



DEPARTMENT OF THE NAVY  
COMMANDER  
NAVAL EDUCATION AND TRAINING COMMAND  
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PENSACOLA, FLORIDA 32508-5220

NETCINST 4200.1A  
N4  
19 Sep 2023

NETC INSTRUCTION 4200.1A

From: Commander, Naval Education and Training Command

Subj: PROCESSING UNSOLICITED PROPOSALS

Ref: (a) Federal Acquisition Regulation  
(b) Navy Marine Federal Acquisition Regulation Supplement

1. Purpose. To establish procedures for receipt, evaluation, and disposition of unsolicited proposals submitted to the Commander, Naval Education and Training Command (NETC). This includes requests by prospective contractors seeking to make presentations for the purpose of obtaining contracts with NETC. This instruction shall also serve as a template for NETC activities to establish internal policies for processing unsolicited proposals.

2. Cancellation. NETCINST 4200.1.

3. Background

a. Reference (a), subpart 15.6, establishes policies and procedures for submission, receipt, evaluation, and acceptance of unsolicited proposals. Reference (b), subpart 5215.06, requires the head of contracting activities to establish Navy procedures and contact points.

b. An unsolicited proposal is a written proposal submitted on the initiative of a contractor for the purpose of obtaining a contract from the government. It is not in response to a request for proposals, broad agency announcement, program research and development announcement, or any other government-initiated solicitation or program. Per reference (a), a valid unsolicited proposal must be innovative and unique; independently originated and developed by the contractor; prepared without government supervision, endorsement, direction, or direct government involvement; inclusive of details 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; not an advance

proposal for a known agency requirement that can be acquired by competitive methods; and must not address a previously published agency requirement.

#### 4. Action and Responsibilities

a. Naval Supply Systems Command Fleet Logistic Center (FLC) head of contracting activity (HCA) is the overall coordinator for processing all unsolicited proposals, and is responsible for ensuring compliance with references (a) and (b). In carrying out these functions, NETC N4 serves in a coordinating and liaison function between NETC commands and FLC, and will:

(1) Receive the unsolicited proposal request from the cognizant NETC command to which the proposal was submitted, and forward the unsolicited proposal to the appropriate contracting office HCA for a comprehensive evaluation. Only warranted contracting officers have authority to contractually bind the government, and any technical personnel who may receive, handle, or evaluate unsolicited proposals are not authorized to commit the government.

(2) If an unsolicited proposal receives a favorable evaluation from the contracting activity to whom the proposal was provided, NETC N4 personnel may request the contracting activity engage in negotiations with the offeror. If a proposal is rejected because the proposal does not meet the requirements of reference (a), paragraph 15.606-1, the contracting activity will promptly inform the offeror in writing of the reasons for rejection and of the proposed disposition of the unsolicited proposal. In the event the proposal is not accepted, the government is not obligated to reimburse the offeror for any cost incurred in preparing and submitting the unsolicited proposal.

b. Personnel receiving an unsolicited proposal will deliver it promptly to NETC N4, and any person receiving an unsolicited proposal cannot advise, direct, or support any offeror in developing such a proposal and can offer no information that may allow the offeror to tailor the proposal. If any information is provided to the offeror in response or relation to the proposal, it is no longer considered unsolicited.

c. Personnel will not use any data, concept, idea, or other part of an unsolicited proposal as the basis or part of the

basis for solicitation or in negotiations with any other firm unless the FLC contracting activity obtains the offeror's consent.

d. An unsolicited proposal may include trade secrets, processes, or other matters that the contractor does not want disclosed. The data marked restrictive in an unsolicited proposal will not be disclosed in whole or in part for any purpose other than to evaluate the proposal.

e. NETC activities shall develop policies consistent with this instruction for processing unsolicited proposals. These policies shall identify an appropriate point of contact within their command.

#### 5. Records Management

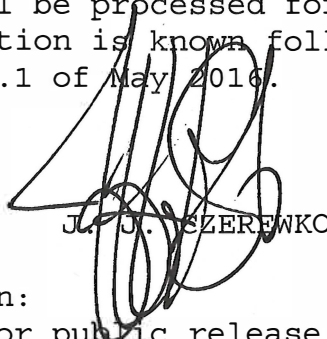
a. Records created as a result of this instruction, regardless of format or media, must be maintained and dispositioned per the records disposition schedules located on the Department of the Navy Assistant for Administration, Directives and Records Management Division portal page at <https://portal.secnav.navy.mil/orgs/DUSNM/DONAA/DRM/Records-and-Information-Management/Approved%20Record%20Schedules/Forms/AllItems.aspx>.

b. For questions concerning the management of records related to this instruction or the records disposition schedules, please contact the local records manager.

6. Review and Effective Date. Per OPNAVINST 5215.17A, NETC will review this instruction annually around the anniversary of its issuance date to ensure applicability, currency, and consistency with Federal, Department of Defense, Secretary of the Navy, and Navy policy and statutory authority using OPNAV 5215/40 (Review of Instruction). This instruction will be in effect for 10 years, unless revised or cancelled in the interim, and will be reissued by the 10-year anniversary date if it is still required, unless it meets one of the exceptions in OPNAVINST 5215.17A, paragraph 9. Otherwise, if the instruction

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is no longer required, it will be processed for cancellation as soon as the need for cancellation is known following the guidance in OPNAV Manual 5215.1 of May 2016.



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Releasability and distribution:

This instruction is cleared for public release and is available electronically on the NETC public web site ([www.netc.navy.mil](http://www.netc.navy.mil)) or by email at [netc-directives@us.navy.mil](mailto:netc-directives@us.navy.mil).