

Unsolicited Proposal Guide



The purpose of this guide is to assist vendors with the preparation and submission of an unsolicited proposal (as defined by the **Revolutionary FAR Overhaul (RFO) 2.101 Definitions**) to the Internal Revenue Service (IRS). The guide will discuss what is and what is not an unsolicited proposal, provide information on proposal content, provide IRS specific submission requirements, explain the evaluation process at the IRS, and the next steps in the event of a favorable evaluation. The guide is prepared in accordance with RFO subpart 15.5 – Unsolicited Proposals.

Introduction

Unsolicited proposals are meant to encourage non-government sources to submit unique and innovative ideas or approaches to the government for consideration. Although unsolicited proposals are normally used in a research and development (R&D) environment, they may be submitted for any IRS mission objective. RFO 2.101 states:

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

Proposal Considerations

Unsolicited proposals are developed on the initiative of the submitter, the government is not responsible for any costs incurred in the preparation or processing of an unsolicited proposal. Also, you must be careful with any contact you have with IRS personnel. **DO NOT** furnish your unsolicited proposal to any other office in the IRS to avoid jeopardizing its eligibility as an unsolicited proposal, and to prevent unintended or unwarranted disclosure of its contents. As discussed in the What Constitutes an Unsolicited Proposal section, one of the **RFO 15.503-1(b)** criteria for an unsolicited proposal is it must be prepared without government supervision, endorsement, direction, or direct government involvement. Any preliminary contact should only be inquiries as to the general need for the type of effort contemplated. Agency technical personnel may only be contacted for the limited purpose of obtaining an understanding of the agency mission and the responsibilities relative to fulfilling that mission. Any such meetings between you and agency technical personnel are strictly informal discussions. It is always desirable to have a contracting officer present during any discussions. You may contact the unsolicited proposal monitor (UPM) or the IRS Small Business Program Office to request contracting officer participation. You may not construe these discussions in any way as authority to begin contractual work performance.

All unsolicited proposals shall be submitted well in advance of the anticipated start date. This is to allow the agency time to accommodate the acceptance of an unsolicited proposal, such as reallocating time and resources for proposal-related efforts not anticipated in previously-approved operating and budget plans. Due to funding considerations, action on proposals submitted near the beginning or end of the federal government's fiscal year may also be affected by the outcome of deliberations on annual federal budget appropriations.

It is recommended that you consider submitting an abridged proposal initially. The proposal should be complete enough to present your idea, establish its technical feasibility and demonstrate that it meets the criteria to be considered an unsolicited proposal. It should also include a summary cost estimate. If the proposal meets the requirements in Appendix A – Unsolicited Proposal Checklist, an initial evaluation will be completed and a response will be provided. Be sure to include the legend at **RFO 15.503-3** to protect any proprietary information in your submission.

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



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

What Constitutes an Unsolicited Proposal?

The first step in your decision to submit an unsolicited proposal is to determine whether or not your proposal meets the **RFO 2.101** definition of an unsolicited proposal. Although all RFO 15.5 submissions are unsolicited, not all proposals submitted to the IRS, which have not been requested or solicited by the IRS, constitute a RFO 15.5 unsolicited proposal. RFO 15.5 unsolicited proposals represent a very distinct subset.

RFO 15.503-1(b) provides a valid unsolicited proposal must -

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

IRS receives numerous proposals submitted as RFO 15.5 unsolicited proposals, but most are rejected during the initial evaluation by the UPM because they did not meet the criteria listed at **RFO 15.503-1** for consideration as an unsolicited proposal or were considered as advertising material, a commercial product or commercial service offer, or a contribution as defined in **RFO 15.501**. Examples of rejected submissions include:

- 1. An innovative approach that included IRS resources in support of a contractor product that would benefit taxpayers, but had no benefit to the IRS.**
- 2. A concept to increase efficiency was rejected because an unsolicited proposal must propose performing an effort or service beyond the concept phase.**
- 3. A proposal developed in collaboration with an IRS business unit was rejected because business units are required to submit all requests for proposed services to the Office of the Chief Procurement Officer.**
- 4. Proposals containing elements requiring statutory changes are not considered unsolicited proposals but legislative proposals.**
- 5. A superior product that does not, in and of itself, constitute a unique and innovative idea. For example, having a superior set of algorithms or filters may not be unique and innovative.**
- 6. Proposals for a known agency requirement - For example, the IRS has received multiple unsolicited proposals for cyber security and identity theft prevention. These proposals will continue to be rejected by the IRS since they are existing requirements.**

7. Submissions of products or services that are offered by numerous vendors are often not innovative and unique.

If you determine that your proposal either does not meet the requirements for an innovative and unique approach, technique, or concept; closely resembles a pending competitive acquisition requirement; or that similar products or services are available to the government without restriction from another source; you may wish to consider submitting your proposal in response to a written solicitation issued by the government. You may do this by submitting a proposal as a prime contractor or subcontractor for an opportunity in the Contract Opportunities section of the System for Award Management (SAM) site <https://sam.gov>. The Department of the Treasury and its bureaus use SAM to find small business sources. For more information on future procurement opportunities, view the forecast of procurement opportunities on the Treasury [Small and Disadvantaged Business Utilization](#) site. Small business specialists are also available to offer advice and assistance, particularly to qualifying small businesses, regarding Treasury and IRS procurement opportunities.

Proposal Submission

After you have reviewed your proposal and determined it meets the criteria of an unsolicited proposal, you may submit it via email to: Procurement.Unsolicited.Proposals@irs.gov.

Due to the significant amount of advertising material submitted to the agency, IRS does not intend to respond to a submission that does not include all the required content per [RFO 15.503-2](#) or meet [RFO 15.504-1\(a\)](#) requirements. Appendix A – Unsolicited Proposal Checklist is a tool to help ensure each submission meets the necessary requirements.

Review Process

The first step in the evaluation process is a review by the UPM to ensure that your proposal meets the [RFO 15.504-1\(a\)](#) requirements.

Remember that although your proposal may be reviewed by a professional with extensive knowledge of the operational aspect of your proposal, it will initially be reviewed by the UPM in Procurement Operations Support. That individual will most likely have limited operational expertise, so your proposal should explain your unique and innovative idea with that audience in mind. If there is a particular office within the IRS that you believe would benefit most from your proposal, please include that information in your proposal (see Appendix A).

If your proposal has been determined to meet the [RFO 15.504](#) requirements, it will be forwarded by the UPM for technical review.

Favorable Evaluation

If the comprehensive evaluation is favorable, the UPM may confirm and identify a contracting officer to begin the acquisition process, as long as the proposal is not excluded in accordance with [RFO 15.506](#).

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

If an unsolicited proposal does not meet statutory criteria for award of a sole-source, or other noncompetitive contract, then a contract cannot be awarded in direct response to that proposal. In that case, a contract may only be awarded if the proposal is subsequently selected after full and open competition is obtained. Criteria for authorizing the government to use noncompetitive contracts are found in the Competition in Contracting Act (Public Law 98-369) and in RFO part 6.

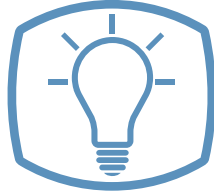
Submission After an IRS Determination

IRS does not intend to respond to proposals submitted multiple times, or follow-up inquiries, unless the subsequent submission includes a unique and innovative approach that significantly differs from the initial submission.

For example, a training course that uses the same approach, but changes the proposal title from “Human Resources Wellness Training” to “COVID-19 Wellness Training,” without any changes in the services offered, will not rise to the level for reevaluation.

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

Good luck with your submission.



APPENDIX A – Unsolicited Proposal Checklist

1. Title
2. Offeror's name and address
3. Brief description of the organization (including type of organization), previous experience, and relevant past performance
4. Name of authorized offeror representative, phone number, and email address
5. IRS business unit relevant for the proposal (e.g., Criminal Investigation, Chief Information Officer, etc. See the **IRS Organization site** for assistance.)
6. Description of product(s) or service(s) in sufficient detail to determine if it is innovative and unique, and further include:
 - a. Identification of any proprietary data, organizational conflicts of interest, security clearances, or environmental impacts (if applicable)
 - b. Reasonably complete discussion stating objectives of the effort
 - c. Method of approach and extent of effort to be employed
 - d. Nature and extent of the anticipated results
 - e. Manner in which the work will help to support accomplishment of the bureau's mission and business unit's purpose
 - f. Brief description of facilities that may be used
 - g. Type of support needed from the bureau (e.g., government property or personnel resources)
7. Key personnel information and alternates
8. Type of contract preferred (e.g., fixed price, time and materials)
9. Proposed price or total estimated cost for the effort in sufficient detail to allow meaningful evaluation
10. Period of performance (including base period and options)
11. Place of performance
12. Names of other federal, state, or local government entities or parties receiving the proposal, and/or funding the proposed effort. Also include whether any of those entities obtained the product(s) or service(s) through the unsolicited proposal process
13. Proposal validity period (6-month minimum suggested)
14. Name/signature of the authorized offeror representative and date