



Prepared by the NASA Small Business Innovation Research (SBIR)/Small Business Technology Transfer (STTR) Program

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# Dissecting the 2023 Phase I Solicitations

## Key Questions

**This document contains answers to additional key questions about the [2023 NASA SBIR and STTR Phase I solicitations](#) asked (but not answered) during the Dissecting the 2023 Phase I Solicitations webinar held on January 17<sup>th</sup>, 2023.** If you are looking for questions on a specific topic, we encourage you to word search this document to ensure you read all pertinent answers. If you are looking for answers to questions addressed during the webinar, please refer to the presentation and recording available on our [website](#). The webinar and any associated materials are intended to help you navigate, read, understand, and respond to the solicitations; they are not official procurement guidance/instructions.

**It is your responsibility to read and understand the solicitations in their entirety, and to develop and submit your proposal in accordance with the requirements and instructions contained therein.**

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### **Q: Can you provide a response to the number of awards and funding available for this current NASA SBIR opening?**

A: There is no commitment by NASA to fund any proposal or to make a specific number of awards, and NASA may elect to make several or no awards in any specific research subtopic. Number of awards will be based on the level of appropriated funding provided to the program in FY 2023.

NASA does not estimate an exact number of anticipated Phase I contract awards; however, the table below reflects the historical information for the program.

Year	# of SBIR Phase I Proposals Reviewed	# of SBIR Phase I Awards	% of SBIR Phase I Awards v. Proposals Reviewed
2022	1576	280	17.7%
2021	1503	305	20.2%
2020	1603	352	21.9%
2019	1420	314	22.1%

### **Q: Is NASA able to provide manufacturing/testing/validation facilities? Can I reference the use of such facilities, i.e., wind-tunnel, anechoic chamber, vibration testing in my proposal?**

A: If you are interested in utilizing NASA facilities, you should refer to the following sections in the solicitations for details on requirements and considerations:

- 3.5.3.4 Proposal Budget Form – Proposal Budget Requirements for Use of Government Resources
- 3.5.3.5 Technical Proposal – Part 8: Facilities/Equipment
- 5.13 Use of Government Resources



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**Q: Does working with any NASA center for the proposal increase the scoring of the SBIR proposal?**

A: No, it does not.

**Q: What are some considerations regarding related applications to other agencies? If there is more than one selection, would the SBC (small business concern) just need to elect one?**

A: Yes. If a firm submits the same (or essentially the same) proposal to more than one agency and gets selected by more than one agency, the firm would only be allowed to accept one of the awards. Firms cannot accept duplicate funding for essentially the same work. There are required certifications that will ask you to confirm that you are not already being funded for the work.

**Q: If there is a topic and scope description within the solicitation that matches a topic and scope description from a prior solicitation, what are our options to confirm with NASA that the topic is still of interest and has funding available—rather than being an outdated topic that simply wasn't removed?**

A: Our subtopics are updated annually. Decisions are made as to whether to continue a subtopic (including individual scopes within the subtopic), rotate a subtopic or scope out, include new subtopics or scopes, or otherwise update language in an ongoing subtopic to reflect the most current priorities.

**Q: Our invention was developed under the leadership of our lead company but is partnering with two other specialist companies to perfect the disclosure. Our research is consolidated under these three small companies but is led and owned by the lead company. Is that a problem regarding the % of the lead company's effort requirement?**

A: In performance of an SBIR award, the Prime (lead) contractor must perform a minimum of 2/3 (67%) of the work at Phase I and a minimum of 50% of the work at Phase II. In performance of an STTR award, the prime (lead) contractor must perform a minimum of 40% of the work and up to 70% of the work for both Phase I and II.

**Q: If the small business employs workers who are “contractors” (not salaried), do they count as “subcontractors”?**

A: If the worker receives a 1099, then they should be listed as a subcontractor.

**Q: Can you please detail the type of documents acceptable for the capital commitments section? As a small business, we enter into unique agreements with potential customers, some of which have cash value associated with them, and some of those may be contingent on passing milestones. However, we believe these documents signal commercial viability and real future revenue.**

A: We understand that a great many of the technologies we invest in may be too early in development for many potential customers to be willing to commit funding without requiring some expectation of meeting certain milestones/requirements. It sounds like those types of agreements would be beneficial to include.



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**Q: Is cost sharing allowed?**

A: Yes, cost sharing is allowed.

*Excerpt from Chapter 5 of the [2023 NASA SBIR Phase I Solicitation](#) and the [2023 NASA STTR Phase I Solicitation](#):*

**5.6 Cost Sharing**

Cost sharing is permitted for completed proposal packages under this program solicitation; however, cost sharing is not required. Cost sharing will not be an evaluation factor in consideration of your completed proposal package and will not be used in the determination of the percentage of Phase I work to be performed on the contract.

*End Excerpt*

**Q: Will NASA have a cybersecurity requirement that vendors will have to follow in accordance with NIST Standard 800-171 or DoD requirements for CMMC 2.0?**

A: Currently, an IT Security Management Plan is required at the beginning of the contract. Contractors interested in doing business with NASA and/or providing IT services or solutions to NASA should use the list found at the website of the Office of the Chief Information Officer (OCIO) as a reference for information security requirements: <https://www.nasa.gov/content/security-requirements-policies>.

An example of an IT Security Management Plan can be found in the NASA SBIR/STTR Firm Library: [http://sbir.gsfc.nasa.gov/sbir/firm\\_library/index.html](http://sbir.gsfc.nasa.gov/sbir/firm_library/index.html).

For more information, see NASA FAR Supplement clause 1852.204-76 Security requirements for unclassified information technology resources: [https://www.acquisition.gov/nfs/part-1852-solicitation-provisions-and-contract-clauses#Section\\_1852\\_204\\_76\\_T48\\_6042344114](https://www.acquisition.gov/nfs/part-1852-solicitation-provisions-and-contract-clauses#Section_1852_204_76_T48_6042344114).

**Q: What do you look for in a patent review (to ensure no infringement on other patents or intellectual property)?**

A: The U.S. Patent and Trade Office (USPTO) has an online patent search tool that can be found at <https://www.uspto.gov/patents-application-process/search-patents>. This will allow you to see if other work has been done and patented in your technology area.

**Q: The Mentor-Protégé Program looks interesting, but how is it related to the SBIR program?**

A: The Mentor-Protégé program (MPP) is completely separate from the SBIR/STTR program and is run by NASA's Office of Small Business Programs. We do allow Mentor-Protégé partnerships during a Phase II award. For more info on MPP, you can go here: <https://www.nasa.gov/osbp/mentor-protege-program>

**Q: Does NASA's diversity criteria consider workers 65 or older?**

A: You can see the types of firm designations we track in our Firm Certification form in the NASA SBIR/STTR Firm Library under Proposal Templates: [http://sbir.gsfc.nasa.gov/sbir/firm\\_library/index.html](http://sbir.gsfc.nasa.gov/sbir/firm_library/index.html).

**Q: What is the UEI?**

A: On April 4, 2022, the unique entity identifier used across the federal government changed from the DUNS Number to the Unique Entity ID (generated by SAM.gov). Entities doing business with the federal government must use a UEI. If your entity is registered in SAM.gov today, your UEI has already been assigned and is viewable in SAM.gov. The UEI is currently located below the DUNS number on your entity registration record. For more information, you can refer to Chapter 2.2: System for Award Management (SAM) Registration in the [2023 NASA SBIR Phase I Solicitation](#) and the [2023 NASA STTR Phase I Solicitation](#).

**Questions related to the Submissions Electronic Handbook (EHB)**

- **Q: Is a new Commercialization Metrics Survey (CMS) required every SBIR/STTR cycle?**  
A: This information must be updated annually during completed proposal package submission via the Submissions Electronic Handbook (EHB). For more information, refer to Chapter 3.5.3.10: SBC Level Forms – Section D. Commercialization Metrics Survey (CMS) in the [2023 NASA SBIR Phase I Solicitation](#) and the [2023 NASA STTR Phase I Solicitation](#).
- **Q: For companies making multiple proposals, is there a fairly simple way to copy firm information between separate proposals?**  
A: The firm-level information will only need to be entered once during any solicitation cycle and will apply to all proposal submissions for that firm. The proposal-level documents must be updated for each proposal.
- **Q: Is there a sample submission available with the level of detail expected for the subjective sections?**  
A: Samples of the required forms are included in the NASA SBIR/STTR Firm Library under Proposal Templates: [http://sbir.gsfc.nasa.gov/sbir/firm\\_library/index.html](http://sbir.gsfc.nasa.gov/sbir/firm_library/index.html).

**Questions related to support from entities outside the United States**

- **Q: Can we have a scientific adviser from another country (India)? The person will not be receiving any financial benefits, but will voluntarily provide scientific inputs.**
- **Q: Can you please point me to more information about the foreign entity application details to include for Canadian firms?**
- **Q: My core team will be in the US. My question is not where the work will be conducted, but by whom. I have three F-1 OPT PhD students that I want to contribute to the research. Are they allowed to work in an SBIR/STTR grant with me?**
- **Q: We have a key consultant that is based in the UK, he is a US citizen and directly works for our company. Would he be able to work on the SBIR proposal SOW (statement of work)?**



A: For all of the above:

To comply with NASA FAR Supplement clause 1852.225-70 Export Licenses ([https://www.acquisition.gov/nfs/part-1852-solicitation-provisions-and-contract-clauses#Section\\_1852\\_225\\_70\\_T48\\_60423441162](https://www.acquisition.gov/nfs/part-1852-solicitation-provisions-and-contract-clauses#Section_1852_225_70_T48_60423441162)), the contractor shall comply with all U.S. export control laws, including Export Administration Regulations (EAR) and International Traffic in Arms Regulations (ITAR). Offerors are responsible for ensuring that all employees who will work on this contract are eligible under export control laws, EAR, and ITAR. Any employee who is not a U.S. citizen or a permanent resident may be restricted from working on this contract if the technology is restricted under export control laws, ITAR, or EAR unless the prior approval of the Department of State or the Department of Commerce is obtained via a technical assistance agreement or an export license. Violations of these regulations can result in criminal or civil penalties.

For additional information on ITAR, please visit the Code of Federal Regulations (CFR) at [https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title22/22cfr120\\_main\\_02.tpl](https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title22/22cfr120_main_02.tpl).

For additional information on EAR, please visit <https://www.bis.doc.gov/index.php/regulations/export-administration-regulations-ear>.

*Excerpt from Chapter 1 of the [2023 NASA SBIR Phase I Solicitation](#) and the [2023 NASA STTR Phase I Solicitation](#):*

#### 1.5.4 Place of Performance

**All work shall be performed in the United States.** When purchasing equipment or a product under the STTR Funding Agreement, purchase only American-made items whenever possible. However, based on a rare and unique circumstance (for example, if a supply, material, or other item or project requirement is not available in the United States), NASA may allow a particular portion of the research or work to be performed or obtained in a country outside of the United States.

Completed proposal packages must clearly indicate if any work will be performed outside the United States, including subcontractor performance, and justification must be provided by downloading and completing the "Request to Use a Foreign Vendor/Purchase of Items from a Foreign Vendor" form found at <https://sbir.gsfc.nasa.gov/submissions/learning-support/firm-templates> and while completing the budget under section 3.5.

Prior to award, approval by the Contracting Officer for such specific condition(s) must be in writing.

**Note: NASA will not approve purchases from or work with countries that appear on the Designated Country list. For reference, please see <https://www.nasa.gov/oiiir/export-control>.**

*End excerpt*