

THE DEPARTMENT OF HOMELAND SECURITY
SMALL BUSINESS INNOVATION RESEARCH (SBIR) PROGRAM
PROGRAM SOLICITATION FY07.2

Full Solicitation Issued on 06/27/2007
Q&A #3 Posted on: 08/01/2007

The purpose of this release is to provide the below Questions and Answers.

Question: Is it permissible to employ a Federal Government employee as a consultant under the SBIR? Is it permissible for a Federal Government employee to serve as an unpaid advisor for the work under the SBIR

Response: It is generally not permissible to employ and pay a federal employee to advise on a SBIR contract. Federal employees cannot accept payment from sources outside the federal government for work they perform for the federal government. Further, SBIR funds cannot generally be used to pay a federal agency for assistance under a SBIR contract. If any SBIR funds are to be paid to a federal agency under an SBIR contract, for example through a cooperative research and development agreement, this arrangement must first be approved by the SBA.

Whether a federal employee could advise a SBIR contractor in an unpaid capacity would depend on the circumstances and the employee's duties. The employee would first have to check with the agency ethics official and his/her supervisor. Typically, though, assistance with the SBIR program and SBIR contract technical support from other agencies should be coordinated with and through the awarding agency.

Question: In 07.2 solicitation, you need to "Identify any non-U.S. citizen that you expect to be involved on this project, their country of origin and level of involvement." But in previous solicitation, you stated to "Identify any foreign nationals that ...". Does it mean HSARPA put more strict requirements on using U.S. permanent residents as key personnel in their projects as well?

Response: HSARPA has not placed "more restrict requirements on using U.S. permanent residents as key personnel" in its projects. The text was changed to allow for a more precise meaning; as the Standardized Policies and Procedures for the Science and Technology Directorate of the Department of Homeland Security provides a definition of foreign nationals as "a person who is not a citizen of the United States and includes foreign individuals living and working in foreign countries, living and working in the United States, and having permanent resident alien status.

Question: If there are two ideas from one company and each deserving its own solicitation would this be acceptable?

Response: The DHS SBIR program currently has no limitation on the number of proposals submitted per company.

The following four (4) questions pertain to SBIR Topic H-SB07.2-002:

Question: Has an active imaging system been tried in the past?

Response: No, Coast Guard has always utilized a manual process.

Question: In the proposal it seems like the airplane already has a turreted system and the hardware that we are responsible for is a forward looking system for initial detections?

Response: You may assume a turreted system is available or you may specify one. For example, your technology may need a turret that can scan at a certain speed, or have a certain range capability.

Question: Is there a total cost for the production sensor system that we should shoot for?

Response: No, not for the Phase I work.

Question: In the phase 1 and 2 work should we concentrate on simply a visible band system for proof of concept and then in Phase 3 add in the IR for night time collections? I was thrown off by how the Phase 3 asks for infrared and so we weren't sure if it was not meant for earlier phases.

Response: Infrared is desirable in all phases.

Question: I am working on a proposal for H-SB07.2 and may get a letter of support for help during the Phase I and a potential partner for Phase II, This individual is a non-US citizen (UK) and works outside the US (France). Can this person/company receive SBIR funds as a subcontractor?

Response: Under section 1.3 of the 7.2 solicitation it states “.....For both Phase I and Phase II, all research or research and development work must be performed by the small business concern and its subcontractors in the United States.”

Additionally, under section 3.5.b.7 of the 7.2 SBIR solicitation, it states “**Key Personnel.** Identify key personnel who will be involved in the Phase I effort including information on directly related education and experience. A concise resume of the principal

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investigator, including a list of relevant publications (if any), must be included. All resumes will count toward the 25-page limitation. Identify any non-U.S. citizen that you expect to be involved on this project, their country of origin and level of involvement.

Question: Will the inclusion of this person/company negatively affect a potential selection of a Phase I or Phase II award?'

Response: No.

Question: I am a bit confused about the Phase I proposals. If 2/3 of the work must be performed by the small business, may the rest be done with a sub-contractor from a University without a waiver?

Response: Simply put, no waiver is required. Section 3.5.b (9) a states
“**Subcontractors/Consultants.**

a. **Subcontractors/Consultants.** Involvement of a university or other subcontractors or consultants in the project may be appropriate (see Section 2.10). If such involvement is intended, it should be described in detail and identified in the cost proposal. A minimum of two-thirds of the research and/or analytical work in Phase I, as measured by direct and indirect costs, must be carried out by the proposing firm, unless otherwise approved in writing by the contracting officer....”

**THE TERMS AND CONDITIONS OF PROGRAM SOLICITATION FY07.2
REMAIN UNCHANGED.**