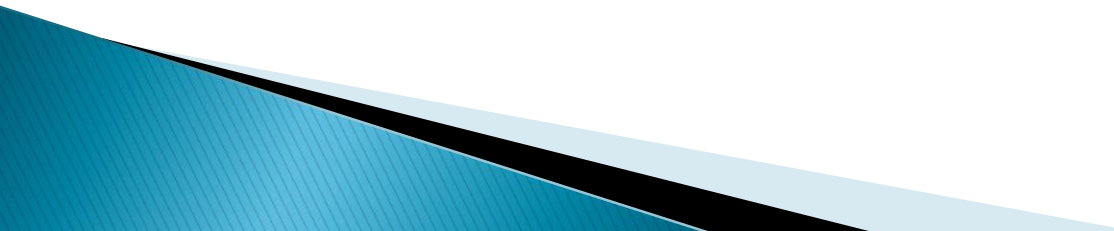


Evaluating Noncompetitive Applications

FY18 AGO/GMD Brown Bag
October 26, 2017

Noncompetitive Awards

- ▶ These awards are made without the benefit of competition.
 - ▶ Program Office must submit a “Non-Competitive Justification” memorandum to the Grants Officer for review and approval.
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Merit Review for Noncompetitive Applications

- ▶ The merit review for new noncompetitive applications shall consist of an objective merit review by a group of at least three professionally and technically qualified reviewers.
- ▶ Amendments for noncompetitive renewals and continuations of noncompetitive awards are **not** subject to a merit review by at least three qualified reviewers if there has been no substantial change in the scope of work of the original project.

All awards made with nondiscretionary funds shall be subject to an objective merit review by at least one reviewer who is professionally and technically qualified to conduct the review. This review is limited to technical and/or cost matters.

Review Process for Applications for Noncompetitive Awards Made with Discretionary Funds

- ▶ **Program Office Review.** The noncompetitive justification must include one or more of the following conditions below and must provide sufficient basis for the determination(s):
 - **Only One Source Identified.** Applicant has proprietary information necessary for the conduct of the work. Applicant has made a substantial investment in the activity. Applicant is proposing a project that involves a unique idea, method, or approach. Applicant is the only organization known to possess the capability to perform the work.
 - **Unusual and Compelling Urgency.** The work to be conducted is of such an unusual and compelling urgency that the public interest would be seriously compromised unless the Program Office is allowed to limit or suspend competition for the proposed award.
 - **International Agreement.** Competition is precluded by the terms of an international agreement or a treaty between the United States and a foreign government or international organization.
 - **National Security.** Full and open competition is not required when the Secretary of Commerce determines in writing that public disclosure of the proposed support to be provided under the award would compromise the national security.
 - **Public Interest.** Competition is not required when the Head of the Operating Unit or designee determines in writing that it is not in the public interest in a particular case to seek full and open competition for an award. A rational basis must be set forth in the written determination. An example of a situation that might support a public interest determination is the implementation of a pilot project.

Review Process for Applications for Noncompetitive Awards Made with Discretionary Funds (cont.)

- ▶ **Grants Office Review.** The Grants Office will conduct a final review of all proposed noncompetitive applications recommended for funding by the selecting official. The Grants Officer is the DOC official who makes the final decision for the government on the acceptability of the justification for award without competition and whether to fund noncompetitive applications.
- ▶ **OGC Review.** The OGC reviews all noncompetitive applications and supporting documentation proposed for award to advise the Grants Officer as to legal form and effect, unless review has been waived by the FALD Chief.

Merit Line and Staff Offices Participants

- ▶ NMFS – Dan Namur
 - ▶ Office of Education – Sarah Schoedinger
 - ▶ NESDIS – Satya Kalluri
 - ▶ OAR/Sea Grant – Dorn Carlson
 - ▶ OGC/FALD – Ed Sharp
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Open Discussion

- ▶ Differences across programs regarding the review forms used to evaluate noncompetitive applications
 - Same language used for competitive awards vs completely different language
 - Scores
 - Comments
 - Yes/No responses
 - ▶ Should NOAA have guidelines about what review documents should contain to create consistency?
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