countermeasures that address the priorities outlined in the Development Areas of Interest;

    b. Medical countermeasures, devices and diagnostics that align with the objectives outlined in the National Strategy for Pandemic Influenza, the HHS Pandemic Influenza Implementation Plan, and other Federal Government strategy documents;

    c. The maturity level of the proposed product as determined by applicable TRL criteria. Technological maturity should be justified by the inclusion of relevant data;

    d. Medical Countermeasures that are suitable for use with pediatric and other special populations; and

    e. The extent to which the proposed effort fills an unmet programmatic need.

2. OVERALL SCIENTIFIC AND TECHNICAL MERITS OF THE PROPOSAL

    a. The degree of innovation and potential to offer a revolutionary increase in capability or a significant reduction in cost commensurate with the potential risks of the innovative approach;

    b. The soundness, feasibility, and validity of the proposed plans, methods, techniques, and procedures of the technical proposal;

    c. The Offeror's understanding of the scope of the proposed activity and the technical effort needed to address it;

    d. The reasonableness of the proposed schedule;

    e. The Offeror's understanding of the statutory and regulatory requirements for FDA licensure or approval;

    f. The Offeror's freedom to operate given the intellectual property status of the proposed technology; and

    g. The degree of development of the technology and its readiness for the marketplace.

3. OFFEROR'S CAPABILITIES AND RELATED EXPERIENCE, INCLUDING THE QUALIFICATIONS, CAPABILITIES, AND EXPERIENCES OF THE PROPOSED KEY PERSONNEL

a. The expertise of technical personnel proposed;

b. The Offeror's experience in relevant efforts with similar resources;

c. The reasonableness of the proposed project management approach and expertise of the project management personnel proposed.

d. The necessary facilities and infrastructure to carry out the proposed effort. (The Offeror may identify specific subcontractors and other partners); and

e. An organizational chart of the Offeror's personnel.

B. Full Proposal Evaluation Criteria

The selection of one or more sources for award will be based on an evaluation of each Full Proposal. Full Proposals will be evaluated by a Peer or Scientific Review process and will be evaluated based on the following criteria that are listed in descending order of importance. The sub-criteria listed under a particular criterion are of equal importance to each other. Pursuant to FAR 35.016(e), the primary basis for selecting proposals for acceptance shall be technical, importance to agency programs, and fund availability. Therefore, when together non-cost related evaluation criteria significantly outweigh cost-related evaluation criteria.

1. PROGRAM RELEVANCE

   a. Medical countermeasures that address the priorities outlined in the Development Areas of Interest;

   b. Medical countermeasures, devices and diagnostics that align with the objectives outlined in the National Strategy for Pandemic Influenza, the HHS Pandemic Influenza Implementation Plan, and other Federal Government strategy documents;

   c. The maturity level of the proposed product as determined by applicable TRL criteria. Technological maturity should be justified by the inclusion of relevant data;

   d. Medical Countermeasures that are suitable for use with pediatric and other special populations; and

   e. The extent to which the proposed effort fills an unmet programmatic need.

2. OVERALL SCIENTIFIC AND TECHNICAL MERITS OF THE PROPOSAL

   a. The degree of innovation and potential to offer a revolutionary increase in capability or a significant reduction in cost commensurate with the potential risks of the innovative approach;

b. The soundness, feasibility, and validity of the proposed plans, methods, techniques, and procedures of the technical proposal;

c. The Offeror's understanding of the scope of the proposed activity and the technical effort needed to address it;

d. The reasonableness of the proposed schedule;

e. The Offeror's understanding of the statutory and regulatory requirements for FDA licensure or approval;

f. The Offeror's freedom to operate given the intellectual property status of the proposed technology; and

g. The degree of development of the technology and its readiness for the marketplace.

3. OFFEROR'S CAPABILITIES AND RELATED EXPERIENCE, INCLUDING THE QUALIFICATIONS, CAPABILITIES, AND EXPERIENCES OF THE PROPOSED KEY PERSONNEL

   a. The expertise of technical personnel proposed;

   b. The Offeror's experience in relevant efforts with similar resources;

   c. The reasonableness of the proposed project management approach and expertise of the project management personnel proposed.

   d. The necessary facilities and infrastructure to carry out the proposed effort. (The Offeror may identify specific subcontractors and other partners); and

   e. An organizational chart of the Offeror's personnel.

C. Other Evaluation Factors and Considerations

In accordance with FAR 35.016 (e), the primary basis for selecting proposals for acceptance shall be technical, importance to agency programs, and fund availability. Cost realism and reasonableness shall also be considered to the extent appropriate.

1. Cost/Price

Each price / cost response will be reviewed for price / cost realism, reasonableness, and overall best value to the government. Proposals will be reviewed to determine if the costs proposed are based on realistic assumptions, reflect a sufficient understanding of the technical goals and the objectives of the BAA and are consistent with the Offeror's technical approach. For proposals with a likelihood of commercial application, cost-sharing may be positively evaluated under this criterion.

2. Past Performance

Past performance information will be evaluated to the extent of determining the Offeror's ability to perform the contract successfully. Offerors shall submit the following information as part of their proposal.

The Government is not required to contact all references provided by the Offeror. Also, references other than those identified by the Offeror may be contacted by the Government to obtain additional information that will be used in the evaluation of the Offeror's past performance.

The Government will use the Past Performance Information Retrieval System (PPIRS) to help assess Offeror past performance.

3. Subcontracting Program Evaluation

For contract awards to be made to large businesses, the socio-economic merits of each proposal will be evaluated, but not scored, based on the extent of the Offeror's commitment in providing meaningful subcontracting opportunities for small businesses, small disadvantaged businesses, woman-owned businesses, service disabled veteran- owned small businesses, HubZone small business concerns, historically black colleges and universities, and minority institutions.

4. U.S.-based Job Preference

For Offerors providing U.S. based jobs in the technical and/or administrative activities needed to accomplish milestone activities associated with product development will be afforded if the assessment on other criteria is equal.

5. Requested Proof of Concept Studies

Full Proposals which were requested to provide Proof of Concept (POC) studies will be evaluated in regard to the POC design, power of the studies, budget, and timelines. If the technical evaluation does not result in a favorable decision, the Offeror may be asked to perform additional work on the product's development at their cost and resubmit. A successful review of the POC design will result in a negotiation for a contract to perform the POC (or a negotiated POC) as a base contract with or without Options, all subject to availability of funds.

The final evaluation will be based on an assessment of the overall best value to the government based on these criteria. Awards, if any, will be made based on proposal evaluation and funds availability.

D. Evaluation Rating

The Full Proposal will be evaluated and categorized as follows:

Acceptable: The proposal has been evaluated and deemed appropriate for additional consideration and discussion. The proposal is generally considered well-conceived, scientifically, and technically sound and important to program goals and objectives. Proposal submissions given this designation may proceed into negotiations. This rating does not guarantee contract award; will consider program priorities, negotiations, and is subject to the availability of funds.

Unacceptable: The proposal has been evaluated and deemed inappropriate for additional consideration and discussion at this time. Proposals given this designation are not technically sound or do not meet program priorities and will be rejected.

E. Additional Information

Offerors selected for negotiations may be subject to inspections of their facilities and Quality Assurance/Quality Control (QA/QC) capabilities. The decision to inspect specific facilities will be made by the Contracting Officer in coordination with the Contracting Officer's Representative. If inspections are performed during the negotiations, the results of the inspection will be considered in final selection for award of a contract. Offerors, including proposed subcontractors, will be requested to make all non-proprietary records, including previous regulatory inspection records, and staff available in response to a pre-award site visit or audit by BARDA or its designee. Pre- award site visits may be made with short notice. Offerors are expected to guarantee the availability of key staff or other staff determined by the Government as essential for purposes of this site visit.

Offerors are hereby notified that the Government intends to use a Technical Evaluation Panel (TEP), in determining which initiatives should be funded. The TEP may consist of Government personnel and technical contract support personnel.

All personnel assigned to a TEP have signed a Nondisclosure Agreement, Conflict of Interest Disclosure, and will be made aware that proposals shall not be duplicated, used, or disclosed in whole or in part for any purpose other than to evaluate the proposal. Any offeror who states in writing that they are unwilling to allow contractor members of the TEP to review their proposal shall have their proposal returned without evaluation.

Offerors whose full proposals are issued an "Unacceptable" letter and are not invited to negotiations may request a debriefing (10 U.S.C. 2305(b)(6)(A) and 41 U.S.C. 3705). (1) The offeror may request a preaward debriefing by submitting a written request for debriefing to the contracting officer within 3 days after receipt of the notice of exclusion from negotiations. At the offeror's request, this debriefing may be delayed until after award. If the debriefing is delayed until after award, it shall include all information normally provided in a postaward debriefing. Debriefings delayed pursuant to this paragraph could affect the timeliness of any protest filed subsequent to the debriefing. If the offeror does not submit a timely request, the offeror need not be given either a preaward or a postaward debriefing. Offerors are entitled to no more than one.

Part VIII: Attachments

Attachment 1: Technology Readiness Level (TRL) Definitions for Medical In-Vitro Diagnostic Devices

Notice: This document does not serve as official FDA Guidance nor does it represent the Agency's current thinking on this topic. For the purposes of a regulatory application seeking licensure/approval, additional data may be required by FDA. The work under this BAA for Medical In-Vitro Diagnostic Devices will be TRL 4 or greater.

TRL Level	TRL Description
1	Basic Research Generation of scientific knowledge of fundamental phenomena. Findings are peer reviewed and serve as foundation for new technologies. Decision Criteria: Literature reviews, market surveys, White Papers.
2	Basic Invention Intense focus on experimental designs for possible application of scientific approach to a specific problem. Decision Criteria: Hypothesis-based research and development efforts. Research plans and protocols are developed, peer-reviewed, and approved for funding. Design controls instituted.
3	Basic hypothesis-based research, data collection analysis to test hypothesis and explore alternatives. Initial test of design concepts. Critical components defined and tested independently (the term component is defined in 820.3(c)). Product design and development plan drafted. Decision Criteria: Initial proof of concept for device demonstrated in a limited number of laboratory experiments; may use surrogate or spiked samples.
4	Transition from Research to Development Non-GLP research to define parametric data required for assessment. Initial specifications for device, systems, and subsystems determined. Device evaluation at in-house laboratories. Procedures and methods to be used during non-clinical, pre-clinical, and clinical studies in evaluating devices and systems are identified. Potential safety problems identified through risk analysis. Ad hoc hardware in a laboratory. Basic software as applicable. Decision Criteria: Proof of concept demonstrated for devices with laboratory procedures defined. Feasibility data collected to identify a diagnostic target or signal that will be of value in diagnosis of biothreat agents
	AT THIS POINT (IF NOT SOONER), THE FDA SHOULD BE CONTACTED FOR PRE-INVESTIGATIONAL DEVICE EXEMPTION MEETINGS TO DISCUSS PRDUCT INTENDED USE, ANALYTICAL/CLIICAL STUDY DESIGNS AND REGULATORY STRATEGY RE: NEED FOR AN IDE, PRE-MARKET APPLICATION (PMA OR 510K), AND PRODUCT DEVELOPMENT PROTOCOLS (PDP)

5	Product Development/ Begin Design Controls Assessment of existing diagnostic modalities and how the new device relates to these other approaches. Intended use and indications for use defined. Tissue, organ, or body fluid spiked samples are evaluated. Suppliers and service providers qualified and type and extent of control defined. Purchasing assessment and receiving acceptance to ensure that products and services are acceptable for their intended use defined and balanced. Components integrated and tested as systems and subsystems. Decision Criteria: Devices tested through simulations. Pre-IDE submitted to and reviewed by FDA–CDRH to determine if analytical and clinical evaluations proposed are appropriate for intended use.
6	Pre-Clinical / In-House Testing Demonstrate analytical and functional characteristics of the device in a controlled laboratory setting, and initiate testing on appropriate clinical samples. Initiate validation master plan for critical processes and prepare final assembly of components. Manufacturing personnel participate in the design process up front to facilitate transfer of design to manufacturing. Candidate Diagnostic Device: Analytical performance assessed (including analytical sensitivity, in-house precision, and analytical specificity) by testing real or simulated samples of interest. IDE Ready: A full package, including the clinical evaluation protocol, is prepared for submission to the FDA (if a significant risk device study), for submission to an IRB (if a non-significant risk device study), or for submission to an IRB (if waived according to FDA exemptions from IDE requirements 812.2(c)(3)). Decision Criteria: Evidence supports proceeding to pre-clinical studies.
7	Investigational Phase Functional and pre-clinical testing begun with fully integrated device (systems and subsystems). Manufacturing process is validated and initial production units used for final design verification and validation activities. Continued interactions with FDA- CDRH. Decision Criteria: Pre-clinical and functional testing completed. Design verification completed for the final product. Initial commercial scale devices are produced; release criteria established. Preliminary data collected and presented and discussed with CDRH. IDE submitted and approved by FDA-CDRH as applicable (21 CFR Part 812).
8	End of System Development; Use in Actual Setting with Clinical Samples Clinical evaluations implemented for assessing diagnostic accuracy of device for its intended use. Risk/benefit for use of device is assessed. Data in support of product labeling for directions-for-use is established; any needed lot consistency/reproducibility studies completed. Design locked final review and approval prior to final transfer to manufacturing. Pre-Market Approval (PMA) and/or 510(k) application to FDA-CDRH submitted. Decision Criteria: Approval of the PMA or as applicable clearance of the 510(k) by FDA-CDRH.

9	Used in Clinical Settings with Clinical Samples, Post-Market Studies or Data Collection When appropriate, post-marketing surveillance data collection studies to monitor device performance under broader conditions for use. Decision Criteria: None - continued surveillance. Corrective and Preventive Action Program to monitor performance.

Attachment 1B: Technology Readiness Level for Medical Countermeasure Products (Drugs and Biologics)

Please note that all activities within a TRL level (or sublevel) must be completed to have achieved that TRL status. These TRL criteria can also be found at:
MedicalCountermeasures.GOV

Table 4: Technical Readiness Level and Description

Level	Description
TRL 1	**Review of Scientific Knowledge Base** Active monitoring of scientific knowledge base. Scientific findings are reviewed and assessed as a foundation for characterizing new technologies.
TRL 2	**Development of Hypotheses and Experimental Designs** Scientific "paper studies" to generate research ideas, hypotheses, and experimental designs for addressing the related scientific issues. Focus on practical applications based on basic principles observed. Use of computer simulation or other virtual platforms to test hypotheses.
TRL 3	**Target/Candidate Identification and Characterization of Preliminary Candidate(s)** Begin research, data collection, and analysis in order to test hypothesis. Explore alternative concepts, identify and evaluate critical technologies and components, and begin characterization of candidate(s). Preliminary efficacy demonstrated *in vivo*. **3A** Identify target and/or candidate. **3B** Demonstrate *in vitro* activity of candidate(s) to counteract the effects of the threat agent. **3C** Generate preliminary *in vivo* proof-of-concept efficacy data (non-GLP (Good Laboratory Practice)).

Level	Description
TRL 4	**Candidate Optimization and Non-GLP In Vivo Demonstration of Activity and Efficacy** Integration of critical technologies for candidate development. Initiation of animal model development. Non-GLP *in vivo* toxicity and efficacy demonstration in accordance with the product's intended use. Initiation of experiments to identify markers, correlates of protection, assays, and endpoints for further non-clinical and clinical studies. **Animal Models:** Initiate development of appropriate and relevant animal model(s) for the desired indications. **Assays**: Initiate development of appropriate and relevant assays and associated reagents for the desired indications. **Manufacturing:** Manufacture laboratory-scale (i.e. non-GMP (Good Manufacturing Practice)) quantities of bulk product and proposed formulated product. **4A** Demonstrate non-GLP *in vivo* activity and potential for efficacy consistent with the product's intended use (i.e. dose, schedule, duration, route of administration, and route of threat agent challenge). **4B** Conduct initial non-GLP toxicity studies and determine pharmacodynamics and pharmacokinetics and/or immune response in appropriate animal models (as applicable). **4C** Initiate experiments to determine assays, parameters, surrogate markers, correlates of protection, and endpoints to be used during non-clinical and clinical studies to further evaluate and characterize candidate(s).
TRL 5	**Advanced Characterization of Candidate and Initiation of GMP Process Development** Continue non-GLP *in vivo* studies, and animal model and assay development. Establish draft Target Product Profiles. Develop a scalable and reproducible manufacturing process amenable to GMP. **Animal Models:** Continue development of animal models for efficacy and dose-ranging studies. **Assays:** Initiate development of in-process assays and analytical methods for product characterization and release, including assessments of potency, purity, identity, strength, sterility, and quality as appropriate. **Manufacturing:** Initiate process development for small-scale manufacturing amenable to GMP. **Target Product Profile:** Draft preliminary Target Product Profile. Questions of shelf life, storage conditions, and packaging should be considered to ensure that anticipated use of the product is consistent with the intended use for which approval will be sought from FDA. **5A** Demonstrate acceptable Absorption, Distribution, Metabolism and Elimination characteristics and/or immune responses in non-GLP animal studies as necessary for IND filing. **5B** Continue establishing correlates of protection, endpoints, and/or surrogate markers for efficacy for use in future GLP studies in animal models. Identify minimally effective dose to facilitate determination of "humanized" dose once clinical data are obtained.

Level	Description
TRL 6	**GMP Pilot Lot Production, IND Submission, and Phase 1 Clinical Trial(s)** Manufacture GMP-compliant pilot lots. Prepare and submit Investigational New Drug (IND) package to FDA and conduct Phase 1 clinical trial(s) to determine the safety and pharmacokinetics of the clinical test article. **Animal Models:** Continue animal model development via toxicology, pharmacology, and immunogenicity studies. **Assays:** Qualify assays for manufacturing quality control and immunogenicity, if applicable. **Manufacturing:** Manufacture, release and conduct stability testing of GMP-compliant bulk and formulated product in support of the IND and clinical trial(s). **Target Product Profile:** Update Target Product Profile as appropriate. **6A** Conduct GLP non-clinical studies for toxicology, pharmacology, and immunogenicity as appropriate. **6B** Prepare and submit full IND package to FDA to support initial clinical trial(s). **6C** Complete Phase 1 clinical trial(s) that establish an initial safety, pharmacokinetics and immunogenicity assessment as appropriate.
TRL 7	**Scale-up, Initiation of GMP Process Validation, and Phase 2 Clinical Trial(s)**[34] Scale-up and initiate validation of GMP manufacturing process. Conduct animal efficacy studies as appropriate.[4] Conduct Phase 2 clinical trial(s).[3] **Animal Models:** Refine animal model development in preparation for pivotal GLP animal efficacy studies. **Assays:** Validate assays for manufacturing quality control and immunogenicity if applicable. **Manufacturing:** Scale-up and validate GMP manufacturing process at a scale compatible with USG requirements. Begin stability studies of the GMP product in a formulation, dosage form, and container consistent with Target Product Profile. Initiate manufacturing process validation and consistency lot production. **Target Product Profile:** Update Target Product Profile as appropriate. **7A** Conduct GLP animal efficacy studies as appropriate for the product at this stage.35

[34] Identification of later regulatory stages of clinical development in this document (e.g., Phase 2, Phase 3) may not apply to some products being developed under the "Animal Rule". Other than human safety studies, no additional clinical data may be feasible or ethical to obtain. For additional information on the "Animal Rule", please see: http://www.fda.gov/OHRMS/DOCKETS/98fr/053102a.htm

[35] These could include GLP animal efficacy studies required by FDA at this stage in support of an Emergency Use Authorization (EUA). The scientific evidence required for issuance of an EUA will be handled on a case-by-case basis and will depend on, among other things, the nature and extent of the threat at any point during the product development timeline, from the initiation of Phase 1 studies through licensure or approval. GLP animal efficacy study requirements may also vary by product type (e.g., vaccine, therapeutic, prophylactic) and U.S. government agency program office.

Level	Description
	7B Complete expanded clinical safety trials as appropriate for the product (e.g., Phase 2).[3]
TRL 8	**Completion of GMP Validation and Consistency Lot Manufacturing, Pivotal Animal Efficacy Studies or Clinical Trials3, and FDA Approval or Licensure** Finalize GMP manufacturing process. Complete pivotal animal efficacy studies or clinical trials (e.g., Phase 3), and/or expanded clinical safety trials as appropriate. Prepare and submit NDA/BLA. **Manufacturing:** Complete validation and manufacturing of consistency lots at a scale compatible with USG requirements. Complete stability studies in support of label expiry dating. **Target Product Profile:** Finalize Target Product Profile in preparation for FDA approval. **8A** Complete pivotal GLP animal efficacy studies or pivotal clinical trials (e.g., Phase 3), and any additional expanded clinical safety trials as appropriate for the product.[3] **8B** Prepare and submit New Drug Application (NDA) or Biologics Licensing Application (BLA) to the FDA. **8C** Obtain FDA approval or licensure.
TRL 9	**Post-Licensure and Post-Approval Activities** **9A** Commence post-licensure/post-approval and Phase 4 studies (post-marketing commitments), such as safety surveillance, studies to support use in special populations, and clinical trials to confirm safety and efficacy as feasible and appropriate.[36] **9B** Maintain manufacturing capability as appropriate.

[36] For products approved under the "Animal Rule", confirmatory efficacy data are required, if such studies are feasible and ethical, and may be obtained from use during an event.

Attachment 2: Target Product Profile Template

The success of a product development program requires a relentless focus on the desired characteristics of the resulting medical countermeasure product. During Stage 2, in addition to the Full Proposal, Offerors are requested to provide a Target Product Profile. The template immediately below is as a tool for Offerors to describe the objectives of their advanced research and development activities, and to update dynamically as supporting data about their product is obtained. All Offerors are encouraged to submit a Target Product Profile for the proposed medical countermeasure, with a particular focus on elements 1-4. For those products for which the Target Product Profile format is not applicable, appropriate equivalent information regarding the development objectives should be provided.

Target Product Profile Template

Target Product Profile: ***Drug Name***

(may be modified for use with devices)

Table 5: Target Product Profile: Drug Name

Milestone (meeting or submission)	Date	*TPP Submitted? Y/N	TPP Version Date	TPP Discussed? Y/N
Pre-IND				
IND Submission				
EOP1				
EOP2A				
EOP2/Pre-Phase 3				
Pre-NDA/BLA				
Other (specify)				
Pre-IDE				
IDE Submission				
510(k) or PMA				
Other (specify)				

1 Indications and Usage

Target	Annotations
A statement that the drug is indicated in the treatment, prevention, or diagnosis of a recognized disease or condition, OR *A statement that the drug is indicated for the treatment, prevention, or diagnosis of an important manifestation of a disease or condition, OR* *A statement that the drug is indicated for the relief of symptoms associated with a disease or syndrome, OR* *A statement that the drug is indicated for a particular indication only in conjunction with a primary mode of therapy*	*Summary information regarding completed or planned studies to support the target:* *Protocol #, Serial #, Submission date* *When listing studies, consider:* *The intent to develop evidence to support safety and efficacy in selected subgroups (i.e., limitations of use)* *Tests needed for selection or monitoring of patients (i.e., susceptibility tests)* *Whether safety considerations require the drug to be reserved for certain situations (i.e., in refractory patients)* *Whether the drug is to be used on a chronic basis* *What evidence will be developed to support comparator statements regarding safety or effectiveness*

Comments:

2 Dosage and Administration

Target	Annotations
For each indication, state the following: *Route of administration* *Recommended usual dose* *Dose range shown to be safe and effective* *Exposure (dose- or blood level-response relationship, if any)* *Dosage intervals or titration schedule* *Usual duration of treatment course when treatment is not chronic* *Dosage adjustments (e.g., in specific genotypes, pediatric patients, geriatric patients, or patients with renal or hepatic disease)* *Tests for guiding dosing (e.g., target plasma drug levels, therapeutic range, response biomarkers)*	*Summary information regarding completed or planned studies to support the safety and effectiveness of the proposed dosage and route of administration:* *Protocol #, Serial #, Submission date*

Comments:

3 Dosage Forms and Strengths

Target	Annotations
Include information on the available dosage forms, including strength or potency of dosage	*Summary information regarding completed or planned studies to support the dosage forms*

form in metric system and a description of identifying characteristics of dosage forms	*and strengths:* *Protocol #, Serial #, Submission date*

Comments:

4 Contraindications

Target	**Annotations**
List situations in which the drug might be contraindicated, including: *Increased risk of harm because of age, sex, concomitant therapy, disease state* *Adverse reactions which would limit use* *Known, not theoretical, hazards*	*Summary information regarding completed or planned studies to support the target:* *Protocol #, Serial #, Submission date* *Or, literature references describing contraindication for drug class.*
Comments:	

5 Warnings and Precautions

Target	**Annotations**
Include a description of clinically significant adverse reactions and potential safety hazards and limitations of use because of safety considerations, as reasonable evidence of these issues is established or suspected during the drug development program. A causal relationship need not be demonstrated. *Include information regarding any special care to be exercised for safe use, including precautions that are not required under any other section of the label.* *Identify any laboratory tests helpful in following the patient's response or in identifying possible adverse reactions.*	*Summary information regarding completed or planned studies to support the target:* *Protocol #, Serial #, Submission date* *Or, literature references describing significant adverse reactions shared by the drug class of the new drug.*
Comments:	

6 Adverse Reactions

Target	**Annotations**
Describe overall adverse reaction profile of the drug based on entire safety database. List adverse reactions that occur with the drug and with drugs in the same pharmacologically active and chemically related class, if applicable. Within a listing, adverse reactions should be categorized by body system, severity of the reaction, or in order of decreasing frequency, or by a combination of these, as appropriate. Within a category, adverse reactions should be listed in decreasing order of frequency.	*Summary information regarding completed or planned studies to support the target:* *Protocol #, Serial #, Submission date*

Include the studies in the development program that will address adverse reactions associated with a particular drug class.	

Comments:

7 Drug Interactions

Target	Annotations
Describe clinically significant interactions, either observed or predicted (i.e., other prescription drugs or over-the-counter drugs, class of drugs, or foods such as grapefruit juice or dietary supplements); practical advice on how to prevent drug-drug interactions; (description of results from studies conducted or observations from the integrated safety summary); drug-laboratory test interactions (known interference of drug with lab test outcome).	*Summary information regarding completed or planned studies to support the target: Protocol #, Serial #, Submission date*

Comments:

8 Use in Specific Populations

Target	Annotations
Consider the following: *Limitations, need for monitoring, specific hazards, differences in response, or other information pertinent to the population.*	*Summary information regarding completed or planned studies to support the target: Protocol #, Serial #, Submission date* *If there are no plans to study the drug in a specific population, include rationale.*

Comments:

8.1 Pregnancy *(This subsection can be omitted if the drug is not absorbed systemically)**:***
Teratogenic effects: Pregnancy Categories: A, B, C, D, X
Non-teratogenic effects: Other effects on reproduction, the fetus, or newborn.

8.2 Labor and Delivery: *Use during labor or delivery, effects on mother, fetus, duration of labor, delivery, and effects on later growth of newborn.*

8.3 Nursing Mothers: *If the drug is absorbed systemically, information about excretion of drug in human milk and effects on the nursing infant. Describe pertinent adverse events in animal offspring or tumorigenicity potential if it is detected or suspected.*

8.4 Pediatric Use: *Statements relevant to the use of the drug product in the pediatric population (birth to 16 years of age). Cite any limitations, need for monitoring, specific hazards, differences in response, or other information pertinent to the pediatric population.*

8.5 Geriatric Use: *Statements relevant to the use of the drug product in the geriatric population (age 65 and older). Cite any limitations, need for monitoring, specific hazards, differences in response, or other information pertinent to the referenced population.*

8.6 Additional Subsections: *Use of drug in other specified populations (e.g., those with renal or hepatic impairment).*

9 Drug Abuse and Dependence

Target	Annotations
Include the following subsections, as appropriate for the drug:	*Summary information regarding completed or planned studies to support the target: Protocol #, Serial #, Submission date*

Comments:

9.1 Controlled Substance: *Anticipated DEA schedule.*
9.2 Abuse: *Identify types of abuse and adverse reactions pertinent to them. Identify particularly susceptible patient populations.*
9.3 Dependence**:** *Discuss potential for dependence and describe the characteristic effects resulting from psychological or physical dependence.*

10 Overdosage

Target	Annotations
Provide specific information about: *Signs, symptoms, and lab findings associated with an overdosage of the drug* *Complications that can occur with overdose of the drug (e.g., organ toxicity)* *Concentrations of the drug in biofluids associated with toxicity or death* *The amount of the drug in a single overdose that is ordinarily associated with symptoms, and the amount of the drug in a single overdose that is likely to be life-threatening* *Whether the drug is dialyzable* *Recommended general treatment procedures*	*Summary information regarding completed or planned studies to support the target: Protocol #, Serial #, Submission date* *Update with human data, if available.*

Comments:

11 Description

Target	Annotations
Include the proprietary name and established name, dosage form and route of administration, qualitative and quantitative ingredients, pharmacologic or therapeutic class, and any other important physical and chemical characteristics.	*Summary information regarding completed or planned studies to support the target: Protocol #, Serial #, Submission date*

Comments:

12 Clinical Pharmacology

Target	Annotations
Include a concise factual summary of the clinical pharmacology and actions of the drug in humans. Data that describe the drug's pharmacologic activity can be included in this section, including biochemical or physiological mechanism of action, pharmacokinetic information, degree of absorption, pathway for biotransformation, percent dose unchanged, metabolites, rate of half-lives including elimination concentration in body fluids at therapeutic and toxic levels, degree of binding to plasma, degree of uptake by a particular organ or fetus, and passage across the blood-brain barrier. Include the following subsections:	*Summary information regarding completed or planned studies to support the target: Protocol #, Serial #, Submission date* *If applicable, a subsection (e.g., 12.4 Microbiology) can be created under this section heading and all of the microbiology information for antimicrobial products consolidated into that subsection.*
Comments:	

12.1 Mechanism of Action: *Summarize **established** mechanisms of action in humans at various levels (e.g., receptor membrane, tissue, organ, whole body). Do not include theorized mechanisms of action.*

12.2 Pharmacodynamics: *Include a description of any biochemical or physiologic pharmacologic effects of the drug or active metabolites related to the drug's clinical effect or those related to adverse effects or toxicity. Include data on exposure-response relationship and time course of pharmacodynamic response.*

12.3 Pharmacokinetics: *Describe clinically significant pharmacokinetics of a drug or active metabolites (i.e., pertinent absorption, distribution, metabolism, and excretion parameters). Include results of pharmacokinetic studies that establish the absence of an effect, including pertinent human studies and in vitro data.*

13 Nonclinical Toxicology

Target	Annotations
Include the following subsections, as appropriate:	*Summary information regarding completed or planned studies to support the target: Protocol #, Serial #, Submission date*
Comments:	

13.1 Carcinogenesis, Mutagenesis, Impairment of Fertility:

Results of long-term carcinogenicity studies — species identified
Mutagenesis results
Reproduction study results

13.2 Animal Toxicology and/or Pharmacology: *Ordinarily, significant animal data necessary for safe and effective use of the drug in humans should be included in other sections of the labeling, as appropriate. If the pertinent animal data cannot be appropriately incorporated into*

other sections of the labeling, this subsection can be used.

14 Clinical Studies

Target	Annotations
Provide a description of studies that support statements about the efficacy or safety benefits. Consider including a description of supporting tables and graphs.	*Summary information about completed or planned studies regarding the intent to develop evidence to support benefits of treatment (i.e., safety or efficacy benefits of primary or secondary endpoints in the selected population):* *Protocol #, Serial #, Submission date* *Measurement instruments (e.g., patient-reported outcomes instrument) and references to supporting development and validation documentation* *Also consider including where the studies will be (or have been) run (i.e., geographical area).*
Comments:	

15 References — *Can include when labeling must summarize or otherwise rely on recommendation by authoritative scientific body, or a standardized methodology, scale, or technique, because information is necessary for safe and effective use.*

16 How Supplied/Storage and Handling

Target	Annotations
Include information about the available dosage forms to which the labeling will apply and for which the manufacturer or distributor will be responsible. For example: *Strength of the dosage form* *Units in which the dosage form ordinarily is available* *Information to facilitate identification of dosage forms* *Special handling and storage conditions*	*Summary information regarding completed or planned studies to support the target:* *Protocol #, Serial #, Submission date*
Comments:	

17 Patient Counseling Information

Target	Annotations
Include information for prescribers to convey to patients to use the drug safely and effectively. For example: *Precautions concerning driving* *Concomitant use of other substances that may have harmful additive effects* *Proper use and disposal of syringes and needles* *Adverse reactions reasonably associated with use of the drug* *Lab tests and monitoring required* *Indicate whether a Patient Package Insert or MedGuide are planned.*	*Summary information regarding completed or planned studies to support the target: Protocol #, Serial #, Submission date*
Comments:	

1. This guidance has been prepared by the Office of New Drugs in the Center for Drug Evaluation and Research (CDER) at the Food and Drug Administration.
2. For the purposes of this guidance, all references to *drug* include both human drugs and therapeutic biological products unless otherwise noted. All references to another product including *in vitro diagnostic* and other devices.
3. We update guidance periodically. To make sure you have the most recent version of a guidance, check the following web pages at:
   - http://www.fda.gov/AboutFDA/CentersOffices/OfficeofMedicalProductsandTobacco/CDER/default.htm
   - http://www.fda.gov/MedicalDevices/DeviceRegulationandGuidance/default.htm.
   - http://www.fda.gov/MedicalDevices/default.htm
4. See the guidance for industry *Fast Track Drug Development Programs — Designation, Development, and Application Review*
5. A clean copy of the Target Product Profile Template can be found at http://www.fda.gov/downloads/Drugs/GuidanceComplianceRegulatoryInformation/Guidances/ucm080593.pdf
6. Critical Path Initiative: http://www.fda.gov/ScienceResearch/SpecialTopics/CriticalPathInitiative/default.htm

Attachment 3: Regulatory Guidance for Devices

Overview of Device Regulation[37]

Introduction

FDA's Center for Devices and Radiological Health (CDRH) is responsible for regulating firms who manufacture, repackage, relabel, and/or import medical devices sold in the United States. In addition, CDRH regulates radiation-emitting electronic products (medical and non-medical) such as lasers, x-ray systems, ultrasound equipment, microwave ovens and color televisions.

- Radiation-emitting Electronic Products

Medical devices are classified into Class I, II, and III. Regulatory control increases from Class I to Class III. The device classification regulation defines the regulatory requirements for a general device type. Most Class I devices are exempt from Premarket Notification 510(k); most Class II devices require Premarket Notification 510(k); and most Class III devices require Premarket Approval. A description of device classification and a link to the Product Classification Database is available at "Classification of Medical Devices."

The basic regulatory requirements that manufacturers of medical devices distributed in the U.S. must comply with are:

- Establishment registration,
- Medical Device Listing,
- Premarket Notification 510(k), unless exempt, or Premarket Approval (PMA),
- Investigational Device Exemption (IDE) for clinical studies
- Quality System (QS) regulation,
- Labeling requirements, and
- Medical Device Reporting (MDR)

Establishment Registration - 21 CFR Part 807

Manufacturers (both domestic and foreign) and initial distributors (importers) of medical devices must register their establishments with the FDA. All establishment registrations must be submitted electronically unless a waiver has been granted by FDA. All registration information must be verified annually between October 1st and December 31st of each year. In addition to registration, foreign manufacturers must also designate a U.S. Agent. Beginning October 1, 2007, most establishments are required to pay an establishment registration fee.

- Establishment Registration

[37] http://www.fda.gov/MedicalDevices/DeviceRegulationandGuidance/Overview/default.htm

- U.S. Agents

Medical Device Listing – 21 CFR Part 807

Manufacturers must list their devices with the FDA. Establishments required to list their devices include:

- manufacturers,
- contract manufacturers that commecially distribute the device,
- contract sterilizers that commercially distribute the device,
- repackagers and relabelers,
- specification developers,
- reprocessors single-use devices,
- remanufacturer
- manufacturers of accessories and components sold directly to the end user
- U.S. manufacturers of "export only" devices
- Medical Device Listing

Premarket Notification 510(k) - 21 CFR Part 807 Subpart E

If your device requires the submission of a Premarket Notification 510(k), you cannot commercially distribute the device until you receive a letter of substantial equivalence from FDA authorizing you to do so. A 510(k) must demonstrate that the device is substantially equivalent to one legally in commercial distribution in the United States: (1) before May 28, 1976; or (2) to a device that has been determined by FDA to be substantially equivalent.

- Premarket Notification 510(k)

On October 26, 2002 the Medical Device User Fee and Modernization Act of 2002 became law. It authorizes FDA to charge a fee for medical device Premarket Notifcation 510(k) reviews. A small business may pay a reduced fee. The application fee applies to Traditional, Abbreviated, and Special 510(k)s. The payment of a premarket review fee is not related in any way to FDA's final decision on a submission.

- 510(k) Review Fees

Most Class I devices and some Class II devices are exempt from the Premarket Notification 510(k) submission. A list of exempt devices is located at:

- 510(k) Exempt Devices

If you plan to send a 510(k) application to FDA for a Class I or Class II device, you may find 510(k) review by an Accredited Persons beneficial. FDA accredited 12 organizations

to conduct a primary review of 670 types of devices. By law, FDA must issue a final determination within 30 days after receiving a recommendation from an Accredited Person. Please note that 510(k) review by an Accredited Person is exempt from any FDA fee; however, the third-party may charge a fee for its review.

- Third Party Review

Premarket Approval (PMA) of Medical Devices - 21 CFR Part 814

Product requiring PMAs are Class III devices are high risk devices that pose a significant risk of illness or injury, or devices found not substantially equivalent to Class I and II predicate through the 510(k) process. The PMA process is more involved and includes the submission of clinical data to support claims made for the device.

- Premarket Approval

Beginning fiscal year 2003 (October 1, 2002 through September 30, 2003), medical device user fees apply to original PMAs and certain types of PMA supplements. Small businesses are eligible for reduced or waived fees.

- PMA Review Fees

Investigational Device Exemption (IDE) – 21 CFR Part 812

An investigational device exemption (IDE) allows the investigational device to be used in a clinical study in order to collect safety and effectiveness data required to support a Premarket Approval (PMA) application or a Premarket Notification 510(k) submission to FDA. Clinical studies with devices of significant risk must be approved by FDA and by an Institutional Review Board (IRB) before the study can begin. Studies with devices of nonsignificant risk must be approved by the IRB only before the study can begin.

Investigational Device Exemption

Quality System Regulation (QS)/Good Manufacturing Practices (GMP) - 21 CFR Part 820

The quality system regulation includes requirements related to the methods used in and the facilities and controls used for: designing, purchasing, manufacturing, packaging, labeling, storing, installing and servicing of medical devices. Manufacturing facilities undergo FDA inspections to assure compliance with the QS requirements.

- Quality System

Labeling - 21 CFR Part 801

Labeling includes labels on the device as well as descriptive and informational literature that accompanies the device.

- Labeling

Medical Device Reporting - 21 CFR Part 803

Incidents in which a device may have caused or contributed to a death or serious injury must to be reported to FDA under the Medical Device Reporting program. In addition, certain malfunctions must also be reported. The MDR regulation is a mechanism for FDA and manufacturers to identify and monitor significant adverse events involving medical devices. The goals of the regulation are to detect and correct problems in a timely manner.

- Medical Device Reporting

Attachment 4: Summary of Related Activities

The following specific information must be provided by the Offeror pertaining to the Project Director, Principal Investigator, and each of any other proposed key professional individuals designated for performance under any resulting contract.

During negotiations, the Offeror has a continuing obligation to update the Government regarding changes to the information provided below.

a. Identify the total amount of all presently active federal contracts/cooperative agreements/grants and commercial agreements citing the committed levels of effort for those projects for each of the key individuals***** in this proposal.

Professional's Name and Title/Position:

Identifying Number	Agency	Total Effort Committed
1.		
2.		
3.		
4.		

*****If an individual has no obligation(s), so state.

b. Provide the total number of outstanding proposals, exclusive of the instant proposal, having been submitted by your organization, not presently accepted but in an anticipatory stage, which will commit levels of effort by the proposed professional individuals*****.

Professional's Name and Title/Position:

Identifying Number	Agency	Total Effort Committed
1.		
2.		
3.		
4.		

*****If no commitment of effort is intended, so state.

c. Provide a statement of the level of effort to be dedicated to any resultant contract awarded to your organization for those individuals designated and cited in this proposal.

Name	Title/Position	Total Proposed Effort
1.		
2.		

Attachment 5: Quad Chart Format Template

A quad chart must contain the following information and be positioned in a landscape view. Any quad chart submitted that exceeds the one-page limit will not be read or evaluated. Please note that the Title of the Project should be different than that of the Area of Interest.

TITLE OF PROJECT, BAA#, DEVELOPMENT AREA OF INTEREST, TECHNICAL/ADMINISTRATIVE POINT OF CONTACT (NAME, EMAIL, PHONE), COMPANY NAME & ADDRESS

Objective: Clear, concise (2-3 sentences) description of the objectives and methodologies of the effort. Description of effort: A bullet list (2-3) of the primary scientific challenges being addressed	Picture or Graphic that Illustrates the research or concept (e.g. data figures, molecule illustrations or processes)
Benefits of Proposed Technology: Challenges: Maturity of Technology:	Bullet list of the major goals/milestones by Project Year Proposed Funding Base year cost plus each option year (no more than 7 years total)

Attachment 6: Government Notice for Handling & Submitting Proposals

NOTE: This Notice is for the Technical Evaluation Review Panel who will be reviewing the proposals submitted in response to this BAA. THE OFFEROR SHALL PLACE A COPY OF THIS NOTICE BEHIND THE TITLE PAGE OF EACH COPY OF THE TECHNICAL PROPOSAL.

This proposal shall be used and disclosed for evaluation purposes only, and a copy of this Government notice shall be applied to any reproduction or abstract thereof. Any authorized restrictive notices which the submitter places on this proposal shall be strictly complied with. Disclosure of this proposal outside the Government for evaluation purposes shall be made only to the extent authorized by, and in accordance with, the procedures in HHSAR 352.215-1 (Instructions to offerors—competitive acquisition).

(a) If authorized in agency implementing regulations, agencies may release proposals outside the Government for evaluation, consistent with the following:

(1) Decisions to release proposals outside the Government for evaluation purposes shall be made by the agency head or designee;

(2) Written agreement must be obtained from the evaluator that the information (data) contained in the proposal will be used only for evaluation purposes and will not be further disclosed;

(3) Any authorized restrictive legends placed on the proposal by the prospective Contractor or subcontractor or by the Government shall be applied to any reproduction or abstracted information made by the evaluator;

(4) Upon completing the evaluation, all copies of the proposal, as well as any abstracts thereof, shall be returned to the Government office which initially furnished them for evaluation; and

(5) All determinations to release the proposal outside the Government take into consideration requirements for avoiding organizational conflicts of interest and the competitive relationship, if any, between the prospective Contractor or subcontractor and the prospective outside evaluator.

(b) The submitter of any proposal shall be provided notice adequate to afford an opportunity to take appropriate action before release of any information (data) contained therein pursuant to a request under the Freedom of Information Act (5 U.S.C. 552); and, time permitting, the submitter should be consulted to obtain assistance in determining the eligibility of the information (data) in question as an exemption under the Act. (See also Subpart 24.2, Freedom of Information Act.)

Attachment 7: Breakdown of Proposed Estimated Cost (Plus Fee) and Labor Hours (For Cost Proposal)

Refer to the ASPR Business Toolkit[38] for additional supplemental guidance and templates.

INSTRUCTIONS FOR USE OF THE FORMAT

1. This format has been prepared as a guideline. It may require amending to meet the specific requirements of this BAA. If the proposal is structured using options, identify each period independently. Each period should then be broken out into sub-elements.

2. This format shall be used to submit the breakdown of all proposed estimated cost elements. List each cost element and sub-element for direct costs, indirect costs and fee, if applicable. In addition, provide detailed calculations for all items. For example:

    a. For all personnel, list the skill / labor category, rate per hour and number of hours proposed. If a pool of personnel is proposed, list the composition of the pool and how the cost proposed was calculated. List the factor used for prorating base period and the escalation rate applied between periods.
    Offeror's proposal should be stated in the same terms as will be used to account for and record the effort under a contract. If percentages of effort are used, the basis to which such percentages are applied must also be submitted by the Offeror. The attached format should be revised to accommodate direct labor proposed as a percentage of effort.

    b. For all materials, supplies, and other direct costs, list all unit prices, etc., to detail how the calculations were made.

    c. For all indirect costs, list the rates applied and the base the rate is applied to.

    d. For all travel, list the specifics for each trip.

    e. For any subcontract proposed, submit a separate breakdown format.

    f. Justification for the need of some cost elements may be listed as an attachment, i.e., special equipment, above average consultant fees, etc.

3. If the Government has provided "uniform pricing assumptions" for this BAA, the Offeror must comply with and identify each item.

4. It is requested that you use the spreadsheet that is provided below to prepare your cost proposal. For security purposes, please include a hard copy of the completed spreadsheet and submit the electronic file on a diskette with your proposal.

[38] http://www.phe.gov/about/amcg/contracts/Pages/toolkit.aspx

BREAKDOWN OF PROPOSED ESTIMATED COST (PLUS FEE) AND LABOR HOURS

Table 6: Breakdown of Proposed Estimated Cost (Plus Fee) and Labor Hours

COST ELEMENT	Period 1	Period 2	Period 3	Period 4	Period 5	
Labor Category	(Rate / Hours)	(Rate / Hours)	(Rate / Hours)	(Rate / Hours)	(Rate / Hours)	Total
DIRECT LABOR COST:	$	$	$	$	$	$
MATERIAL COST:	$	$	$	$	$	$
TRAVEL COST:	$	$	$	$	$	$
OTHER (Specify)	$	$	$	$	$	$
OTHER (Specify)	$	$	$	$	$	$
TOTAL DIRECT COST:	$	$	$	$	$	$
FRINGE BENEFIT COST: (if applicable) % of Direct Labor Cost	$	$	$	$	$	$
INDIRECT COST: % of Total Direct Cost	$	$	$	$	$	$
TOTAL COST:	$	$	$	$	$	$
FIXED FEE: (if applicable) % of Total Est. Cost	$	$	$	$	$	$
GRAND TOTAL ESTIMATED CPFF)	$	$	$	$	$	$

Attachment 8: Total Life Cycle Costs (TLCC) Definition

BARDA provides the following Total Life Cycle Costs (TLCC) definition for Offerors to consider when proposing strategies that will reduce the long term TLCC of your proposed countermeasure. BARDA is responsible for supporting advanced development of medical countermeasures (MCM) to address CBRN threats for the civilian population. To ensure long term sustainability and a robust United States preparedness and response capability, BARDA must invest in products and technologies that minimize TLCC across the PHEMCE (TRL-1 through TRL-9) and ensure long term access to the medical countermeasure. We are focused not only on the USG's TLCC but also of the TLCC of our partners, the Sponsors of the product.

BARDA seeks to identify products with 1) a sustainable commercial value in addition to biodefense applicability, which will ensure long term access to the medical countermeasure via a commercial market. 2) Products that have been optimized or will be optimized to reduce the TLCC for the proposed countermeasure throughout the products life cycle.

The following TLCC definition and below explanation of "key terms" are general guidelines for you to consider when working with BARDA.

Total Life Cycle Costs (TLCC) Definition

"The total cost to the United States Government and Sponsor of a product over its full life necessary to achieve and maintain readiness for the desired end state of the product. It may include the costs of discovery, development, acquisition, infrastructure, operations, support, and disposal."

Key Terms relevant to MCM:

- **Product**: Any MCM, technology or service being developed and/or established as a capability to support a requirement or public health emergency response capability

- **End state**: Fulfillment of a product's current requirement, concepts of operations (CONOPS) and/or Leadership's strategic goals

- **Discovery**: This includes all USG and Sponsor's costs associated with identifying candidate products and determining proof-of-concept of a product under Technology Readiness Level (TRL)1 through TRL3

- **Development**: This includes all USG and Sponsor's costs associated with Research and Development of a product from TRL4 through TRL9 [including post-licensure/approval activities]

- **Acquisition**: This includes the costs of acquiring and maintaining [e.g. re-procuring] the capability necessary to maintain readiness levels until Approval/Licensure and/or 10 years post Approval/Licensure

- **Infrastructure**: This includes the costs necessary to establish and support infrastructure [e.g. development, manufacturing, permitting, distribution and

monitoring] as required for the product

- **Operations and Support**: This includes all costs from the point the product is established as a capability [e.g. stockpile, commercial market, vendor managed inventory, ancillary supplies, etc.] through deployment of product [e.g. leaves USG possession] necessary to maintain readiness levels until Approval/Licensure and/or 10 years post Approval/Licensure. This includes operating and supporting [e.g. storage, shipment, liability relief, training, exercising, etc.] the established product until the product is removed from operational consideration