

SCIENCE MISSION DIRECTORATE POLICY LATE PROPOSALS

Version History

Original SPD-02 - 2006

Revised SPD-02A – Effective July 6, 2021

Responsible Official: SMD Lead for Research.

1. Background and Purpose

The Science Mission Directorate (SMD) issues competitive solicitations for its research program because a fair and open competition ensures that NASA has the opportunity to select the best research investigations at an acceptable cost. It is in NASA's best interest that the competition be fair.

Treating all proposers equitably and following applicable process and policy guidelines avoids sustainable contract protests and grant and cooperative agreement (i.e., assistance) reconsiderations.

In this document the word "proposal" refers to all documents that are reviewed to make a binding decision, including whether the proposer may submit a full proposal, e.g., Phase-1 proposals and Step-1 proposals. It does not apply to the most common form of Step-1 proposal, which is a statement for information/planning and to which SMD provides a non-binding response. It also does not apply to a notice of intent that does not form the basis of a binding decision.

The Office of Management and Budget (OMB) also issues guidance or implementing memoranda specific to assistance, i.e., grant and cooperative agreement, proposals as dictated by 2 CFR 200 or Title 2: Grants and Agreements (<https://ecfr.federalregister.gov/current/title-2>). Should OMB revise Title 2 or issue future memoranda that create a conflict with this SMD policy, then OMB's guidance normally should take precedence for assistance proposals.

2. Proposal Due Date

The lengthy time that SMD solicitations are open (typically ≥ 90 days) ensures that all proposers have sufficient time to submit a proposal. Granting some proposers an extension may give an unfair advantage over competitors who might have been able to improve their proposal had they been given more time. A proposer who believes that another proposer received an unfair advantage from an extension to a proposal due date would likely have a sustainable protest.

All proposals to programs with a fixed due date must be submitted no later than the proposal due date and time specified in the solicitation. Program officers shall not adopt policies, either formally or informally, that conflict with this requirement.

For programs with no fixed proposal due date (a.k.a. [NoDD](#) or rolling submissions) the [NSPIRES](#) page will display a "Proposals Due" date, that is simply the end date for the current Research Opportunities on Space and Earth Sciences (ROSES), after which proposals may be submitted to the program element with the same name in the next ROSES, if it is solicited the following year. If a proposal is created before the posted "Proposals Due" close date, it can still be submitted for four weeks after that posted "Proposals Due" close date. If a proposal is submitted after that posted "Proposals Due" close date, it will be labeled by NSPIRES as late. However, if the program is solicited again in the next ROSES year, then it is not late for the

purpose of this policy and no special justification or rationale is needed to send that proposal for review. If the program is not solicited again in the next ROSES year, then it is late.

3. NASA Acquisition Regulations Governing Late Proposals

In general, the Federal government does not accept proposals that are submitted late in response to a competitive solicitation. The Federal Acquisition Regulations (FAR) prohibit Federal agencies including NASA from accepting late proposals for consideration (FAR §15.208(b)). However, the NASA FAR Supplement (NFS) allows NASA to accept late proposals submitted in response to Announcements of Opportunity (AOs), NASA Research Announcements (NRAs), and other solicitations (NFS §1815.208(b), NFS §1852.235-72(g) under specific circumstances, see also Appendix H [the NASA Guidebook for Proposers](#).

The only circumstances under which a late proposal may be accepted for review is if "...a significant reduction in cost to the Government is probable or if there are significant technical advantages, as compared with proposals previously received." Program officers may not accept late proposals for review without concurrence from the selection official that the proposal satisfies one, or both, of these requirements. Since almost every solicitation receives many more high-quality proposals than can be supported with the available funds, a determination that a late proposal is of distinct benefit over its competitors is likely to be rare.

4. Allowances for Technical Problems and Natural or Anthropogenic Disasters

Proposers are advised in every NASA solicitation that it is their responsibility to begin the proposal submission process early enough to account for ubiquitous technical problems with computer systems and with the internet or, if applicable, to allow for delivery of any required physical materials (e.g., hard copy or media holding data) to the designated postal address.

Similarly, starting a proposal in NSPIRES or Grants.gov, or even "releasing" the proposal to the authorized representative, does not satisfy the requirement for on-time submission.

SMD has a history of delaying due dates in the event of a natural or anthropogenic disaster that interferes with proposal submission, e.g., [see this example](#). When proposing organizations predict that their capacity to develop or submit proposals will be hampered by disaster they should immediately, in advance of the proposal deadline if at all possible, email the [Program Officer](#) and SARA@nasa.gov to ask for a delay of due date for the program.

If impacted organizations are unable to inform SMD of the disaster in advance of the proposal deadline, proposers should email the [Program Officer](#) and SARA@nasa.gov when safe to do so to ask that SMD take action to take into account the disaster.

If an emergency or unanticipated event interrupts normal NASA operations or those of the NSPIRES system so that proposals cannot be submitted or received by the exact time specified in the solicitation, and urgent Government requirements preclude amendment of the solicitation closing date, the time specified for receipt of proposals will be deemed to be extended to the same time of day specified in the solicitation on the first work day on which normal NASA operations or those of the NSPIRES system resume. An example might be an act of nature (e.g., hurricane or blizzard affecting NASA) or a human act (e.g., NSPIRES is offline). The failure of the proposing team to pull their proposal together and complete submission prior to the deadline, for whatever reason, does not constitute a technical problem. The failure of the proposal team to meet a published delivery deadline does not constitute a technical problem. Other circumstances that may constitute a technical problem will be reviewed on a case-by-case basis.

With the concurrence of the Selecting Official, a program officer may declare a proposal "on time" if a proposal would have been received by NASA before the proposal deadline in the absence of the technical problem, if the technical problem cannot be reasonably anticipated and is beyond the reasonable control of the proposer, and if the proposer does not gain a competitive advantage through these circumstances.

5. Requests for Permission to be Late

SMD does not pre-approve the submission of a late proposal. The decision to submit a late proposal is solely that of the proposer, and it is then SMD's decision whether to accept it or not. The SMD program officer is not empowered to authorize the submission of a late proposal.

A program officer who receives a request for permission to submit a late proposal, for whatever reason, should reply by referring the proposer to NASA and SMD policy, e.g., "SMD's policy on late proposals (at <https://science.nasa.gov/researchers/sara/library-and-useful-links>) forbids me from either giving permission to submit a late proposal or prohibiting submission of a late proposal. The decision to submit a late proposal is yours to make. NASA will then decide whether to accept the late proposal for review or not depending on whether the proposal offers a significant technical advantage or cost savings to the Government as compared to proposals received on time."

6. Handling Late Proposals

Only the Selecting Official (or a designee) may give a program officer permission to accept a late proposal for review.

When a late proposal is received, the program officer must conduct an initial determination as to whether "a significant reduction in cost to the Government is probable or if there are significant technical advantages, as compared with proposals previously received." If the program officer determines that the proposal should be reviewed, then a request must be made in writing (email is acceptable) to the Selecting Official. The request must identify the proposer and explicitly describe the advantages offered by the late proposal. The program officer must receive written approval (email is acceptable) from the Selecting Official before the proposal is accepted for review.

Late proposals should only be considered for review if there is a practical way of reviewing the proposal along with the on-time proposals. If the late proposal would be handled in a manner different than the on-time proposals, then the plan for reviewing the late proposal must be an explicit part of the decision to accept the late proposal for review.

If any late proposals are accepted for review, the circumstances must be noted in the Selection Statement or Portfolio Plan that is signed by the Selecting Official. This notice may either be discussed in the body of the selection document, or the written approval to review the late proposal may be appended to the selection document.

7. References

NFS §1815.208(b)

The FAR late proposal criteria do not apply to Announcements of Opportunity, NASA Research Announcements (see NFS §1852.235-72), and Small Business Innovative Research (SBIR) Phase I and Phase II solicitations, and Small Business Technology Transfer (STTR) solicitations. For these solicitations, proposals or

proposal modifications received from qualified firms after the latest date specified for receipt may be considered if a significant reduction in cost to the Government is probable or if there are significant technical advantages, as compared with proposals previously received. In such cases, the project office shall investigate the circumstances surrounding the late submission, evaluate its content, and submit written recommendations and findings to the selection official or a designee as to whether there is an advantage to the Government in considering it. The selection official or a designee shall determine whether to consider the late submission.

NFS §1852.235-72(g)

Proposals or proposal modifications received after the latest date specified for receipt may be considered if a significant reduction in cost to the Government is probable or if there are significant technical advantages, as compared with proposals previously received.