

FINANCIAL ASSISTANCE FUNDING OPPORTUNITY ANNOUNCEMENT



U. S. Department of Energy State Energy Program (SEP) Program Year 2013 Formula Award Funding Opportunity Announcement

Funding Opportunity Number: DE-FOA-0000817

Announcement Type: Initial

CFDA Number: 81.041, State Energy Program

Issue Date: **04/18/2013**

Application Due Date:

The complete application package will be due in accordance with each applicant's program year as follows:

<u>Program Year Ending</u>	<u>Application Due Date</u>
June 30, 2013	June 3, 2013 by 8:00:00 PM Eastern Time
August 31, 2013	June 17, 2013 by 8:00:00 PM Eastern Time
September 30, 2013	July 1, 2013 by 8:00:00 PM Eastern Time

To ensure timely processing of awards, Grantees must submit complete Applications by the above deadlines. Late or incomplete applications will jeopardize issuance of awards prior to the start of the Grantees' Program Year. If sufficient progress in negotiating the final 2013 State Plan Application is not being made, the Department of Energy (DOE) reserves the right to put a hold on the funds the Recipient can draw down under the Automated Standard Application for Payments (ASAP) System. The Department of Energy does not guarantee or assume any obligation to reimburse costs incurred in the performance of the agreement if the continuation or new award is not approved.

REGISTRATION/SUBMISSION REQUIREMENTS

Registration Requirements: Allow at least 21 days to complete registrations.

To submit an application under this announcement, complete the following registrations:

1. Obtain a Dun and Bradstreet Data Universal Numbering System (DUNS) number, at <http://fedgov.dnb.com/webform>.
2. Register in the System for Award Management (SAM) system, at <https://www.sam.gov>. Designating an E-Business Point of Contact (EBiz POC) and obtaining a special password called an MPIN are important steps in SAM registration. Update your SAM registration annually.
3. Register in FedConnect at <https://www.fedconnect.net/>; use “Register as a Vendor” link. To create an organization account, your organization’s SAM MPIN is required.

Where to Submit the Application Package:

APPLICATIONS MUST BE ACCESSED AND SUBMITTED THROUGH THE PERFORMANCE AND ACCOUNTABILITY FOR GRANTS (PAGE) SYSTEM TO BE CONSIDERED FOR AWARD.

Where to Ask Questions About the Funding Opportunity Announcement Content:

To ask questions about the Funding Opportunity Announcement, use FedConnect at <https://www.fedconnect.net/>. You must be a registered user in the system and submit questions by sending messages in your FedConnect email box. Part VII of this announcement explains how to submit questions to the Department of Energy (DOE).

Where to Submit Questions About the Registrations or Systems:

DUN & Bradstreet: govt@dnb.com

System for Award Management (SAM) system: <https://www.sam.gov>

By phone: 866-606-8220 or 334-206-7828 (8:00 a.m. to 8:00 p.m., Eastern Time)

FedConnect: support@FedConnect.net

By phone: 1-800-899-6665 (8:00 a.m. to 8:00 p.m., Eastern)

PAGE: page-hotline@ee.doe.gov

By phone: 866-492-4546

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SECTION I - FUNDING OPPORTUNITY DESCRIPTION

PURPOSE: This funding opportunity announcement is to solicit the annual grant applications under the State Energy Program for Program Year (PY) 2013. This announcement also establishes grant guidance and management information for the State Energy Program as outlined in the State Energy Program Notice 13-01, Program Year 2013 State Energy Program Formula Grant Guidance, included as Attachment 1.

BACKGROUND: Title III, Energy Policy and Conservation Act, as amended, authorizes the Department of Energy to administer the State Energy Program. All grant awards made under this program shall comply with applicable law including regulations contained in 10 CFR Part 420 and other procedures applicable to this regulation as DOE may, from time-to-time, prescribe for the administration of financial assistance. The goal of the State Energy Program is to provide leadership to maximize the benefits of energy efficiency and renewable energy through communications and outreach activities, technology deployment, and accessing new partnerships and resources.

APPROPRIATIONS: The estimated state allocations are included as part of Attachment 1 to this announcement and are to be used in developing the annual grant application for PY 2013. States should develop their PY 2013 State Applications based on these allocations.

Availability of Funds: **Funding for all awards and future budget periods are contingent upon the availability of funds appropriated by Congress for the purpose of this program and the availability of future-year budget authority.**

- **Funding Level:** The estimated federal appropriation for PY 2013 is \$39,000,000 less a 6% adjustment for sequestration. The funding levels provided in this announcement for each Grantee may increase or decrease depending on final 2013 Appropriations provided by Congress. The anticipated formula allocations are set forth in the State Energy Program Notice 13-01 Program Year 2013 State Energy Program Formula Grant Guidance, as revised, and incorporated as an amendment to this announcement.
- **Funding Sources:** In PY 2013, funding for the SEP, requiring DOE approval for expenditure, can come from three sources: (1) Federally appropriated funds; (2) Warner, EXXON and similar petroleum violation escrow funds; and (3) Stripper Well and other oil overcharge funds (including Texaco) which are subject to Stripper Well settlement rules.

States cannot comingle funds received through this FOA for any activities funded under the following programs: 1) Recovery Act: State Energy Program, 2) Recovery Act: Energy Efficiency and Conservation Block Grant Program, and 3) Recovery Act: Office of Electricity Delivery and Energy Reliability – Enhancing State Government Energy Assurance Capabilities and Planning for Smart Grid Resiliency (State EA Initiative). Funds received under this announcement cannot be used to supplant funds under the programs listed above.

WEBSITE INFORMATION: To obtain the most up to date information on programmatic/policy issues and technical assistance, please see the DOE State Energy Program website at
<http://www1.eere.energy.gov/wip/sep.html>

PROGRAM INFORMATION: DOE's State Energy Program is seeking to provide grants to state energy offices in all states and U.S. territories to design and carry out their own energy efficiency and renewable energy programs. States use grants to address their energy priorities and program funding to adopt emerging energy efficiency and renewable energy technologies. States often combine many sources

of funding for their projects, including DOE and private industry. The outcome is an innovative deployment of new energy efficiency and renewable energy technologies across the geographic panorama of the United States and its territories.

The mission of the State Energy Program is to provide leadership to maximize the benefits of energy efficiency and renewable energy through communications and outreach activities, technology deployment, and accessing new partnerships and resources. Working with DOE, state energy offices address long-term national goals to:

- Increase the energy efficiency of the U.S. economy.
- Reduce energy costs.
- Improve the reliability of electricity, fuel, and energy services delivery.
- Develop alternative and renewable energy resources.
- Promote economic growth with improved environmental quality.
- Reduce our reliance on imported oil.

A. RECENT CHANGES

Shorter Grant Periods:

For the past few years, DOE has been issuing SEP Formula Annual awards with 5-year Project Periods consisting of five 1-year Budget Periods, contingent on availability of funds, with a Continuation Application required each year. Because of the challenge of spending both SEP Formula Annual funds and SEP Recovery Act funds, some awards were extended past the 5 year Project period.

In 2013, DOE will issue new awards to all grantees in the 6th or 7th year of their Project Period. The new awards will consist of a 3-year Project Period with three 1-year Budget Periods, contingent on availability of funds. A new application is required to be submitted this year, and a Continuation Application will be required each subsequent year. The new application should reflect the PY13 Federal Allocation, PY13 Cost Match, and other PY13 contributions. Please note that the new awards must not include any carryover funds.

All other grantees will be permitted to complete their 5-year Project Period with a continuation application due this year and each subsequent year reflecting each year's allocation and any carryover.

IMPORTANT: The awards initiated since 10/1/2010 are subject to the requirement of Reporting Subawards and Executive Compensation at <https://www.fsrs.gov>. Please see Part VI.C. for additional information.

Posting of Funding Opportunity Announcement on FedConnect and Application Submission via PAGE:

In recent years, the SEP Formula FOA was posted to both Grants.gov and FedConnect, with a requirement for Applications to be submitted via Grants.gov. This year, the SEP Formula FOA will not be posted on Grants.gov, nor will Applicants be required to submit Applications via Grants.gov. Instead, **the FOA will be posted on FedConnect, and made available only to eligible Applicants.** In addition, **all Applications will be required to be submitted to a single source: PAGE.** Please note that a link to the FOA will also be posted on the State Energy Program website at http://www1.eere.energy.gov/wip/sep_guidelines.html for viewing by interested stakeholders. **Applications shall not be submitted, nor will they be accepted, via Grants.gov or FedConnect.**

Applicants have complete control over their FedConnect account, including which employees have access to the account. Employees who have been designated as administrators can add new users and activate users who have submitted registration requests. Administrators can also perform such tasks as changing a user's role designation and access levels, and resetting passwords.

Additional information regarding FedConnect may be found at <https://www.fedconnect.net>. The FedConnect Quick Start Guide and Tutorial found is found at https://www.fedconnect.net/FedConnect/PublicPages/FedConnect_Ready_Set_Go.pdf

FedConnect Support is available at support@fedconnect.net or 1-800-899-6665. The FedConnect Support Center is staffed Monday – Friday, 8 a.m. to 8 p.m., EDT.

Enhancements to the Performance and Accountability for Grants in Energy (PAGE) system:

The Budget Justification section in PAGE provides further clarification regarding information required to be submitted by the Applicant under the various cost categories. It is important to provide all information requested.

New Approach for Negotiation of Awards:

A new approach is anticipated for 2013, which will assist in streamlining negotiations and providing timely awards. Upon receipt and initial review of your Application, a conference call will be scheduled between the Grantee, the Project Officer and the Grants Management Specialist. The call will be preceded by the preparation of an agenda outlining areas that need further clarification so that the Grantee can research the areas and arrange to have the appropriate personnel available for the call. This team approach is an effort to address critical areas early in the application process to minimize roadblocks later in the review cycle. At the conclusion of the call, specific timelines will be established for any items that need further input.

System for Award Management (SAM)

In 2012, the Central Contractor Registration System (CCR) was replaced by the System for Award Management (SAM). Additional information about registration procedures may be found at the SAM site: <https://www.sam.gov>. States shall ensure the SAM registration is current.

SECTION II - AWARD INFORMATION

A. TYPE OF AWARD INSTRUMENT

DOE anticipates awarding grants under this funding opportunity announcement.

B. ESTIMATED FUNDING

The estimated federal appropriation for PY 2013 is \$39,000,000 less a 6% adjustment for sequestration.

Availability of Funds: Funding for all awards and future budget periods are contingent upon the availability of funds appropriated by Congress for the purpose of this program and the availability of future-year budget authority.

- **Funding Level:** The estimated federal appropriation for PY 2013 is \$39,000,000 less a 6% adjustment for sequestration. The funding levels provided in this announcement for each Grantee may increase or decrease depending on final 2013 Appropriations provided by Congress. The anticipated formula allocations are set forth in the State Energy Program Notice 13-01, Program Year 2013 State Energy Program Formula Grant Guidance, as revised, and incorporated as an amendment to this announcement.
- **Funding Sources:** In PY 2013, funding for the SEP, requiring DOE approval for expenditure, can come from three sources: (1) Federally appropriated funds; (2) Warner, EXXON and similar petroleum violation escrow funds; and (3) Stripper Well and other oil overcharge funds (including Texaco) which are subject to Stripper Well settlement rules.

C. MAXIMUM AND MINIMUM AWARD SIZE

Ceiling (i.e., the maximum amount for an individual award made under this announcement):

Determined by the 2013 SEP formula allocations.

Floor (i.e., the minimum amount for an individual award made under this announcement):

Determined by the 2013 SEP formula allocations.

D. EXPECTED NUMBER OF AWARDS

DOE anticipates making 56 awards under this announcement.

E. ANTICIPATED AWARD SIZE

Awards under this announcement will be in accordance with the 2013 SEP formula allocations as outlined in the final program guidance.

F. PERIOD OF PERFORMANCE

DOE anticipates making awards for the 2013 program year funding period. States are encouraged to expend all obligated funds within the annual grant cycle. If a State has unobligated balances to be authorized by a Contracting Officer for carryover from one grant cycle to another, the State must include such carryover funds in its application State Plan and Budget.

In 2013, DOE will issue new awards to all grantees in the 6th or 7th year of their Project Period. The new awards will consist of a 3-year Project Period with three 1-year Budget Periods, contingent on availability of funds. A new application is required to be submitted this year, and a Continuation Application will be required each subsequent year. The new application should reflect the PY13 Federal Allocation, PY13 Cost Match, and other PY13 contributions. Please note that the new awards must not include any carryover funds.

All other grantees will be permitted to complete their 5-year Project Period with a continuation application due each year reflecting each year's allocation and any carryover.

G. TYPE OF APPLICATION

DOE will accept new and continuation applications, as appropriate, under this announcement in accordance with 10 CFR Part 420 found at: http://www.ecfr.gov/cgi-bin/textidx?tpl=/ecfrbrowse/Title10/10cfr420_main_02.tpl.

SECTION III - ELIGIBILITY INFORMATION

A. ELIGIBLE APPLICANTS

In accordance with 10 CFR 600.6(b), and DOE Program Rule 10 CFR Part 420, State Energy Program, eligibility for award is restricted to States, Territories, and the District of Columbia (hereinafter “States”) applying for formula grant financial assistance under the Department of Energy’s (DOE’s) State Energy Program (SEP).

B. COST MATCHING

States must contribute (in cash, in kind, or both) an amount no less than 20 percent of their Total Federal formula funds allocated each year. The 20 percent State match requirement must be met *each year*, not over the duration of the grant period. States must demonstrate the contribution (cash, in-kind or both) of an amount no less than 20 percent of every federal dollar that is spent each program year. Failure to meet this requirement each program year may result in disallowed costs.

Stripper Well funds and Diamond Shamrock funds can be used toward the 20% non-Federal cost match requirement. Chevron, Warner Amendment, and Exxon funding cannot be used toward the 20% non-Federal cost match requirement, but may be included in the project budget.

The Recipient may not use the following sources to meet its cost match obligations including, but not limited to:

- Revenues or royalties from the prospective operation of an activity beyond the project period;
- Proceeds from the prospective sale of an asset of an activity;
- Federal funding or property (e.g., Federal grants, equipment owned by the Federal Government);
- Expenditures that were reimbursed under a separate Federal program;
- Bank loans from financial institutions (loan meaning funds borrowed from a financial institution, which will later be paid back in full).

Cost match contributions must be specified in the project budget, verifiable from the Recipient’s records, and necessary and reasonable for proper and efficient accomplishment of the project. All sources of cost match are considered part of total project cost, the cost match dollars will be scrutinized under the same Federal regulations as Federal dollars to the project. Every cost match contribution must be reviewed and approved in advance by the Contracting Officer and incorporated into the project budget before the expenditures are incurred.

Applicants are encouraged to refer to 10 C.F.R. Part 420 for additional guidance on cost matching.

Under the authority contained in 48 U.S.C. 1469a the cost matching requirement is waived for Insular Areas of the Virgin Islands, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Government of the Northern Mariana Islands. These Insular Areas may apply for funding and will not have to provide cost match to be eligible to receive funds.

SECTION IV - APPLICATION AND SUBMISSION INFORMATION

A. CONTENT AND FORM OF APPLICATION

The State Plan Application must be submitted via the PAGE online system at <https://www.page.energy.gov/default.aspx>.

The PAGE Help System has detailed instructions for creating and submitting an annual application. The Help instructions can be found in PAGE by selecting ‘help’ from the blue horizontal menu bar, and under the Contents in the left panel selecting ‘SEP’ and the subtopic for ‘New Grant Application’. From the Home PAGE, select ‘Create New Application’ then select the ‘Add New Application Package’. After creating the new application, be sure to use the ‘copy’ icons on the checklist screen to copy information from your 2012 application documents. The copy icon is in the status column next to each document listed on the checklist screen. Once the plan has been completed, be sure to Validate and Submit the plan.

In 2013, DOE will issue new awards to all grantees in the 6th or 7th year of their Project Period. Applicants should continue to follow the procedure listed above for submission of the application into PAGE. The DOE Project Officer will then coordinate changing the award number with the Applicant. From that point forward, the Grantee will access the application under the new award number. Please note that PAGE has been updated this year to incorporate changes to the Budget, Budget Justification, Annual File, and Master File. Please review each field to ensure that all required information is provided.

1. SF 424 - Application for Federal Assistance

Complete all required fields in accordance with the pop-up instructions on the form. The list of certifications and assurances referenced in Field 21 can be found at:

<http://energy.gov/management/downloads/certifications-and-assurances-use-sf-424>

2. Other Forms

Submit the following files as attachments with your application. To attach a file, select ‘Attachments’ at the bottom of the SF-424 form. Additional forms maybe included and are not limited to the following.

Indirect Rate Agreement or Rate Proposal

Submit a copy of your approved Indirect Rate Agreement or a Rate Proposal, following the guidelines in the PMC 400.2 form which can be found at: <https://www.eere-pmc.energy.gov/Forms.aspx>.

Link to A-133 Audit

Submit a word document with a link to your latest A-133 Audit.

3. SF-LLL Disclosure of Lobbying Activities

If applicable, complete SF- LLL. Applicability: If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the grant/cooperative agreement, you must complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying."

4. State Plan (consisting of the Master File and the Annual File)

Master File – The Master File should include, wherever practicable, information on the State’s overall strategic energy plan and its key elements, its strategic goals and objectives, and how its SEP activities fit

into that overall plan. The Master File should include an explanation of how implementing the plan will conserve energy, how the State will measure progress toward attaining the goal, how the program activities represent a strategy to achieve these goals; an explanation of how the plan satisfies the minimum criteria for the required (mandatory) activities; and a plan for State monitoring that describes how the State conducts the administrative and programmatic oversight for programs implemented by other agencies within the State, contractors employed by the State, or subawardees of financial assistance from the State. If a State has completed certain mandatory activities, this may also be indicated in the Master File.

The Energy Policy Act of 2005 (EPAct 2005; Pub. L. No. 109-58) Section 123, made two revisions to the legislation governing SEP (See Section 8.3B of the SEP grant guidance attached.)

The second EPAct 2005 revision amended the provisions to “include a goal consisting of an improvement of 25 percent or more in the efficiency of use of energy in the State concerned in calendar year 2012 as compared to calendar year 1990, and may contain interim goals.”

Each state must describe within the Master File how it has met or exceeded its 25 percent goal. If a state has not met or exceeded its 25 percent goal, it must describe how it plans to improve its efficiency, as described in EPAct, by 25%, and provide a target date by which this goal will be met.

Ongoing ARRA Financing Programs: The following template language should be included in Box 12, Monitoring Approach, of the Master File for any states continuing an ARRA Financing Program:

“Following the end of [State Energy Office’s Name]’s SEP ARRA grant [ARRA Grant Number], [State Energy Office’s Name], chose to continue financing program(s) established under our SEP ARRA Grant per SEP Guidance Series 10-008. This Guidance Series outlines the continuing administration and reporting required. No dollars have been transferred from the ARRA award to the Annual award as the dollars were expended during the period of performance of the ARRA award. Monitoring information on the programs, including the scope and quarterly financial information, can be found in the Financial Programs Report, submitted quarterly as part of [State Energy Office’s Name]’s SEP Annual grant quarterly reporting requirements.”

A Financial Programs Report (FPR) must be submitted quarterly, but a Quarterly Progress Report and SF-425 is not required for ARRA Financing Program activities. The FPR is available in PAGE and should be completed quarterly, once the State’s ARRA award has expired.

(See 10 CFR Part 420.13 for more specific requirements on State Plans)

Annual File – The Annual File section of the State Plan describes each market area and program activity for which the State requests financial assistance for a given year, including budget information and milestones for each activity, and the intended scope and goals to be attained either qualitatively or quantitatively. The SEP Narrative Information Worksheets capture this information. *We strongly encourage States to structure the activities within the market areas narrowly such that each market area represents only a single State-implemented program or activity.* The Annual File should account for all funds budgeted within the program year, including funds for administrative activities. This includes match and PVE funds.

See 10 CFR Part 420.13 for more specific requirements on State Plans.

Additional State Plan requirements and information are provided in Section 8.0 of the Grant Guidance for the following items: State Plan Activity Codes

- Mandatory Requirements
- Optional Program Activities
- State Energy Emergency Plans
- Expenditure Prohibitions and Limitations
- Expenditures within a Grant Period
- Program Income
- Revolving Loan
- State Match Timeframe

5. SF 424 A Excel, Budget Information - Non-Construction Programs File

You must provide a budget for the current program year. Please note that Grantees that are in their 6th or 7th program year should not include carryover in their new PY13 budgets. All other grantees may include carryover in their budget if applicable; carryover should be segregated from PY13 funding.

You may request funds under any of the Object Class Categories as long as the item and amount are necessary to perform the proposed work, meet all the criteria for eligibility under the applicable Federal cost principles, and are not prohibited by the funding restrictions in this announcement, SEP Guidance, or 10CFR420.

6. Budget Justification Inputs

You must justify the costs proposed in each Object Class Category/Cost Classification category (e.g., identify key persons and personnel categories and the estimated costs for each person or category; provide a list of equipment and cost of each item over \$5,000; identify each proposed subaward/consultant (use TBD if the entity is unknown), provide the cost of each subaward/consultant, describe the work to be performed or the service to be provided, and **reference the market title the work or service falls under**; describe purpose of proposed travel, number of travelers, and number of travel days; list general categories of supplies and amount for each category; and provide any other information you wish to support your budget). Provide the name of your cognizant/oversight agency, if you have one, and the name and phone number of the individual responsible for negotiating your indirect rates.

If third party cost matching is included, you must have a commitment letter from each third party contributing cost match (i.e., a party other than the organization submitting the application) stating that the third party is committed to providing a specific minimum dollar amount of cost match. In the budget justification, identify the following information for each third party contributing cost match: (1) the name of the organization; (2) the proposed dollar amount to be provided; (3) the amount as a percentage of the total DOE share; and (4) the proposed cost match - cash, services, or property.

7. Environmental Questionnaire

National Environmental Policy Act Information

DOE has determined the following bounded categories of activities that are funded by DE-FOA-0000817 are categorically excluded from further NEPA review, absent extraordinary circumstances, cumulative impacts, or connected actions that may lead to significant impacts on the environment, or any inconsistency with “integral elements” (as contained in 10 C.F.R. Part 1021, Appendix B) as they relate to a particular project:

Bounded Categories:

1. Administrative activities associated with management of the designated State Energy Office and management of programs and strategies to encourage energy efficiency and renewable energy.
2. Development and implementation of programs and strategies to encourage energy efficiency and renewable energy
3. Funding energy efficiency retrofits, provided that projects are limited to:
 - installation of insulation;
 - installation of energy efficient lighting;
 - HVAC upgrades;
 - weather sealing;
 - purchase and installation of ENERGY STAR appliances;
 - replacement of windows and doors;
 - high efficiency shower/faucet upgrades; and
 - installation of solar powered appliances with improved efficiency.
4. Development, implementation, and installation of onsite renewable energy technology that generates electricity from renewable resources, provided that projects are limited to:
 - Solar Electricity/Photovoltaic - appropriately sized system or unit on existing rooftops and parking shade structures; or a 60 kW system or smaller unit installed on the ground within the boundaries of an existing facility.
 - Wind Turbine - 20 kW or smaller.
 - Solar Thermal - system must be 20 kW or smaller.
 - Solar Thermal Hot Water - appropriately sized for residences or small commercial buildings.
 - Ground Source Heat Pump - 5.5 tons of capacity or smaller, horizontal/vertical, ground, closed-loop system.
 - Combined Heat and Power System - boilers sized appropriately for the buildings in which they are located.
 - Biomass Thermal - 3 MMBTUs per hour or smaller system with appropriate Best Available Control Technologies (BACT) installed and operated.
5. Development, implementation and installation of energy efficient or renewable energy-powered emergency systems (lighting, cooling, heat, shelter) installed in existing buildings and facilities.
6. Installation of alternative fueling pumps and systems (but not storage tanks) installed on existing facilities (other than a large biorefinery); purchase of alternative fuel vehicles.
7. Development and implementation of training programs.
8. Development and implementation of building codes and inspection services, and associated training and enforcement of such codes in order to support code compliance and promote building energy efficiency.
9. Implementing financial incentive programs such as rebates and energy savings performance contracts for existing facilities or for energy efficient equipment, provided that the incentives are not so large

that they would be deemed to be grants that create projects that would not otherwise exist. (For example, giving a wind farm that cost \$100 million a sum of \$50 million and calling it a rebate would not fall within this Bounded Category).

The State is responsible for:

- Identifying and promptly notifying DOE of extraordinary circumstances, cumulative impacts, or connected actions that may lead to significant impacts on the environment, or any inconsistency with the “integral elements” (as contained in 10 C.F.R. Part 1021, Appendix B) as they relate to a particular Project; and
- Compliance with Section 106 of the National Historic Preservation Act (NHPA), as applicable.

Activities/projects not within the bounded categories listed above are not included under the FOA-wide categorical exclusion and are subject to additional NEPA review and approval by DOE. For activities/projects requiring additional NEPA review, States must complete the environmental questionnaire (<https://www.eere-pmc.energy.gov/NEPA.asp>). Due to recent security updates, all NEPA users must create an Applicant-Recipient sign-in account for the above web site. **It is important that the new account be created using the same email address for all EF-1 NEPA Environmental submissions submitted for review.** If another email address is used, previous submissions will not be accessible.

Recipients are restricted from taking any action using Federal funds, which would have an adverse effect on the environment or limit the choice of reasonable alternatives prior to DOE providing a final NEPA determination. If the recipient moves forward with activities that are not authorized for Federal funding by the DOE Contracting Officer in advance of the NEPA determination, the recipient is doing so at risk of not receiving Federal funding and such costs may not be recognized as allowable cost match.

8. Grant Spending Plan (Post-Award Requirement)

The Grant Spending Plan establishes the plan for the expenditure of funds by quarter for the current Program Year of the award necessary to complete the planned activities. The cost information provided should represent a well prepared plan for the Total Program Year effort. The Grantee shall provide a plan for the expenditures by market title and by quarter of the government funds for the current Program Year.

The plan is due thirty (30) days after the award/modification of the grant. The Grantee shall create one spend plan in PAGE for each year during the Grant cycle.

SUMMARY OF APPLICATION REQUIREMENTS

Application for Federal Assistance (SF-424)
Indirect Rate Agreement or Rate Proposal
Link to A-133 Audit
SF-LLL Disclosure of Lobbying Activities
Master File
Annual File
Budget (SF424A)
Budget Justification Inputs
Third Party Cost Match Commitment Letter(s), if applicable
NEPA (For projects requiring additional NEPA review. States must complete the environmental questionnaire found at: https://www.eere-pmc.energy.gov/NEPA.asp)

B. SUBMISSIONS FROM SUCCESSFUL APPLICANTS

DOE reserves the right to request additional or clarifying information for any reason deemed necessary, including, but not limited to:

- Indirect cost information
- Other supplemental budget information and clarification
- Name and phone number of the Designated Responsible Employee for complying with national policies prohibiting discrimination (See 10 CFR 1040.5)
- Commitment Letter from Third Parties Contributing to Cost Sharing, if applicable

C. INTERGOVERNMENTAL REVIEW

Program Subject to Executive Order 12372

This program is subject to Executive Order 12372 (Intergovernmental Review of Federal Programs) and the regulations at 10 CFR Part 1005.

One of the objectives of the Executive Order is to foster an intergovernmental partnership and a strengthened federalism. The Executive Order relies on processes developed by State and local governments for coordination and review of proposed Federal Financial Assistance.

Applicants should contact the appropriate State Single Point of Contact (SPOC) to find out about, and to comply with, the State's process under Executive Order 12372. The names and addresses of the SPOCs are listed on the Web site of the Office of Management and Budget at:

http://www.whitehouse.gov/omb/grants_s poc/

D. FUNDING RESTRICTIONS

Cost Principles

Costs must be allowable, allocable and reasonable in accordance with the applicable Federal cost principles referenced in 10 CFR 600. The cost principles for commercial organizations are in FAR Part 31. Reference 10 CFR Part 420.18 for more detailed expenditure prohibitions and limitations.

E. OTHER SUBMISSION AND REGISTRATION REQUIREMENTS

Electronic Authorization of Applications and Award Documents

Submission of an application and supplemental information under this announcement through electronic systems used by the Department of Energy, including FedConnect, constitutes the authorized representative's approval and electronic signature.

Submission of award documents, including modifications, through electronic systems used by the Department of Energy, including PAGE and FedConnect, constitutes the authorized representative's approval and acceptance of the terms and conditions of the award. Award acknowledgement via FedConnect constitutes the authorized representative's electronic signature.

SECTION V - APPLICATION REVIEW INFORMATION

A. REVIEW AND SELECTION PROCESS

Applications under this funding opportunity will be reviewed and awarded in accordance with the 2013 Formula Allocations as set forth in the State Energy Program Notice 13-01 included as Attachment 1, or as modified by amendment to this FOA.

SECTION VI - AWARD ADMINISTRATION INFORMATION

A. AWARD NOTICES

An Assistance Agreement issued by the Contracting Officer is the authorizing award document. It normally includes either as an attachment or by reference: (1) Special Terms and Conditions; (2) Program regulations 10 CFR 420; (3) Application as approved by DOE; (4) DOE assistance regulations at 10 CFR Part 600; (5) National Policy Assurances To Be Incorporated As Award Terms; (6) Budget Summary; (7) Federal Assistance Reporting Checklist, which identifies the reporting requirements; (8) Annual File; and (9) Master File.

B. ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS

Administrative Requirements

The administrative requirements for DOE grants and cooperative agreements are contained in 10 CFR 600 (See: <http://ecfr.gpoaccess.gov>).

DUNS and SAM Requirements

Additional administrative requirements for DOE grants and cooperative agreements are contained in 2 CFR, Part 25 (See: <http://ecfr.gov>). Prime awardees must keep their data at the System for Award Management (SAM) current at <https://www.sam.gov>. SAM is the government-wide system that replaced the CCR. If you had an active registration in the CCR, you have an active registration in SAM.

Subawardees at all tiers must obtain DUNS numbers and provide the DUNS to the prime awardee before the subaward can be issued.

C. SUBAWARD AND EXECUTIVE REPORTING

Additional administrative requirements necessary for DOE grants and cooperative agreements to comply with the Federal Funding and Transparency Act of 2006 (FFATA) are contained in 2 CFR, Part 170. (See: <http://ecfr.gov>). **Prime awardees must register with the new FSRS database and report the required data on their first tier subawardees. Prime awardees must report the executive compensation for their own executives as part of their registration profile in the SAM.**

1. Special Terms and Conditions and National Policy Requirements

The DOE Special Terms and Conditions for Use in Most Grants and Cooperative Agreements are located at <http://energy.gov/management/downloads/special-terms-and-conditions-use-most-grants-and-cooperative-agreements>.

The National Policy Assurances To Be Incorporated As Award Terms are located at
<http://energy.gov/management/downloads/national-policy-assurances-be-incorporated-award-terms>.

Intellectual Property Provisions. The standard DOE financial assistance intellectual property provisions applicable to the various types of recipients are located at
<http://energy.gov/gc/standard-intellectual-property-ip-provisions-financial-assistance-awards>

2. Applicant Representations and Certifications

Corporate Felony Conviction and Federal Tax Liability Representations (March 2012)

By submitting an application in response to this FOA the Applicant represents that:

- (1) It is **not** a corporation that has been convicted (or had an officer or agent of such corporation acting on behalf of the corporation convicted) of a felony criminal violation under any Federal law within the preceding 24 months,
- (2) **No** officer or agent of the corporation have been convicted of a felony criminal violation for an offence arising out of actions for or on behalf of the corporation under Federal law in the past 24 months,
- (3) It is **not** a corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.

For purposes of these representations the following definitions apply:

A Corporation includes any entity that has filed articles of incorporation in any of the 50 states, the District of Columbia, or the various territories of the United States [but not foreign corporations]. It includes both for-profit and non-profit organizations.

Applicant Lighting Efficiency Certification (April 2012)

In submitting an application in response to this FOA the Applicant certifies that if chosen for a **grant** award and the award is in excess of \$1,000,000 it will, by the end of the Federal Government's fiscal year, upgrade the efficiency of its facilities by replacing any incandescent lighting of the type for which section 325 of the Energy Policy and Conservation Act (42 USC 6295) establishes a standard that does not meet or exceed the energy efficiency standard for incandescent light bulbs set forth in that section with a lamp that meets or exceeds the standards for lamps established in or pursuant to that section.

Incandescent reflector lamps shall meet or exceed the lamp efficacy standards shown in the table:

Rated lamp wattage	Lamp spectrum	Lamp diameter (inches)	Rated voltage	Minimum average lamp efficacy (lm/W)
40–205	Standard Spectrum	>2.5	≥125V	6.8*P ^{0.27}
			<125V	5.9*P ^{0.27}
		≤2.5	≥125V	5.7*P ^{0.27}
40–205	Modified Spectrum		<125V	5.0*P ^{0.27}
		>2.5	≤125V	5.8*P ^{0.27}
			<125V	5.0*P ^{0.27}
		≤2.5	≥125V	4.9*P ^{0.27}
			<125V	4.2*P ^{0.27}

Note 1: P is equal to the rated lamp wattage, in watts.

Note 2: Standard Spectrum means any incandescent reflector lamp that does not meet the definition of modified spectrum in 10 CFR 430.2.

Subject to the exemption below, the standards specified in this section shall apply to ER incandescent reflector lamps, BR incandescent reflector lamps, BPAR incandescent reflector lamps, and similar bulb shapes.

Subject to the exemption below, the standards specified in this section shall apply to incandescent reflector lamps with a diameter of more than 2.25 inches, but not more than 2.75 inches.

Exemption: The standards specified in this section shall not apply to the following types of incandescent reflector lamps:

- (A) Lamps rated at 50 watts or less that are ER30, BR30, BR40, or ER40 lamps;
- (B) Lamps rated at 65 watts that are BR30, BR40, or ER40 lamps; or
- (C) R20 incandescent reflector lamps rated 45 watts or less.

For purposes of this Certification, the following definitions apply:

- (A) Facilities mean the room(s), area(s), or building(s) that are used to complete a majority of the work under the project.

- (B) In excess of \$1,000,000 means the total value of the grant including all budget periods funded with Federal funds and recipient cost share is greater than \$1,000,000.
- (C) Federal Government's fiscal year begins October 1st and ends September 30th.
- (D) Except as provided in subparagraph (4) below, the term "incandescent lamp" means a lamp in which light is produced by a filament heated to incandescence by an electric current, including only the following:
 - (1) Any lamp (commonly referred to as lower wattage nonreflector general service lamps, including any tungsten-halogen lamp) that has a rated wattage between 30 and 199 watts, has an E26 medium screw base, has a rated voltage or voltage range that lies at least partially within 115 and 130 volts, and is not a reflector lamp.
 - (2) Any lamp (commonly referred to as a reflector lamp) which is not colored or designed for rough or vibration service applications, that contains an inner reflective coating on the outer bulb to direct the light, an R, PAR, ER, BR, BPAR, or similar bulb shapes with E26 medium screw bases, a rated voltage or voltage range that lies at least partially within 115 and 130 volts, a diameter which exceeds 2.25 inches, and has a rated wattage that is 40 watts or higher.
 - (3) Any general service incandescent lamp (commonly referred to as a high- or higher-wattage lamp) that has a rated wattage above 199 watts (above 205 watts for a high wattage reflector lamp).
- (4) The term "incandescent lamp" does not include any lamp excluded by the Secretary, by rule, as a result of a determination that standards for such lamp would not result in significant energy savings because such lamp is designed for special applications or has special characteristics not available in reasonably substitutable lamp types.

(E) The term "base" means the portion of the lamp which connects with the socket as described in ANSI C81.61–1990.

(F) The term "bulb shape" means the shape of lamp, especially the glass bulb with designations for bulb shapes found in ANSI C79.1–1980 (R1984).

(G) The term "lamp efficacy" means the lumen output of a lamp divided by its wattage, expressed in lumens per watt (LPW).

(H) The term "lamp wattage" means the total electrical power consumed by a lamp in watts, after the initial seasoning period referenced in the appropriate IES standard test procedure and including, for fluorescent, arc watts plus cathode.

Costs directly associated with complying with this requirement may be considered allowable and allocable in accordance with the applicable cost principles as set forth in 10 CFR 600. Costs associated with complying with this requirement may also be included in the calculation of recipient cost share.

Applicants shall identify the facility (the rooms or areas where the majority of the proposed project work will occur) and, identify and justify the costs associated with upgrading the light bulbs to meet or exceed the energy efficiency standard for incandescent light bulbs set forth in or pursuant to section 325 of the Energy Policy and Conservation Act (42 U.S.C. 6295) prior to the end of the Federal fiscal year.

D. REPORTING

Reporting requirements are identified in the Special Terms and Conditions and/or on the Federal Assistance Reporting Checklist, DOE F 4600.2, attached to the award agreement.

SECTION VII - QUESTIONS/AGENCY CONTACTS

A. QUESTIONS

Questions regarding the content of the announcement must be submitted through the FedConnect portal. You must register with FedConnect to respond as an interested party to submit questions, and to view responses to questions. **It is recommended that you register as soon after release of the FOA as possible to have the benefit of all responses. DOE will try to respond to a question within 3 business days, unless a similar question and answer has already been posted on the website.**

Questions relating to the registration process, system requirements, how an application form works, or the submittal process must be directed to the PAGE hotline at 866-492-4546, or page-hotline@ee.doe.gov. States should contact their respective Project Officer on State specific questions.

Below is a list of current DOE Project Officers assigned to each State or Territory.

<i>States</i>	<i>Project Officer</i>	<i>E-Mail</i>	<i>Telephone</i>
Maine, Rhode Island	Christopher Anderson	christopher.anderson@ee.doe.gov	202-287-1404
American Samoa, Guam, Hawaii, Northern Marianas, Ohio	Peter Ashley	peter.ashley@go.doe.gov	720-356-1594
Arkansas, Kentucky, Mississippi, Virgin Islands	Grayson Bryant	grayson.bryant@ee.doe.gov	202-287-1767
New York	Alice Dasek	alice.dasek@ee.doe.gov	202-287-1595
Nevada	Pete Davis	pete.davis@go.doe.gov	720-356-1606
Iowa, Idaho, Missouri	Henry Fowler	henry.fowler@go.doe.gov	720-356-1595
Alaska, Louisiana, Oregon, Washington	Tom Fuller	tom.fuller@go.doe.gov	720-356-1627
Illinois, Minnesota, Utah	Sharon Gill	sharon.gill@go.doe.gov	720-356-1593
North Dakota, Nebraska, Pennsylvania, South Dakota	Gordon Gore	gordon.gore@go.doe.gov	720-356-1592
California, New Hampshire, Wisconsin	Julie Howe	julie.howe@go.doe.gov	720-356-1628
Florida, Maryland, North Carolina, South Carolina, Tennessee	Amy Kidd	amy.kidd@ee.doe.gov	202-287-1306
Arizona, Montana, Texas, Wyoming	Randall Lamp	randall.lamp@go.doe.gov	720-356-1631
Indiana, Kansas, Massachusetts, New Mexico	John Merenda	john.merenda@go.doe.gov	720-356-1620
District of Columbia, New Jersey, Virginia, Vermont, West Virginia	Jason Powers	jason.powers@ee.doe.gov	202-287-1319
Puerto Rico, Alabama, Delaware, Georgia	Kirk Stone	kirk.stone@ee.doe.gov	202-287-1803
Colorado, Connecticut, Michigan, Oklahoma	John Winkel	john.winkel@go.doe.gov	720-356-1630

SECTION VIII - OTHER INFORMATION

A. AMENDMENTS

Notices of any amendments to this announcement will be posted on the FedConnect portal. You can receive an email when an amendment or an announcement message is posted by registering with FedConnect as an interested party for this FOA. It is recommended that you register as soon after release of the FOA as possible to ensure you receive timely notice of any amendments or other announcements.

B. GOVERNMENT RIGHT TO REJECT OR NEGOTIATE

DOE reserves the right, without qualification, to reject any or all applications received in response to this announcement and to select any application, in whole or in part, as a basis for negotiation and/or award.

C. COMMITMENT OF PUBLIC FUNDS

The Contracting Officer is the only individual who can make awards or commit the Government to the expenditure of public funds. A commitment by other than the Contracting Officer, either explicit or implied, is invalid.

D. APPENDICES/REFERENCE MATERIAL

- Attachment – State Energy Program Notice 13-01, Program Year 2013 State Energy Program Formula Grant Guidance, including estimated Program Year 2013 Annual Allocations.

E. PROPRIETARY APPLICATION INFORMATION

DOE will use data and other information contained in applications strictly for evaluation purposes. Applicants should not include confidential, proprietary, or privileged information in their applications unless such information is necessary to convey an understanding of the proposed project.

Applications containing confidential, proprietary, or privileged information must be marked as described below. Failure to comply with these marking requirements may result in the disclosure of the unmarked information under the Freedom of Information Act or otherwise. The U.S. Government is not liable for the disclosure or use of unmarked information, and may use or disclose such information for any purpose.

The cover sheet of the application must be marked as follows and identify the specific pages containing confidential, proprietary, or privileged information:

Please be aware that all information provided to DOE (including confidential proprietary or confidential commercial information) is subject public release under the Freedom of Information Act (FOIA). (5 U.S.C. § 552(a)(3)(A) (2006), amended by OPEN Government Act of 2007, Pub. L. No. 110-175, 121 Stat. 2524). When a FOIA request covers information submitted to DOE by an applicant, and the cognizant DOE FOIA Officer cannot make an independent determination regarding the public releasability of this information, the cognizant DOE FOIA Officer will contact the submitter and ask for comment regarding the redaction of information under one or more of the nine FOIA exemptions. However, the cognizant DOE FOIA Officer will make the final decision regarding FOIA redactions. Submitters are given a minimum of 7 days to provide redaction comments and if DOE disagrees with the submitter's comment, DOE will notify the submitter of the intended public release no less than seven (7) days prior to the public disclosure of the information in question." (10 CFR Part 1004.11).

F. PROTECTED PERSONALLY IDENTIFIABLE INFORMATION

In responding to this FOA, Applicants must ensure that Protected Personally Identifiable Information (PII) is not included in the following documents: Project Abstract, Project Narrative, Biographical Sketches, Budget or Budget Justification. These documents will be used by the Merit Review Committee in the review process to evaluate each application. PII is defined by the Office of Management and Budget (OMB) and DOE as:

Any information about an individual maintained by an agency, including but not limited to, education, financial transactions, medical history, and criminal or employment history and information that can be used to distinguish or trace an individual's identity, such as their name, social security number, date and place of birth, mother's maiden name, biometric records, etc., including any other personal information that is linked or linkable to an individual.

This definition of PII can be further defined as: (1) Public PII and (2) Protected PII.

Public PII: PII found in public sources such as telephone books, public websites, business cards, university listing, etc. Public PII includes first and last name, address, work telephone number, email address, home telephone number, and general education credentials.

Protected PII: PII that requires enhanced protection. This information includes data that if compromised could cause harm to an individual such as identity theft.

Listed below are examples of Protected PII that Applicants must not include in the files listed above to be evaluated by the Merit Review Committee.

- Social Security Numbers in any form
- Place of Birth associated with an individual
- Date of Birth associated with an individual
- Mother's maiden name associated with an individual
- Biometric record associated with an individual
- Fingerprint
- Iris scan
- DNA
- Medical history information associated with an individual
- Medical conditions, including history of disease
- Metric information, e.g. weight, height, blood pressure
- Criminal history associated with an individual
- Employment history and other employment information associated with an individual
- Ratings
- Disciplinary actions
- Performance elements and standards (or work expectations) are PII when they are so intertwined with performance appraisals that their disclosure would reveal an individual's performance appraisal
- Financial information associated with an individual
- Credit card numbers
- Bank account numbers

- Security clearance history or related information (not including actual clearances held)

Listed below are examples of Public PII that Applicants may include in the files listed above to be evaluated by the Merit Review Committee:

- Phone numbers (work, home, cell)
- Street addresses (work and personal)
- Email addresses (work and personal)
- Digital pictures
- Medical information included in a health or safety report
- Employment information that is not PII even when associated with a name
- Resumes, unless they include a Social Security Number
- Present and past position titles and occupational series
- Present and past grades
- Present and past annual salary rates (including performance awards or bonuses, incentive awards, merit pay amount, Meritorious or Distinguished Executive Ranks, and allowances and differentials)
- Present and past duty stations and organization of assignment (includes room and phone numbers, organization designations, work email address, or other identifying information regarding buildings, room numbers, or places of employment)
- Position descriptions, identification of job elements, and those performance standards (but not actual performance appraisals) that the release of which would not interfere with law enforcement programs or severely inhibit agency effectiveness
- Security clearances held
- Written biographies (e.g. to be used in a program describing a speaker)
- Academic credentials
- Schools attended
- Major or area of study
- Personal information stored by individuals about themselves on their assigned workstation or laptop unless it contains a Social Security Number