

**FINANCIAL ASSISTANCE
FUNDING OPPORTUNITY ANNOUNCEMENT**



**U.S. Department of Energy
DOE Environmental Management
Consolidated Business Center (EMCBC), Cincinnati, OH
on behalf of
Office of Energy Efficiency and Renewable Energy**

**Recovery Act: Energy Efficiency and Conservation Block Grants:
Competitive Solicitation: Retrofit Ramp-up and General Innovation Fund
Programs**

Funding Opportunity Announcement Number: DE-FOA-0000148

Announcement Type: Initial

**CFDA Number: 81.128 Energy Efficiency and Conservation Block Grant
Program (EECBG)**

Issue Date:	10/19/2009
Voluntary Letter of Intent Due Date:	11/19/2009
Application Due Date:	12/14/2009, 11:59 PM Eastern Time

REGISTRATION AND APPLICATION SUBMISSION REQUIREMENTS

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

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

- A. Obtain a Dun and Bradstreet Data Universal Numbering System (DUNS) number, at <http://fedgov.dnb.com/webform>.
- B. Register in the Central Contractor Registration (CCR) system, at <https://www.ccr.gov/>. Designating an E-Business Point of Contact (EBiz POC) and obtaining a special password called an MPIN are important steps in CCR registration. These items are needed to submit applications in Grants.gov. Update your CCR registration annually.
- C. Register in Grants.gov at <http://www.grants.gov/>. See the Organization Registration User Guide at <http://www.grants.gov/assets/OrgRegUserGuide.pdf>. The Applicant User Guide is at <http://www07.grants.gov/assets/ApplicantUserGuide.pdf>.
- D. Register in FedConnect at <https://www.fedconnect.net/>; use “Register as a Vendor” link. To create an organization account, your organization’s CCR MPIN is required.

Where to Download the Application Package:

Download the Application Package for this announcement at <http://www.grants.gov/>. Click on the “Apply for Grants” link; then, click on the “Download a Grant Application Package” link and follow the instructions. Insert the announcement number to download the Application Package.

Where to Submit the Application Package:

APPLICATIONS MUST BE SUBMITTED THROUGH GRANTS.GOV TO BE CONSIDERED FOR AWARD. Follow instructions in the User’s Guide for application submissions. Applicants are responsible for verifying successful transmission, prior to the Application due date and time.

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:

DUNS & Bradstreet: govt@dnb.com

Central Contractor Registration (CCR) system: <https://www.bpn.gov/ccr/contactccr.aspx>
By phone: 866-606-8220 or 334-206-7828 (8:00 a.m. to 8:00 p.m., Eastern Time)

Grants.gov: support@grants.gov
By phone: 1-800-518-4726 (7:00 a.m. to 9:00 p.m., Eastern)

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

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SECTION I – FUNDING OPPORTUNITY DESCRIPTION

A. Introduction: American Recovery and Reinvestment Act of 2009

Projects under this FOA will be funded, in whole, with funds appropriated by the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5, (Recovery Act or Act). The Recovery Act's purposes are to stimulate the economy and to create and retain jobs. The Act gives preference to activities that can be started and completed expeditiously. Accordingly, special consideration will be given to projects that promote and enhance the objectives of the Act, especially job creation, preservation and economic recovery, in an expeditious manner.

Be advised that special terms and conditions may apply to projects funded by the Act relating to:

- Reporting, tracking and segregation of incurred costs;
- Reporting on job creation and preservation;
- Publication of information on the Internet;
- Access to records by Inspectors General and the Government Accountability Office;
- Prohibition on use of funds for gambling establishments, aquariums, zoos, golf courses or swimming pools;
- Ensuring that iron, steel and manufactured goods are produced in the United States;
- Ensuring wage rates are at least equal to those prevailing on projects of a similar character;
- Protecting whistleblowers and requiring prompt referral of evidence of a false claim to an appropriate inspector general; and
- Certification and Registration.

These special terms and conditions will be based on provisions included in Titles XV and XVI of the Act. The exact terms and conditions will be provided as soon as possible. The currently available Special Provisions are located at:

http://management.energy.gov/business_doe/business_forms.htm.

The Office of Management and Budget (OMB) has issued several guidance documents regarding implementation of Recovery Act programs, available on line at

http://www.whitehouse.gov/omb/recovery_default/. Applicants should consult the DOE website, <http://www.energy.gov>, the OMB website <http://www.whitehouse.gov/omb/>, and the Recovery website, <http://www.recovery.gov>, regularly to keep abreast of guidance and information as it evolves.

Recipients of funding appropriated by the Act shall comply with requirements of applicable Federal, State, and local laws, regulations, DOE policy and guidance, and instructions in this FOA, unless relief has been granted by DOE. Recipients shall flow down the requirements of applicable Federal, State and local laws, and regulations, DOE policy and guidance, and instructions in this FOA to subrecipients at any tier to the extent necessary to ensure the

recipient's compliance with the requirements.

Be advised that Recovery Act funds can be used in conjunction with other funding as necessary to complete projects, but tracking and reporting must be separate to meet the reporting requirements of the Recovery Act and related OMB Guidance. Applicants for projects funded by sources other than the Recovery Act should plan to keep separate records for Recovery Act funds and ensure those records comply with the requirements of the Act. Funding provided through the Recovery Act that is supplemental to an existing grant is one-time funding.

Applicants should begin planning activities for their first tier subawardees, including obtaining a DUNS number (or updating the existing DUNS record), and registering with the Central Contractor Registration (CCR). The extent to which subawardees will be required to register in CCR will be determined by OMB at a later date.

B. Energy Efficiency and Conservation Block Grant Program Background

In passing the Recovery Act, the Congress established and expanded new and existing financial assistance programs intended to foster economic prosperity and job creation; reduce emissions from fossil fuels; and to continue on the pathway to a clean, secure and sustainable energy future.

The Energy Efficiency and Conservation Block Grants (EECBG) Program (<http://www.eecbg.energy.gov/>), funded for the first time by the Recovery Act, represents a Presidential priority to deploy the cheapest, cleanest, and most reliable energy technologies we have - energy efficiency and conservation - across the country. The Program, authorized in Title V, Subtitle E of the Energy Independence and Security Act (EISA) and signed into law on December 19, 2007, is modeled after the Community Development Block Grant program administered by the Department of Housing and Urban Development.

Through formula and competitive grants, the Program empowers local communities to make strategic investments to meet the nation's long-term goals for energy independence and leadership on climate change. Funding for the EECBG Program under the Recovery Act totals \$3.2 billion. Of this amount, over \$2.7 billion will be awarded through formula grants. In addition, up to \$453.72 million will be allocated through competitive grants, which will be awarded through this Funding Opportunity Announcement (FOA). The remaining funds will be used to provide a suite of technical assistance tools to state, local, and tribal grantees.

The purposes of the EECBG Program are to serve as a deployment mechanism for energy efficiency, conservation and renewable energy technologies and to assist eligible entities to create and implement strategies to:

- Reduce fossil fuel emissions in a manner that is environmentally sustainable and, to the maximum extent practicable, maximizes benefits for local and regional communities;
- Reduce the total energy use of the eligible entities;
- Improve energy efficiency in the building sector, the transportation sector, and other appropriate sectors.
- Create and retain jobs; and

- Stimulate the economy.

These stated purposes describe the overall intent of the EECBG Program. Each entity is required to use the funds in a cost-effective manner that is of maximum benefit to the population of that entity and in a manner that will yield continuous benefits over time in terms of energy and emission reductions.

C. Funding Opportunity Announcement Objectives

DOE is releasing this funding opportunity announcement (FOA) seeking innovative state, local government and Indian tribe programs funded under the Recovery Act. This FOA will use up to \$453.72 million in Recovery Act EECBG funds for these competitive grants awarded in two (2) topic areas. Topic 1, the Retrofit Ramp-up Program, provides up to \$390.04 million for programs of \$5 to \$75 million for 8 to 20 awards. Topic 2, The General Innovation Fund, is for competitive grants that are reserved for units of local government and state-recognized tribes not eligible for direct formula grants, as per EISA 2007 requirements. Topic 2 provides up to \$63.68 million (approximately 2 percent of \$3.2 billion) for projects of \$1 to \$5 million for 15 to 60 awards.

The goal of this competitive FOA is to stimulate activities that move beyond traditional public awareness campaigns, program maintenance, demonstration projects, and other “one-time” strategies and projects. DOE seeks to stimulate activities and investments which can:

- 1) Fundamentally and permanently transform energy markets in a way that make energy efficiency and renewable energy the options of first choice; and
- 2) Sustain themselves beyond the grant monies and the grant period by designing a viable strategy for program sustainability into the overall program plan.

In this FOA, DOE is seeking applications which:

- Leverage the participation and support of multiple local jurisdictions, regional planning agencies, and state energy offices;
- Prioritize energy efficiency and/or energy conservation as first in the loading order before investments are made in new generation; however, DOE is interested in applications that integrate cost-effective renewables with efficiency.
- Move beyond the planning stage and ready for implementation;
- Clearly articulate and demonstrate the ability to achieve measurable stretch goals and that have the potential to make an impact at the regional or national level; and
- Maximize the creation and/or retention of jobs in the United States.

The following sections describe the two (2) topics identified in this FOA. Applicants may submit multiple applications to a topic area and/or apply to multiple topic areas, however, separate stand-alone applications must be submitted.

D. Topic Area 1: The Retrofit Ramp-up Program Description

The goal of Topic 1: The Retrofit Ramp-up Program aims to stimulate activities and investments which can:

- Deliver verified energy savings from a variety of projects in the local jurisdiction of the applicant, with a particular emphasis on efficiency improvements in residential, commercial, industrial and public buildings;
- Achieve broader market participation and greater efficiency savings from building retrofits;
- Highly leverage grant funding in order to significantly enhance the resources available for supporting the program;
- Sustain themselves beyond the grant monies and the grant period by designing a viable strategy for program sustainability;
- Serve as pilot building retrofit programs that demonstrate the benefits of gaining economy of scale; and
- Serve as examples of comprehensive community-scale energy-efficiency approaches that could be replicated in other communities across the country.

Pursuant to the Energy Efficiency and Conservation Block Grant Program (EECBG), DOE plans to award up to \$390.04 million for innovative programs that accomplish the economic, energy and environmental goals of the Recovery Act and the EECBG Program, and are highly leveraged (i.e. goal of at least 5:1 per dollar awarded from this FOA), are broadly replicable and scalable, achieve economy of scale benefits, and are likely to be self-sustaining beyond the funding period.

DOE is specifically targeting these funds for high-impact awards that will enable large-scale programs of ongoing energy efficiency retrofits on residential, commercial, industrial and public buildings in geographically focused areas. These programs should result in high-quality retrofits resulting in significant efficiency improvements to a large fraction of buildings within targeted neighborhoods, technology corridors or communities (i.e. “whole-neighborhood” retrofits). DOE anticipates making 8 to 20 awards under this topic, with award sizes of \$5 million to \$75 million (DOE contribution). No recipient cost share is required for Topic 1.

Recovery through Retrofit

DOE is issuing this FOA in conjunction with the White House Middle Class Task Force (<http://www.whitehouse.gov/strongmiddleclass/>) and its Recovery through Retrofit strategy. DOE strongly encourages applicants to be aware of guidance and other information about this strategy, which is available at <http://www.whitehouse.gov/administration/eop/ceq/>.

Eligibility under Topic 1

See Section III – Eligibility Information.

Program Structure

Geographic focus. Under this Topic, DOE is interested in programs that reach a large fraction of buildings within targeted neighborhoods or areas. Note that the geographic area is not necessarily contiguous and may be urban, suburban or rural. The objective is to encourage programs that cover geographic areas that are sufficient to demonstrate economy of scale or critical mass in deployment of energy efficiency and conservation building retrofits. Programs that achieve these benefits not exclusively relying on geographic focus are acceptable (e.g. by targeting specific delivery channels, market segments, or pockets of geographic focus in a regional area). DOE emphasizes the importance of programs that demonstrate the benefits of economy of scale and critical mass and also provide high visibility to communicate success to potential new adoptees of this approach for energy efficiency and conservation savings.

Program design. Under this Topic, DOE is seeking applications that target innovative, “game-changing” ideas that create a comprehensive framework for building retrofits, including processes for financing, marketing/education, delivery, monitoring and verification measurement that can serve as templates for other communities across the country. DOE has designed merit review criteria that emphasize programs that address key obstacles (e.g., upfront cost, lack of consumer confidence), are long-term, replicable, scalable, and enable continued energy efficiency investment beyond the grant period. **Applicants should clearly address how their application addresses all the merit review criteria.** DOE has intentionally left the structure of financing, marketing, delivery and monitoring of building retrofit programs open in order to encourage innovation in these areas, and intends to use this Topic to allow different models of comprehensive, community-scale retrofit programs to be demonstrated and tested.

Revenue and sustainability models. DOE believes there are multiple viable approaches to developing revenue streams from building efficiency improvements that can be used to ensure program sustainability after federal grant monies are exhausted. These may include revolving loan funds, utility on-bill payment and/or financing, the sale of carbon and other offsets, the sale of white tags to meet efficiency mandates, and the sale of efficiencies into forward capacity markets. Under this Topic, DOE will place significant emphasis on the sustainability of the program after the grant period, but intends to allow maximum flexibility to applicants to innovate program models that will achieve this goal.

Leveraging. DOE intends to achieve high (5 to 1) leveraging of grant funds awarded through this FOA, and will place significant emphasis on total project funds availability. This leveraging ratio goal is not a cost share. Instead, DOE seeks to have recipients secure 5 additional dollars for each dollar awarded by DOE under this FOA to meet the total project expenses. For the purposes of this FOA, DOE considers this leveraging to include building owner contributions, partner contributions, in-kind contributions, project revenues, other federal funds (including other DOE funds), and state funds. For example, programs that leverage DOE Weatherization Assistance Program funds and associated resources could constitute one example of a source of leveraged funds.

Partners. DOE strongly encourages applications that plan innovative and creative teams that leverage the participation and support of multiple partners, including utilities, regional planning agencies, businesses, financial institutions, universities, non-governmental organizations, and State energy offices.

Evaluation. DOE intends to address a number of research questions about building retrofit program structures through this FOA. To that end, applicants must agree that, if awarded funds, they will cooperate with DOE on a federally sponsored research and data-gathering exercise

designed to evaluate the effectiveness of different approaches to marketing, delivery, installation, monitoring and financing of retrofits, including the impacts on energy savings and consumer debt. This exercise will employ rigorous statistical methodology based on actual fuel consumption data. Applicants are encouraged to consider this when designing proposed program structures in order to make them as amenable as possible to evaluation, and highlight such design elements in their application materials. DOE intends to provide further guidance regarding best practices for enabling a rigorous evaluation.

Generic examples. The following examples broadly illustrate how comprehensive building retrofit programs might be structured. They are not intended to be prescriptive or to indicate any preference on the part of DOE for particular approaches, but rather to convey the type of comprehensive program design DOE is seeking.

Example 1: Partnering with a bank and a large construction-related retailer, a community develops a retrofit program based on Property Assessed Clean Energy (PACE) loans for homeowners. These loans are used to pay for energy efficiency retrofits delivered by contractors coordinated by the retailer. Project funds are used to leverage additional 5:1 outside funds, and the program is marketed to homeowners by the community, who agree to add a line item on their property tax bill to repay the loans. In designing the program, the community follows federal best practices as outlined in the “Policy Framework for PACE Financing Programs” documents available at <http://www.whitehouse.gov/administration/eop/ceq/>.

Example 2: Partnering with a local utility and a Home Performance with ENERGY STAR (HPwES) partner, a community develops a retrofit program funded by a revolving loan fund. Project funds are used to leverage additional 5:1 outside funds, with an on-bill repayment mechanism for homeowners receiving retrofit services. Working with the HPwES partner and the utility, the community publicizes the program and begins door-to-door “neighborhood sweeps” to audit homes and arrange scheduling for retrofit work with homeowners. Work is delivered through a variety of contractors coordinated by the HPwES partner, and the energy impact is monitored through utility bills reported by the utility.

Example 3: Partnering with a large appliance retailer, a home service contract provider, and the state energy office, a community develops a program to audit homes during the delivery and servicing of appliances and other home systems, working through the servicer and retailer’s network and capabilities. Project funds are used to leverage additional 5:1 outside funds, with loan repayment through service contracts. In order to expand resources available to the program and ensure sustainability, deemed savings from appliances are captured and sold by the community as carbon offsets.

Example 4: Partnering with the state department of commerce and an energy services company (ESCO), a community develops a program to retrofit retail buildings in its downtown district and industrial buildings in a separate district. Project funds are used to leverage additional 5:1 outside funds, and the program is marketed to local businesses by the state department of commerce, with retrofits delivered through the ESCO. Energy savings from retrofits are displayed on signs placed in store windows, and community leaders initiate a campaign to encourage residents to shop at stores, and buy products from industrial facilities, that achieved the greatest energy reductions.

Example 5: Partnering with several local banks and a large construction firm, a community develops a program to retrofit homes and retail buildings in a mixed-used neighborhood. Project funds are used to leverage additional 5:1 outside funds, and the program is marketed to

customers of the banks through the automatic teller machine (ATM) networks and monthly statements, with retrofits delivered by contractors coordinated by the construction firm. Recipients of retrofits are able to check their energy savings online or at local ATMs. To ensure the program's sustainability and enhance its funds for future retrofit work, efficiency savings from retrofits are aggregated and sold to forward capacity markets.

Example 6: Partnering with a large construction-related retailer and a local cable and internet service provider, a community develops a program to bundle energy audits with cable and internet installation and servicing. Outreach and advertising is also provided by the cable/internet provider. Project funds are used to leverage additional 5:1 outside funds, and the program delivers retrofit services through the retailer, using a repayment mechanism based on cable bills. The program allows owners receiving retrofit services to monitor and track their building's performance with online tools hosted by the cable/internet provider, and participate in community-wide comparisons of savings.

Example 7: Partnering with a local utility, a community develops a program to retrofit private, commercial, industrial and public buildings in several neighborhoods. The utility contracts with for-profit and not-for-profit providers to conduct energy audits and install retrofits. The local unit of government uses its bonding authority to pay up-front costs of the program, and the utility collects on-bill payments from building owners and remits to the local government. Federal funds are used to subsidize retrofits of low-income homes and as credit enhancement to support the financing of the program. The overall program is fully coordinated with all other federal, state, local and private programs that support efficiency retrofits in the community.

NOTE: The above examples are intended only to illustrate the types of comprehensive program design DOE is seeking, and should not be taken to indicate a preference for any particular approach.

What not to propose. DOE is *not* seeking the following for Topic 1:

- Projects that are authorized by 42 U.S.C. 17154(1)-(2),(14): Development and implementation of an energy efficiency and conservation strategy; technical consultant services to assist the eligible entity in the development of the energy efficiency and conservation strategy; and any other appropriate activity, as determined by the Secretary of Energy, in consultation with the Administrator of the Environmental Protection Agency, the Secretary of Transportation and the Secretary of Housing and Urban Development.
- Programs for the design and construction of new energy-efficient buildings;
- Technology demonstration programs without market transformation;
- Programs which focus exclusively or largely on renewable energy technologies for buildings (although DOE will consider cost-effective renewable integration with efficiency); and
- Programs which take existing policies and make incremental improvements over business as usual efforts;

Applications that propose projects that are under 42 U.S.C. 17154(1)-(2),(14) above, programs for the design and construction of new energy-efficient buildings, technology demonstration programs without market transformation, and programs which focus exclusively on renewable

generation **will be deemed non-responsive during the initial compliance review and eliminated from full Merit Review.**

Applications should include, to the extent practicable, at least the following key elements:

1. A description of **how many and what kinds of buildings** will be targeted by the retrofit program, and their **geographic location**. This may be a map of zones/neighborhoods that will be targeted, or a detailed text description. (Please provide program related information; NEPA related information should be included in form located in Appendix C.)
2. A description of how the program will conduct **outreach, advertising and marketing** to building owners in the targeted zones to inform them of the program and convince them to agree to participate. This should include a discussion of the value proposition being offered to building owners, and why owners are likely to agree to participate.
3. A description of **how the retrofits will be delivered**, including who will do the audits and contract work.
4. A description of how energy and cost savings from retrofits will be **monitored and verified, and how those results will be communicated to the owner/occupant of the building**.
5. A description of **how the program will be financed**, including leveraged funds and alternate revenue streams as discussed above. This section of the application should also include a discussion of the sustainability of the program after the grant monies are exhausted.
6. An **implementation plan** describing the overall execution of the program, including a detailed timeline and milestones at each stage.
7. **Letters of support** from all major partners contributing leveraged funds and significant in-kind contributions, and **project support letters** from an executive officer from all key partners (included as an appendix to the Narrative file and not included in the Narrative file page limit).
8. **Project Impact Table** (see Appendix G) with estimates of project impact including number of buildings retrofitted per project year (and out years), utilities savings and jobs created/retained.

Additionally, applications must contain a clear description of **why federal funds are needed** to implement the retrofit program described in the application (if this is not included in the elements above). Finally, applicants are encouraged to add further discussion as necessary, including an analysis of key market barriers to retrofits in their local jurisdiction, local resources other than funding, a description of the applicant's historical work in energy efficiency programs, and any other relevant information.

Property Assessed Clean Energy (PACE) programs. The innovative Property Assessed Clean Energy (PACE) approach attaches the obligation to repay an energy-upgrade loan to a property, not an individual borrower. This ensures that the loan is paid by the owner of the upgraded property, which has reduced utility bills, even if the property is sold. An applicant could use funding from this FOA to pay for the administrative costs, reserve funds, software development, or reduced interest rates under a PACE program, or in support of federal research about the

effects of PACE programs. PACE programs supported by funds awarded under this FOA are required to follow the best practices outlined in the "Policy Framework for PACE Financing Programs" documents created by an interagency team as part of the Vice President's Middle Class Task Force Recovery through Retrofit strategy, available at <http://www.whitehouse.gov/administration/eop/ceq/>.

Home Performance with ENERGY STAR. DOE and the Environmental Protection Agency (EPA) offer a program strategy for encouraging comprehensive home energy improvements, called Home Performance with ENERGY STAR. Applicants could use this program strategy as a component of a retrofit program that addresses residential retrofits. More information is available at <http://www.energystar.gov/>.

Building Codes. DOE has included as a program policy factor for the adoption of updated building codes. Entities that have adopted these updated building codes as of the close date of this FOA will be given special consideration. This applies only to prime applicants that have the authority to adopt building codes and have adopted the following:

- 1) A building energy code (or codes) for residential buildings that meets or exceeds the most recently published International Energy Conservation Code, or achieves equivalent or greater energy savings; and
- 2) A building energy code (or codes) for commercial buildings that meets or exceeds the most recently published ANSI/ASHRAE/IESNA Standard 90.1, or achieves equivalent or greater energy savings.

Limitations on the use of funds on Topic 1

ALL APPLICANTS

In accordance with EISA Sec. 548(b), EECBG funds shall supplement (and not supplant) other Federal funding provided under the State Energy Program or the Weatherization Assistance Program.

STATES

States must subgrant at least 60 percent of their allocation to units of local government that are not formula eligible entities.

State applicants may expend for payment of reasonable administrative and planning costs not more than 10 percent of amounts provided under the program including the cost of reporting.

FORMULA-ELIGIBLE UNITS OF LOCAL GOVERNMENTS AND FORMULA-ELIGIBLE INDIAN TRIBES

Up to 10 percent or \$75,000, whichever is greater, of grant funds may be used for administrative expenses, excluding the cost of meeting the reporting requirements of the Program. Administrative costs are the allowable, reasonable, and allocable direct and indirect costs related to overall management of the awarded grant.

Up to 20 percent or \$250,000, whichever is greater, of the grant funds may be used to finance a revolving loan fund.

	State	Formula-eligible unit of local government and Formula-eligible Indian tribe	Formula-ineligible unit of local government and Formula-ineligible Indian tribe
Limit on administrative expenses including the cost of the reporting requirements	Not more than 10% of the amounts provided to the State	Not more than the greater of a. 10% of the amount provided to the eligible unit of local gov't (or eligible Tribe); or b. \$75,000	None
Limit on the amount for establishing a revolving loan fund	None	Not more than the greater of a. 20% of the amount provided to the eligible unit of local gov't (or eligible Tribe); or b. \$250,000	None
Amount required to be provided as subgrants to formula-ineligible units of local government	Not less than 60% of the amount provided to the State (subgrantees must be within the jurisdiction of the State)	None	None

E. Topic Area 2: The General Innovation Fund for Formula-Ineligible Local Governments and Formula-Ineligible Tribes: Work Description

Pursuant to the EECBG and EISA 2007, Topic 2 eligibility (as a prime applicant) for the up to \$63.68 million is restricted for local governments (e.g. cities, counties) and State-recognized Indian Tribes not eligible to receive direct funding allocations from the Energy Efficiency and Conservation Program formula grants. The entities found on the grant allocation pages available at the following link are not eligible for Topic 2: www.eecbg.energy.gov. To establish State-recognized Indian Tribe eligibility, an applicant must submit verifiable documentation from one or more individual States in which it resides that it is formally recognized as having self-

governance authority. DOE plans to award from 15 to 60 awards that are between \$1 million and \$5 million (DOE contribution) each. No recipient cost share is required for Topic 2. In accordance with EISA 2007, Title V, Subtitle E, Sec. 546, special consideration in the form of a program policy factor will be given to local governments proposing projects in states with populations of less than 2 million people, or that plan to carry out projects that would result in significant energy efficiency improvements or reductions in fossil fuel use.

Eligibility under Topic 2

See Section III – Eligibility Information.

Program Structure

Topic 2 of this FOA provides financial assistance to formula-ineligible units of local governments and formula-ineligible Indian tribes to implement programs that:

1. Contribute to meaningful and sustainable market transformation (are broadly replicable and scalable and/or bring a significant benefit to other formula-ineligible units of local governments and formula-ineligible Indian tribes through the successful execution of an outcome or deliverable)
2. Highly leverage DOE financial assistance to achieve significant energy and cost savings and create jobs;
3. Result in a new or innovative approaches to the purposes of the EECBG program which are to reduce fossil fuel emissions, reduce total energy use, and increase energy efficiency; and
4. Are capable of being financially self-sustaining beyond the funding period.

Leveraging. The leveraging that DOE is seeking is not a cost share requirement. For the purposes of this FOA, DOE considers leveraging to include partner contributions, in-kind contributions, project revenues, other federal funds (including other DOE funds), and state funds. For example, programs that leverage DOE Weatherization Assistance Program funds and associated resources could constitute one example of a source of leveraged funds.

The following activities under 42 U.S.C. 17154 are allowed under Topic 2 consideration:

- (3) Building Energy Audits
- (4) Financial Incentive Programs for Energy Efficiency Improvements
- (5) Energy Efficiency Retrofits
- (6) Energy Efficiency and Conservation Programs for Buildings and Facilities
- (7) Development and Implementation of Transportation Programs to Conserve Energy
- (8) Building Codes and Enforcement
- (9) Energy Distribution Technologies for Energy Efficiency
- (10) Material Conservation Programs including source reduction, recycling, and

recycled content procurement programs

- (11) Reduction and Capture of Methane and Greenhouse Gases
- (12) Replacement of Traffic Signals and Street Lighting with Energy Efficient Lighting Technologies
- (13) Renewable Energy Technologies on Government Buildings

DOE has intentionally left Topic Area 2 broad to allow for innovation in program design and delivery across a wide variety of market sectors. Successful applications will propose ideas that have the potential to demonstrate significant long-term benefits beyond those directly received by the recipient entity. Specifically, DOE wishes to support program approaches that prove the value of investment in energy efficiency and renewable energy so that future funding to support similar efforts by other local governments can be confidently provided by those governments or private sources as good investments. Simple equipment replacement efforts (e.g. CFL replacement or give-away programs, boiler replacements, LED traffic light replacements) that do not provide a roadmap for replication by other entities will not likely be considered for award. Programs that include a broad and cohesive partnership structure that effectively leverages DOE financial assistance will be considered more favorably by DOE. DOE seeks to fund programs that have moved well beyond the planning stage and are ready for implementation.

The following examples are provided to illustrate potential areas of activity and are not intended to be comprehensive:

Example 1: Innovative fiscal and financial strategies to promote energy efficiency:

There are numerous examples of strategies using financial and fiscal policy to foster the use of energy efficiency, including revolving loans, Energy Saving Performance Contracts (ESPCs), guaranteed loans and other strategies. DOE seeks to replicate these and other innovative financing models for energy efficiency, and also to fund improvements that amplify their reach or effectiveness. For example, strategies that require point-of-sale energy audits could allow new owners to fold the cost of retrofits into mortgages or home equity loans, lowering monthly energy bills to a greater extent than the monthly amortized cost of such retrofits. These approaches do two important things: they tie energy investments to the home or building, not the owner, and thus extend the window of acceptable investment beyond a single owner's payback expectations. They also amortize the loan over a longer time period. Combining point-of-sale energy audits with on-bill financing, developed in partnership with electric and natural gas utilities, could increase the efficacy of both.

Example 2: Whole neighborhood building energy efficiency retrofits:

A consortia of small towns, villages and/or tribes, and rural area governments commits to implementing whole neighborhood building efficiency retrofits, through a joint partnership. A consortia of local governments would then prepare and submit a joint application to provide comprehensive energy efficiency services to multiple communities within a region. Applications could be coordinated through an existing regional planning process, such as a regional council, council of governments, or regional planning district. Partners could include rural electric cooperatives, municipal utilities, and businesses within the region that could provide energy efficiency services. Programs would be designed to leverage and coordinate with existing

programs and resources offered by federal, state and local agencies (e.g., Qualified Energy Conservation Bonds, utility energy efficiency programs, weatherization and low-income housing assistance). The program could include ‘Quick Start Programs’ that are straightforward to implement; easily integrated into initiatives already underway; result in significant energy and cost savings; have a strong business case; and are highly educational for elected officials, staff and/or the community. These programs may include distributed renewables as part of a larger conservation/energy efficiency program.

Example 3: Reduction in fossil fuel emissions through innovative transportation programs:

Many innovative strategies exist for reducing fossil fuel consumption and emissions in the transportation sector including planning, zoning, and policies to encourage walking, biking, and the use of public transportation systems; evaluating and performing energy audits on transportation systems; and incentives for reductions in vehicle miles traveled or high-occupancy vehicles. There are numerous benefits to transportation planning at the regional level, with adjacent units of government collaborating to address issues affecting the participating governments. A consortia of local governments can work together through a regional transportation planning organization, and can integrate plans and programs into those of other neighboring regional transportation organizations.

Partners

Proposed programs that involve creative and innovative teams that leverage the participation and support of multiple partners are strongly encouraged, including other eligible local jurisdictions, regional planning agencies, businesses, utilities, non-governmental organizations, and state energy offices.

What not to propose. DOE is *not* seeking the following for Topic 2:

- Programs that fall under uses of funds as described in 42 U.S.C. 17154(1)-(2),(14): Development and implementation of an energy efficiency and conservation strategy; Technical consultant services to assist the eligible entity in the development of the energy efficiency and conservation strategy; and any other appropriate activity, as determined by the Secretary of Energy, in consultation with the Administrator of the Environmental Protection Agency, the Secretary of Transportation and the Secretary of Housing and Urban Development.
- Programs for the design and construction of new energy-efficient buildings;
- Technology demonstration programs without market transformation;
- Programs which focus exclusively or largely on renewable energy technologies for buildings (without integrating comprehensive energy efficiency and conservation activities)
- Programs which take existing policies and make incremental improvements over business as usual efforts;
- Programs that are in planning stages and are not ready for implementation.

The following proposed activities will be deemed non-responsive during the initial

compliance review and eliminated from full Merit Review:

- Programs that fall under uses of funds as described in 42 U.S.C. 17154(1)-(2),(14): Development and implementation of an energy efficiency and conservation strategy; Technical consultant services to assist the eligible entity in the development of the energy efficiency and conservation strategy; and any other appropriate activity, as determined by the Secretary of Energy, in consultation with the Administrator of the Environmental Protection Agency, the Secretary of Transportation and the Secretary of Housing and Urban Development.
- Programs for the design and construction of new energy-efficient buildings.
- Technology demonstration programs without market transformation.
- Programs which focus exclusively on renewable generation.

Applications should include, to the extent practicable, at least the following key elements:

1. Narrative description of project concept – including a description of the issue/problem/opportunity you are seeking to address and the expected qualitative and quantitative impact. Applicants are also requested to identify how the proposed program affects economically hard hit communities and to describe expected outcomes.
2. Project implementation plan describing the overall execution of the program, including a detailed project schedule, major tasks, milestones at each stage, and deliverables.
3. Description of anticipated barriers and approach to overcome them.
4. A description of how energy and cost savings (and other Recovery Act metrics) from the project will be monitored and verified, and how those results will be communicated to relevant stakeholders and the strategy for feedback and continuous improvement of the program during its operation.
5. A description of how the program will be financed, including leveraged funds and alternate revenue streams. This should also include a discussion of the sustainability of the program after the grant monies are exhausted.
6. Description of the innovative and creative partnership structure, roles & responsibilities, and capabilities of individuals/organizations.
7. Letters of support from all key project partners as an attachment to Narrative Section (not included in Narrative page limit)
8. Project Impact Table (see Appendix G) with estimates of project impact including utilities savings and jobs created/retained and other project metrics. (not included in Narrative page limit)

Additionally, applications must contain a clear description of **why federal funds are needed** to implement the program described in the application (if this is not included in the elements above). Finally, applicants are encouraged to add further discussion as necessary, including an analysis of key market barriers to implementation, local resources other than funding, a description of the applicant's historical work in energy efficiency programs, and any other relevant information.

Limitations on the use of funds for Topic 2.

FORMULA-INELIGIBLE UNIT OF LOCAL GOVERNMENT OR FORMULA-INELIGIBLE INDIAN TRIBE

In accordance with EISA Sec. 548(b), EECEBG funds shall supplement (and not supplant) other Federal funding provided under the State Energy Program or the Weatherization Assistance Program.

SECTION II – AWARD INFORMATION

A. Type of Award Instrument

Grants

- DOE anticipates awarding grants under this funding opportunity announcement.

B. Estimated Funding

Amount New Awards

- Approximately up to \$390.04 million is expected to be available for new awards under Topic 1 and up to \$63.68 million under Topic 2 of this announcement.

C. Maximum and Minimum Award Size

- Ceiling (i.e., the maximum amount for an individual award made under this announcement):
Topic 1: \$75 million; Topic 2: \$5 million
- Floor (i.e., the minimum amount for an individual award made under this announcement):
Topic 1: \$5 million; Topic 2: \$1 million

D. Expected Number of Awards

Number of Awards per Program/Topic Area

- Under this announcement, DOE expects to make the following number of awards for each Program/Topic Area:

Program/Topic Area	Number of Awards
Topic 1: Retrofit Ramp-up Program	8 to 20
Topic 2: General Innovation Fund for entities ineligible for EECBG formula grants	15 to 60

E. Period of Performance

The period of performance for these grants will be 36 months. In keeping with the agenda of the Recovery Act, and supporting the goal of immediate investment in the economy, entities are required to obligate/commit all funds within eighteen (18) months from the effective date of the award. In the event funds are not obligated/committed within eighteen (18) months, DOE reserves the right to deobligate the funds and cancel the award.

Number of Years

- DOE anticipates making awards that will run for up to three years.

F. Type of Application

New Applications Only

- DOE will accept only new applications under this announcement (i.e., applications for renewals of existing DOE funded projects will not be considered).

G. Authorization

- The activities described in this FOA are authorized in Title V, Subtitle E of the Energy Independence and Security Act (EISA) 2007.

H. General Information

Awards under this FOA will be funded, in whole or in part, with funds appropriated by the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5, (Recovery Act or Act). Be advised that special terms and conditions may apply to projects funded by the Act relating to:

- Reporting, tracking and segregation of incurred costs;
- Reporting on job creation and preservation;
- Publication of information on the Internet;
- Access to records by Inspectors General and the Government Accountability Office;
- Prohibition on use of funds for gambling establishments, aquariums, zoos, golf courses or swimming pools;
- Ensuring that iron, steel and manufactured goods are produced in the United States; Ensuring wage rates are comparable to those prevailing on projects of a similar character;
- Protecting whistleblowers and requiring prompt referral of evidence of a false claim to an appropriate inspector general; and
- Certification and Registration.

These special terms and conditions will be based on provisions included in Titles XV and XVI of the Act. These Special Provisions are located at:

http://management.energy.gov/business_doe/business_forms.htm.

SECTION III - ELIGIBILITY INFORMATION

A. Eligible Applicants

Eligibility under Topic 1

Only the following entities may apply under Topic 1:

1. States;
2. Formula-eligible units of local government;
3. Formula-eligible Indian tribes;
4. Entities eligible under Topic 2; and
5. Governmental, quasi-governmental, or non-governmental not-for-profit organizations authorized by and on behalf of entities described in 1 through 4.

Eligibility under Topic 2

In accordance with Section 546 of EISA 2007, only the following entities may apply under Topic 2:

1. Formula-ineligible units of local government;
2. Formula-ineligible Indian tribes;
3. Consortia of formula-ineligible units of local government or formula-ineligible Indian tribes; and
4. Governmental, quasi-governmental, or non-governmental non-for-profit organizations authorized by and on behalf of entities described in 1 through 3.

PLEASE NOTE:

- States, formula-eligible units of local government, and formula-eligible Indian tribes are not eligible to apply under Topic 2.
- Applicants may submit multiple applications to a topic area and/or apply to multiple topic areas if eligible. However, separate stand-alone applications must be submitted.
- In order to avoid duplication and confusion, all applications submitted by entities 1 through 4 under Topic 1 and 1 through 2 under Topic 2 shall be submitted to DOE by the highest level of governance of the entity. Applicants may designate an official from a political subdivision of that entity (e.g. a Public Works Department or an Office of Sustainability) as the official point of contact on the application, but the political subdivision may not submit the application.
- For consortia, the application must designate one entity as the prime applicant, and have appropriate authorization documentation from all other partners to the consortium.
- Organizations applying on behalf of an entity must submit a letter from the highest level of governance of that entity authorizing the organization to apply for, receive funds, and administer an award on its behalf. The letter must be signed and be on official letterhead of the entity. Organizations applying on behalf of multiple entities must submit either (a) one such letter for each entity or (b) a single letter with this authorization co-signed by each entity, on any letterhead.

DEFINITIONS

“State” means the 50 United States, the District of Columbia and the following Territories of the United States: Puerto Rico, the U.S. Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands.

“Formula-eligible unit of local government” means a unit of local government that was eligible for direct funding under the EECBG formula. A list of formula-eligible units of local government can be found on the program website, <http://www.eecbg.energy.gov>.

“Formula-eligible Indian tribe” means an Indian tribe that was eligible for direct funding under the EECBG formula. A list of formula-eligible Indian tribes can be found on the program website, <http://www.eecbg.energy.gov>.

“Formula-ineligible Indian tribe” means a State-recognized Indian tribe that was not eligible for direct funding under the EECBG formula.

“State-recognized Indian Tribe” means a Native American tribe located within the contiguous 48 States or Alaska that is not Federally recognized pursuant to section 4 of the Indian Self-Determination and Education Assistance Act (42 USC 450b), but is formally recognized as having self-governance authority by one or more individual States in which it resides.

“Formula-ineligible unit of local government” means a city or county that –

- Is listed in the 2007 Governments Integrated Directory (GID) as an incorporated entity;
- Is identified by the 2007 Census of Governments as having a governance structure consisting of an elected official and governing body;
- Has a governing structure,
 - as indicated by the 2007 Census of Governments publication, with the capabilities and jurisdiction necessary to carry out the broad range of EECBG programs, or
 - with the capabilities and jurisdiction necessary to carry out the broad range of EECBG programs, as demonstrated by the applicant; and
- Was not eligible for direct funding under the EECBG formula.

B. Cost Sharing

Cost Sharing Not Required

- Cost sharing is not required for Topic 1 or Topic 2.

C. Other Eligibility Requirements

None.

SECTION IV – APPLICATION AND SUBMISSION INFORMATION

A. Address to Request Application Forms

Application forms and instructions are available at Grants.gov. To access these materials, go to <http://www.grants.gov>, select “Apply for Grants,” and then select “Download Application Package.” Enter the CFDA and/or the funding opportunity number located on the cover of this announcement and then follow the prompts to download the application package. (Also see Section H of this Part below.)

B. Letter of Intent and Pre-Application

1. Letter of Intent Requested

Applicants are requested to submit a letter of intent by November 19, 2009 for applications submitted to both Topic 1 and Topic 2. This letter should include the name of the applicant, proposal to Topic 1 or 2, the title of the project, the name of the Project Director, an estimate of the amount of funds requested, and a brief one-paragraph abstract. Letters of intent and accompanying abstracts will be used by DOE to organize and expedite the merit review process. They should not contain any proprietary or sensitive business information. Failure to submit such letters will not negatively affect a responsive application submitted in a timely fashion. The letter of intent should be sent by E-mail to FOA148@emcbc.doe.gov. DOE is not obligated to respond to the Letters of Intent and will not conduct a compliance or completeness review. You are reminded to review this FOA thoroughly to ensure your application meets all the requirements of this competitive process.

2. Pre-application

Pre-applications Not Required

A pre-application is not required for Topic 1 or for Topic 2.

C. Content and Form of Application

You must complete the mandatory forms and any applicable optional forms, in accordance with the instructions on the forms and the additional instructions below, as required by this FOA. **Files that are attached to the forms must be in Adobe Portable Document Format (PDF) unless otherwise specified in this announcement.**

Once the forms below have been completed, save the Application Package in a single file, using up to 10 letters of the Applicant’s Organization Name as the file name (e.g., Company). If your organization is submitting more than one Application, you must identify an application number at the end of each file name (e.g., City-1). If your organization is submitting more than one Application to different topic areas, you must identify an application number and the Topic Area Number at the end of each file name (e.g., City-1-Topic1).

1. SF 424 - Application for Federal Assistance

Complete this form first to populate data in other forms. Complete all required fields in accordance with the instructions on the form. The list of certifications and assurances referenced in Field 21 can be found at http://management.energy.gov/business_doe/business_forms.htm, under Certifications and Assurances.

2. Project/Performance Site Location(s)

Indicate the primary site where the work will be performed. If a portion of the project will be performed at any other site(s), identify the site location(s) in the blocks provided. **Note that the Project/Performance Site Congressional District is entered in the format of the 2 digit state code followed by a dash and a 3 digit Congressional district code; for example, VA-001.** In the form, hover over this field for additional instructions.

Use the “Next Site” button to expand the form to add additional Project/Performance Site Locations.

3. Other Attachments Form

Submit the following files with your application and attach them to the Other Attachments Form. Click on “Add Mandatory Other Attachment” to attach the Project Narrative. Click on “Add Optional Other Attachment,” to attach the other files.

a. Project Summary/Abstract File

The project summary/abstract must contain a summary of the proposed activity suitable for dissemination to the public. It should be a self-contained document that identifies the name of the applicant, the project director(s), the project title, the objectives of the project, a description of the project, including methods to be employed, the potential impact of the project (i.e., benefits, outcomes), and major participants (for collaborative projects). This document must not include any proprietary or sensitive business information, as the Department may make it available to the public. The project summary must not exceed 1 page when printed using standard 8.5” by 11” paper with 1” margins (top, bottom, left and right), single spaced, with font not smaller than 11 point. Save this information in a file named “Summary.pdf,” and click on “Add Optional Other Attachment” to attach.

b. Project Narrative File - Mandatory Other Attachment

For **Topic 1** applications, the project narrative must not exceed 20 pages, including charts, graphs, maps, photographs, and other pictorial presentations, when printed using standard 8.5” by 11” paper with 1 inch margins (top, bottom, left, and right), single spaced, 11 point font. The appendix of letters of commitment and the Project Impact Table document (see Appendix G) do not count towards the narrative page limit.

For **Topic 2** applications, the project narrative must not exceed 10 pages, including charts, graphs, maps, photographs, and other pictorial presentations, when printed using standard 8.5” by 11” paper with 1 inch margins (top, bottom, left, and right),

single spaced, 11 point font. The appendix of letters of commitment and the Project Impact Table document (see Appendix G) do not count towards the narrative page limit.

EVALUATORS WILL REVIEW ONLY THE NUMBER OF PAGES SPECIFIED IN THE PRECEDING SENTENCES. The font must not be smaller than 11 point. Do not include any Internet addresses (URLs) that provide information necessary to review the application. See Section VIII.D for instructions on how to mark proprietary application information. Save the information in a single file named "Project.pdf," and click on "Add Mandatory Other Attachment" to attach.

The project narrative must include:

- Project Objectives.
This section should provide a clear, concise statement of the specific objectives/aims of the proposed project.
 - Define the goals and objectives of the project.
 - Describe how the proposed work plan will successfully meet the project goals and objectives.
- Merit Review Criteria Discussion.
The section should be formatted to address each of the merit review criteria and sub-criteria listed in Part V. A. below. Provide sufficient information so that reviewers will be able to evaluate the application in accordance with these merit review criteria. **DOE WILL EVALUATE AND CONSIDER ONLY THOSE APPLICATIONS THAT ADDRESS SEPARATELY EACH OF THE MERIT REVIEW CRITERIA AND SUB-CRITERIA.**
- Project Plan and Timetable:
This section should outline as a function of time, year by year, all the important activities or phases of the project, including any activities planned beyond the project period. Successful applicants must use this project timetable to report progress.
 - Describe the project work breakdown structure including major task descriptions, major milestones, decision points, deliverables and outcomes and a project schedule.
 - Include a high level quarterly spend plan associated with the activities/tasks that distinguishes between EECBG grant funds and leveraged funds.
 - Describe how the proposed project organization and approach will facilitate success.
- Relevance and Outcomes/Impacts:
This section should explain the relevance of the effort to the objectives in the program announcement and the expected outcomes and/or impacts. The justification for the proposed project should include a clear statement of the importance of the project in terms of the utility of the outcomes and the target community of beneficiaries.

- Roles of Participants:

For multi-organizational projects, describe the roles and the work to be performed by each participant, business agreements between the applicant and participants, and how the various efforts will be integrated and managed. Describe the relevant experience of each major organization and key project directors/managers' experiences in performing and implementing similar programs.

- American Recovery and Reinvestment Act of 2009, P.L. 111-5 (Recovery Act) Information:

This section should address how the project will promote and enhance the objectives of the Recovery Act, especially job creation and/or preservation, and economic recovery in an expeditious manner. The response must include quantitative data supporting the number of jobs created and/or preserved, as well as data supporting any other direct economic recovery impacts attributable to the performance and conduct of the project.

All the components of your Project Narrative (listed above) must be within the Narrative page limit specified in paragraph b. above. Documents listed below may be included as clearly marked appendices to your Narrative and will not count towards the Project Narrative page limit. Please note that some of the required documents listed below may have their own page limits to which you must adhere.

c. Resume File

Provide a resume for each key person proposed, including subawardees and consultants if they meet the definition of key person. A key person is any individual who contributes in a substantive, measurable way to the execution of the project. Save all resumes in a single file named "resume.pdf" and click on "Add Optional Other Attachment" to attach. The biographical information for each resume must not exceed 2 pages when printed on 8.5" by 11" paper with 1 inch margins (top, bottom, left, and right), single spaced, with font not smaller than 11 point and should include the following information, if applicable:

Education and Training. Undergraduate, graduate and postdoctoral training; provide institution, major/area, degree and year.

Professional Experience: Beginning with the current position list, in chronological order, professional/academic positions with a brief description.

Synergistic Activities. List no more than 5 professional and scholarly activities related to the effort proposed.

- Of the key personnel identified in this file, indicate the Principal Investigator(s) (PI).
- For Multiple Principal Investigators:

The applicant, whether a single organization or team/partnership/consortium, must indicate if the project will include multiple PIs. The decision to use

multiple PIs for a project is the sole responsibility of the applicant. If multiple PIs will be designated, the application must identify the Contact PI/Project Coordinator and provide a “Coordination and Management Plan” that describes the organization structure of the project as it pertains to the designation of multiple PIs. This plan should, at a minimum, include:

- Process for making decisions on scientific/technical direction;
- Publications;
- Intellectual property issues;
- Communication plans;
- Procedures for resolving conflicts; and
- PIs’ roles and administrative, technical and scientific responsibilities for the project.

The resume file does not have a page limitation.

d. Budget File

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

You must provide a separate budget for each year of support requested and accumulative budget for the total project period. Use the SF 424 A Excel, “Budget Information – Non Construction Programs” form on the DOE Financial Assistance Forms Page at http://management.energy.gov/business_doe/business_forms.htm.

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 allowability under the applicable Federal cost principles, and are not prohibited by the funding restrictions in this announcement (see Section IV, G). Save the information in a single file named “SF424A.xls,” and click on “Add Optional Other Attachment” to attach.

e. Budget Justification File

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; identify proposed subaward/consultant work and cost of each subaward/consultant; 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 cost share is required, you must have a letter from each third party contributing cost share (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 share. In the budget justification, identify the following information for each third

party contributing cost share: (1) the name of the organization; (2) the proposed dollar amount to be provided; (3) the amount as a percentage of the total project cost; and (4) the proposed type of cost share – cash, services, or property. By submitting your application, you are providing assurance that you have signed letters of commitment. Successful applicants will be required to submit these signed letters of commitment.

Save the budget justification information in a single file named “Budget.pdf,” and click on “Add Optional Other Attachment” to attach.

Adequacy of Cost Proposal or Application Budget Submission for Audit

The work contemplated under an award made pursuant to this Funding Opportunity Announcement is in support of the Department of Energy’s American Recovery and Reinvestment Act programs and represents a Departmental priority. In order to facilitate timely and efficient evaluation of cost proposals or indirect rate proposals, there is a need to ensure that the applicant’s initial cost proposal/budget is adequate and complete for purposes of performing the pre-award audit. Accordingly, the applicant and major proposed subrecipients or subcontractors are strongly encouraged to review their cost proposals/budgets using the Defense Contract Audit Agency “Criteria for Adequate Contract Pricing Proposals” guidance in Appendix F prior to submitting their cost proposals/budgets or indirect rate proposals in order to facilitate the audit of its cost proposal/budget. Appendix F is provided for applicants to perform reviews of their cost proposal/budget, and is not a required document for submission with the application.

f. American Recovery and Reinvestment Act of 2009, P.L. 111-5 (Recovery Act) Additional Budget Justification Information for Davis-Bacon Act

Applications shall provide information which validates that all laborers and mechanics on projects funded directly by or assisted in whole or in part by and through funding appropriated by the Recovery Act are paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by Subchapter IV of Chapter 31 of Title 40, United States Code (Davis-Bacon Act). For guidance on how to comply with this provision, see <http://www.dol.gov/esa/whd/contracts/dbra.htm>.

Save the Davis-Bacon Act Justification in a single file named “Davis_Bacon.pdf,” and click on “Add Optional Other Attachment” to attach.

g. Letters of Commitment for Cost Share

Letters of commitment for Cost Share are not required.

h. Subaward Budget File(s) You must provide a separate budget (i.e., budget for each budget year and a cumulative budget) for each subawardee that is expected to perform work estimated to be more than \$100,000 or 50 percent of the total work effort (whichever is less). Use the SF 424 A Excel for Non Construction Programs or

the SF 424 C Excel for Construction Programs. These forms are found on the DOE Financial Assistance Forms Page at http://management.energy.gov/business_doe/business_forms.htm. Save each Subaward budget in a separate file. Use up to 10 letters of the subawardee's name (plus 424.xls) as the file name (e.g., company424.xls or energyres424.xls). Click on "Add Optional Other Attachment" to attach each file.

A budget justification for the subaward budget is also required. The budget justification must include the same justification information described in paragraph e. above.

First-Tier Subawardee American Recovery and Reinvestment Act of 2009, P.L. 111-5 (Recovery Act) Additional Budget Justification Information

First-Tier Subawardee Budget Justifications shall provide information which validates that all laborers and mechanics on projects funded directly by or assisted in whole or in part by and through funding appropriated by the Recovery Act are paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by Subchapter IV of Chapter 31 of Title 40, United States Code (Davis-Bacon Act). For guidance on how to comply with this provision, see <http://www.dol.gov/esa/whd/contracts/dbra.htm>.

i National Environmental Policy Act (NEPA)

Applicants must complete the environmental summary for DOE review, providing information addressing environmental issues, concerns, and impacts potentially associated with proposed plans, programs, and projects (See Appendix C). DOE will consider environmental impacts during the Merit Review process. If selected for award, DOE may require the submittal of additional environmental information for its review prior to authorizing the expenditure of funds. Save the completed Appendix C, NEPA Form, in a single file named "NEPA.pdf" and click on "Add Optional Other Attachment" to attach.

j. Project Impact Table

Applicants for both Topic 1 and Topic 2 should provide, to the extent practicable, projections for benefits given in the Project Impact Table in Appendix G. The applicant can also provide additional metrics as indicated. High level assumptions should be included in the relevant section.

Save the completed Appendix G, Project Impact Table, in a single file named "Impact_Table.pdf," and click on "Add Optional Other Attachment" to attach.

k. Certification of State-Recognized Indian Tribes (TOPIC 2 ONLY)

As applicable, State Recognized Indian Tribes shall submit documentation to certify that they are State-recognized entities and are therefore eligible to apply for funding under Topic 2 of this Announcement. Save the Certification of State-Recognized Indian Tribes in a single file named "State RecognizedTribes.pdf," and click on "Add Optional Other Attachment" to attach.

I. Letter(s) of Authorization to Apply on Behalf of an Entity

If the application is being submitted by an organization on behalf of an entity, the application must include a letter from the highest level of governance of that entity authorizing the organization to apply for, receive funds, and administer an award on its behalf. The letter must be signed and be on official letterhead of the entity.

Organizations applying on behalf of multiple entities must submit letters for each such entity.

Summary of Required Forms/Files

Your application must include the following documents:

Name of Document	Format	File Name
SF 424 - Application for Federal Assistance	Part of Adobe Application Package	
Project/Performance Site Location(s)	Part of Adobe Application Package	
Other Attachments Form: Attach the following files to this form:	Part of Adobe Application Package	See Instructions
Project Summary/Abstract File	PDF	Summary.pdf
Project Narrative File, including required appendices (Letters of Commitment)	PDF	Project.pdf
Resume File	PDF	Resume.pdf
SF 424A Excel – Budget Information for Non-Construction Programs File	Excel	SF424A.xls
Budget Justification File	PDF	See Instructions
Davis-Bacon Justification	PDF	Davis_Bacon.pdf
Subaward Budget File(s), if applicable Budget Justification(s), if applicable	Excel for Budget PDF for Justification	See Instructions
Appendix C. NEPA Summary Table	PDF	Nepa.pdf
Appendix G. Project Impact Table	PDF	Impact_table.pdf
Certification of State-Recognized Indian Tribes (Topic 2 only)	PDF	StateRecognizedTribes.pdf
Letter(s) of Authorization to Apply on Behalf of an Entity	PDF	Authorization Letter.pdf

D. Submissions from Successful Applicants

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

- Indirect cost information
- Other budget information
- Statement of Project Objectives
- Environmental Questionnaire
- Project Management Plan for Topic 1 awardees
- Because Recovery Act funds apply to awards under this announcement, additional certification requirements will be required for state or local governments. See Special Provisions located at:
http://management.energy.gov/business_doe/business_forms.htm.

E. Submission Dates and Times

1. Voluntary Letters of Intent Due Date: November 19, 2009

Applicants are requested to submit a letter of intent by November 19, 2009 for applications submitted to both Topic 1 and Topic 2. Letters of intent should be sent to the following email address: FOA148@emcbc.doe.gov.

2. Application Due Date

Application Due Date, 11:59 PM

- Applications must be received by December 14, 2009 not later than 11:59 PM Eastern Time. You are encouraged to transmit your application well before the deadline.
APPLICATIONS RECEIVED AFTER THE DEADLINE WILL NOT BE REVIEWED OR CONSIDERED FOR AWARD.

F. Intergovernmental Review

Program Not Subject to Executive Order 12372

- This program is not subject to Executive Order 12372 – Intergovernmental Review of Federal Programs.

G. Funding Restrictions

Cost Principles. Costs must be allowable in accordance with the applicable Federal cost principles referenced in 10 CFR Part 600. The cost principles for commercial organization are in FAR Part 31.

Pre-award Costs. Recipients may charge to an award resulting from this announcement pre-award costs that were incurred within the ninety (90) calendar day period immediately

preceding the effective date of the award, if the costs are allowable in accordance with the applicable Federal cost principles referenced in 10 CFR part 600. Recipients must obtain the prior approval of the contracting officer for any pre-award costs that are for periods greater than this 90 day calendar period.

Pre-award costs are incurred at the applicant's risk. DOE is under no obligation to reimburse such costs if for any reason the applicant does not receive an award or if the award is made for a lesser amount than the applicant expected.

If recipients are State or Local Governments, they may not incur pre-award costs prior to award, without prior approval of the DOE contracting officer.

H. Submission and Registration Requirements

1. Where to Submit

APPLICATIONS MUST BE SUBMITTED THROUGH GRANTS.GOV, TO BE CONSIDERED FOR AWARD UNDER THIS ANNOUNCEMENT. You cannot submit an application through Grants.gov unless you are registered. Please read the registration requirements below carefully and start the process immediately. Submit electronic applications through the "Apply for Grants" function at www.Grants.gov.

If you have problems completing the registration process or submitting your application, call Grants.gov at 1-800-518-4726 (7:00 a.m. to 9:00 p.m., Eastern) or send an email to support@grants.gov. It is the responsibility of the applicant to verify successful transmission, prior to the Application due date and time.

2. Registration Process Requirements

To submit an application in response to this FOA, Applicants must be registered with Grants.gov. Register in Grants.gov at <http://www.grants.gov/>. See the Organization Registration User Guide at <http://www.grants.gov/assets/OrgRegUserGuide.pdf>. The Applicant User Guide is at <http://www07.grants.gov/assets/ApplicantUserGuide.pdf>. Allow at least 21 days to complete all registration requirements.

Before you can register with Grants.gov, you will need the following:

- a. Your organization's Dun and Bradstreet Data Universal Numbering System (DUNS) (including plus 4 extension if applicable). To check whether your organization has a DUNS or if your organization requires a DUNS, search for the number or request one at <http://fedgov.dnb.com/webform/displayHomePage.do>.
- b. A federal Central Contractor Registration (CCR) account. If your organization is not currently registered with CCR, please register at www.ccr.gov before continuing with your Grants.gov registration. Designating an Electronic Business Point of Contact (EBiz POC) and obtaining a special password called an MPIN are important steps in CCR registration. These items are needed to submit applications in Grants.gov. Update your CCR registration annually.

- c. Registration in FedConnect at <https://www.fedconnect.net/>; use “Register as a Vendor” link. To create an organization account, your organization’s CCR MPIN is required; obtain the MPIN from your organization’s Electronic Business Point of Contact. Refer to the FedConnect Quick Start guide at the website

3. 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 Grants.gov and 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 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. Criteria

1. Initial Review Criteria

Application Award Eligibility for both Topic 1 and 2

- Prior to a comprehensive merit evaluation, DOE will perform an initial review to determine that (1) the applicant is eligible for an award; (2) the information required by the announcement has been submitted; (3) all mandatory requirements are satisfied; and (4) the proposed project is responsive to the objectives of the funding opportunity announcement. If an application fails to meet these requirements, it may be deemed non-responsive and eliminated from full Merit Review.

The following proposed activities will be deemed non-responsive during the initial compliance review and eliminated from full Merit Review:

- Programs that fall under uses of funds as described in 42 U.S.C. 17154(1)-(2),(14): Development and implementation of an energy efficiency and conservation strategy; Technical consultant services to assist the eligible entity in the development of the energy efficiency and conservation strategy; and any other appropriate activity, as determined by the Secretary of Energy, in consultation with the Administrator of the Environmental Protection Agency, the Secretary of Transportation and the Secretary of Housing and Urban Development
- Programs for the design and construction of new energy-efficient buildings.
- Technology demonstration programs without market transformation.
- Programs which focus exclusively or largely on renewable energy technologies for buildings (without integrating comprehensive energy efficiency and conservation activities).
- For Topic 1 only, programs that do not specifically target building retrofits.

2. Merit Review Criteria

Applications will be evaluated against the merit review criteria shown below.

Topic 1

Criterion 1: Leveraging and Sustainability

Weight: 25%

- The extent to which the proposed activity leverages EECBG grant dollars, especially through innovative financial and fiscal tools and strategies.
- The extent to which the proposed project will create meaningful and sustainable market transformation, particularly after grant monies are exhausted.

Criterion 2: Project Impact

Weight: 25%

- The extent to which the proposed project achieves the goal of benefiting from economies of scale and critical mass in a focused building retrofit program, while mitigating possible risks of increased mortgage defaults or foreclosures through measures such as those outlined in the “Policy Framework for PACE Loan Programs” documents (see <http://www.whitehouse.gov/administration/eop/ceq/>).
- The expected quantitative impact of the proposed project in terms of energy saved and emissions avoided. The reasonableness of projections of number of buildings retrofitted in the project period and in the outyears (past project completion, plus years 1 to 3) in light of the EECBG budget requested. The reasonableness of projections of average utility savings. (See Impact Table in Appendix G.)
- The extent to which the program or project strategy can be adopted or replicated by other communities.

Criterion 3: Project Approach

Weight: 25%

- The soundness of the project’s management strategy, including specifics of the outreach/marketing strategy, the funding structure, the implementation/delivery plan, the monitoring/verification plan and the strategy for feedback and continuous improvement of the program during its operation.
- The extent to which the proposal contains clear goals, well-defined tasks and methods, objective deliverables, and realistic milestones.
- The extent to which institutional, regulatory, or market barriers have been identified and the project includes reasonable approaches to overcoming those barriers.
- The degree to which the application demonstrates a plan to address all environmental, health and safety, permitting, and compliance issues, sufficient to support DOE's review and analysis in accordance with the National Environmental Policy Act (NEPA).

Criterion 4: Partnership Structure and Capabilities

Weight: 25%

- The extent of involvement from a broad range of entities/organizations representing government agencies, private sector entities, and other organizations.
- The extent to which roles and responsibilities of each partner/team member have been identified and are reasonably matched to their ability to successfully manage and implement the proposed project.
- The ability of the project team to complete the work successfully, including qualifications and relevant experience of key organizations and personnel.

Topic 2

Criterion 1: Project Impact

Weight: 50%

- The expected quantitative impact of the proposed project in terms of energy saved and emissions avoided as reported in the Project Impact Table in the project period and in the outyears (past project completion, plus years 1 to 3) in light of the EECBG budget requested and the reasonableness of assumptions made.
- The extent to which the proposed activity leverages EECBG grant dollars.
- The extent to which the proposed project will create meaningful and sustainable market transformation (e.g. project is scaleable and replicable), particularly after grant monies are exhausted.

- The extent to which the proposed activity is innovative or represents a new approach to the purposes of the EECBG program.

Criterion 2: Project Approach

Weight: 25%

- The soundness of the project's management strategy, including specifics of the outreach/marketing strategy, the funding structure, the implementation/delivery plan, and the monitoring/verification plan and the strategy for feedback and continuous improvement of the program during its operation.
- The degree to which the proposal contains clear goals, well-defined tasks and methods, realistic milestones, schedule and achievable deliverables and outcomes.
- The extent to which institutional, regulatory, or market barriers have been identified and the project includes reasonable approaches to overcoming those barriers.
- The application demonstrates a plan to address all environmental, health and safety, permitting, and compliance issues, sufficient to support DOE's review and analysis in accordance with the National Environmental Policy Act (NEPA).

Criterion 3: Partnership Structure and Capabilities

Weight: 25%

- The extent of involvement from a broad range of entities/organizations representing government agencies, private sector entities, and other organizations.
- The extent to which roles and responsibilities of each partner/team member have been identified and are reasonably matched to their ability to successfully manage and implement the proposed project
- The adequacy of the credentials, capabilities and experience of key personnel/team members.

3. Other Selection Factors

Program Policy Factors

The selection official may consider the following program policy factors in the selection process:

Topic 1

- Diversity of awards, including multiple locations, climates, and program structures.
- Impact on reducing property owners' risk of loan default by reducing energy bills.
- Adoption of updated building codes. This applies only to prime applicants that have the authority to adopt building codes and have adopted the following by the close date of the FOA:
 - A building energy code (or codes) for residential buildings that meets or exceeds the most recently published International Energy Conservation Code, or achieves equivalent or greater energy savings; and
 - A building energy code (or codes) for commercial buildings that meets or exceeds the most recently published ANSI/ASHRAE/IESNA Standard 90.1, or achieves equivalent or greater energy savings.

- Selection of Applications which promote and enhance the objectives of the American Recovery and Reinvestment Act of 2009, P.L. 111-5, especially job creation, and/or preservation and economic recovery in an expeditious manner.
- Consideration of the impact on, and benefits to, a diversity of communities, including low-income and rural communities.

Topic 2

- Diversity of awards, including multiple locations, climates, and program structures.
- Selection of Applications from local governments located in states with populations of less than 2 million people, or that plan to carry out projects that would result in significant energy efficiency improvements or reductions in fossil fuel use.
- Selection of Applications which promote and enhance the objectives of the American Recovery and Reinvestment Act of 2009, P.L. 111-5, especially job creation, and/or preservation and economic recovery in an expeditious manner.
- Consideration of the impact on, and benefits to, a diversity of communities, including low-income and rural communities.

B. Review and Selection Process

1. Merit Review

Applications Subject to Merit Review

Applications that pass the initial review will be subjected to a merit review in accordance with the guidance provided in the “Department of Energy Merit Review Guide for Financial Assistance”. This guide is available at:

<http://www.management.energy.gov/documents/meritrev.pdf>.

It is very important the Project Abstract and Project Narrative files not contain any Personally Identifiable Information, as described in Appendix B.

2. Selection

Selection Official Consideration

The Selection Official may consider the merit review recommendation, program policy factors, and the amount of funds available.

3. Discussions and Award

Government Discussions with Applicant

The Government may enter into discussions with a selected applicant for any reason deemed necessary, including, but not limited to: (1) the budget is not appropriate or

reasonable for the requirement; (2) only a portion of the application is selected for award; (3) the Government needs additional information to determine that the recipient is capable of complying with the requirements in 10 CFR part 600; and/or (4) special terms and conditions are required. Failure to resolve satisfactorily the issues identified by the Government will preclude award to the applicant.

C. Anticipated Notice of Selection and Award Dates

Selection and Award Date

DOE anticipates notifying applicants selected for award by **March 15, 2010** and making awards by **May 15, 2010**.

SECTION VI - AWARD ADMINISTRATION INFORMATION

A. Award Notices

1. Notice of Selection

Selected Applicants Notification

DOE will notify applicants selected for award. This notice of selection is not an authorization to begin performance. (See Section IV.G with respect to the allowability of pre-award costs.)

Non-selected Notification

Organizations whose applications have not been selected will be advised as promptly as possible. This notice will explain why the application was not selected.

2. Notice of Award

A Financial Assistance Award or 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) Applicable program regulations, if any; (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; and (7) Federal Assistance Reporting Checklist, which identifies the reporting requirements.

For grants and cooperative agreements made to universities, non-profits and other entities subject to OMB Circular A-110, the Award also includes the Research Terms and Conditions and the DOE Agency Specific Requirements located at:

<http://www.nsf.gov/bfa/dias/policy/rtr/index.jsp>.

B. Administrative and National Policy Requirements

1. Administrative Requirements

The administrative requirements for DOE grants and cooperative agreements are contained in 10 CFR part 600 (See: <http://ecfr.gpoaccess.gov>). Grants and cooperative agreements made to universities, non-profits and other entities subject to OMB Circular A-110 are subject to the Research Terms and Conditions located on the National Science Foundation web site at: <http://www.nsf.gov/bfa/dias/policy/rtr/index.jsp>.

2. 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://management.energy.gov/business_doe/business_forms.htm

<http://www.management.energy.gov/documents/specialtermsandcondition308.pdf>.

The National Policy Assurances To Be Incorporated As Award Terms are located at

http://management.energy.gov/business_doe/business_forms.htm

http://management.energy.gov/business_doe/1374.htm.

3. Intellectual Property Provisions

The standard DOE financial assistance intellectual property provisions applicable to the various types of recipients are located at

http://www.gc.doe.gov/financial_assistance_awards.htm.

4. American Recovery and Reinvestment Act 2009 Award Administration Information

- Special Provisions relating to work funded under American Recovery and Reinvestment Act of 2009, Pub. L. 111-5 shall apply. (Special Provisions are located at: http://management.energy.gov/business_doe/business_forms.htm.) Also, the Office of Management and Budget may be promulgating additional provisions or modifying existing provisions. Those additions and modifications will be incorporated into the Special Provisions as they become available.
- The Special Notices and current award provisions from OMB's guidance for implementing the Recovery Act at 2 CFR Part 176 are incorporated in this FOA in Appendix E.

C. Reporting

Reporting requirements are identified on the Federal Assistance Reporting Checklist, DOE F 4600.2, attached to the award agreement. For a sample Checklist, see <http://management.energy.gov/documents/DOEF46002PolicyVersion.pdf>.

Awards under this FOA will be funded, in whole or in part, with funds appropriated by the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5, (Recovery Act or Act). Be advised that Recovery Act reporting requirements may apply to projects funded by the Act. The reporting requirements will be specified in the DOE F 4600.2 or other related Recovery Act guidance as they become available.

SECTION VII - QUESTIONS/AGENCY CONTACTS

A. Questions

Questions regarding the content of the announcement must be submitted through the FedConnect system. You must register with FedConnect to respond as an interested party to submit questions, and to review 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.

More information is available at:

https://www.fedconnect.net/Fedconnect/PublicPages/FedConnect_Ready_Set_Go.pdf.

DOE will try to respond to a question within 3 business days, unless a similar question and answer have already been posted on the website.

Questions pertaining to the **submission of applications through Grants.gov** should be directed by e-mail to support@grants.gov or by phone to 1-800-518-4726. The Grants.gov Helpdesk is available 7:00 a.m. to 9:00 p.m. Eastern Time.

SECTION VIII - OTHER INFORMATION

A. Modifications

Notices of any modifications to this announcement will be posted on Grants.gov. When you download the application at Grants.gov, you can register to receive notifications of changes through Grants.gov.

Notices of any modifications to this announcement will also be available in the FedConnect system. You can receive an email when a modification 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 the release of the FOA as possible to ensure you receive timely notice of any modifications or other announcements. More information is available at <http://www.fedconnect.net> and https://www.fedconnect.net/Fedconnect/PublicPages/FedConnect_Ready_Set_Go.pdf

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. Proprietary Application Information

Patentable ideas, trade secrets, proprietary or confidential commercial or financial information, disclosure of which may harm the applicant, should be included in an application only when such information is necessary to convey an understanding of the proposed project. The use and disclosure of such data may be restricted, provided the applicant includes the following legend on the first page of the project narrative and specifies the pages of the application which are to be restricted:

“The data contained in pages _____ of this application have been submitted in confidence and contain trade secrets or proprietary information, and such data shall be used or disclosed only for evaluation purposes, provided that if this applicant receives an award as a result of or in connection with the submission of this application, DOE shall have the right to use or disclose the data herein to the extent provided in the award. This restriction does not limit the government’s right to use or disclose data obtained without restriction from any source, including the applicant.”

To protect such data, each line or paragraph on the pages containing such data must be specifically identified and marked with a legend similar to the following:

“The following contains proprietary information that (name of applicant) requests not be released to persons outside the Government, except for purposes of review and evaluation.”

E. Evaluation and Administration by Non-Federal Personnel

In conducting the merit review evaluation, the Government may seek the advice of qualified non-Federal personnel as reviewers. The Government may also use non-Federal personnel to conduct routine, nondiscretionary administrative activities. The applicant, by submitting its application, consents to the use of non-Federal reviewers/administrators. Non-Federal reviewers must sign conflict of interest and non-disclosure agreements prior to reviewing an application. Non-Federal personnel conducting administrative activities must sign a non-disclosure agreement.

F. Intellectual Property Developed Under This Program

Patent Rights. The government will have certain statutory rights in an invention that is conceived or first actually reduced to practice under a DOE award. 42 U.S.C. 5908 provides that title to such inventions vests in the United States, except where 35 U.S.C. 202 provides otherwise for nonprofit organizations or small business firms. However, the Secretary of Energy may waive all or any part of the rights of the United States subject to certain conditions. (See “Notice of Right to Request Patent Waiver” in paragraph G below.)

Rights in Technical Data. Normally, the government has unlimited rights in technical data created under a DOE agreement. Delivery or third party licensing of proprietary software or data developed solely at private expense will not normally be required except as specifically negotiated in a particular agreement to satisfy DOE’s own needs or to insure the commercialization of technology developed under a DOE agreement.

G. Notice Of Right To Request Patent Waiver

Patent Rights. The government will have certain statutory rights in an invention that is conceived or first actually reduced to practice under a DOE award. The Bayh-Dole Act (35 U.S.C. 202) ensures that a domestic small business, university or a non-profit awardee will have the option to retain title to their own inventions, subject to the Government retaining a government purpose license, march-in rights and a U.S. preference in licensing. The patent clause that will apply may be found at 10 C.F.R. Part 600 Appendix A to Subpart D, PATENT RIGHTS-SMALL BUSINESS FIRMS AND NONPROFIT ORGANIZATIONS. For awardees that are not subject to the Bayh-Dole Act, 42 U.S.C. 5908 provides that title to such inventions vests in the United States, unless DOE grants a patent waiver pursuant to 10 CFR 784. A patent waiver provides that those awardees that are not subject to the Bayh-Dole Act will also have the option to retain title to their own inventions, subject to the same government retained rights identified above and they agree to substantially manufacture new technology created under an award resulting from this FOA in the U.S. or provide other economic benefits to the U.S. The patent clause that will apply may be found at <http://www.gc.doe.gov/documents/patwaivclau.pdf>. Those entities which are not subject to Bayh-Dole may request a waiver of all or any part of the rights of the United States in inventions conceived or first actually reduced to practice in performance of an agreement as a result of this announcement, in advance of or within 30 days after the effective date of the award. Even if such advance waiver is not requested or the request is denied, the recipient

will have a continuing right under the award to request a waiver of the rights of the United States in the title to identified inventions, i.e., individual inventions conceived or first actually reduced to practice in performance of the award. Any individual patent waiver that may be granted is subject to certain terms and conditions in 10 CFR 784; <http://www.gc.doe.gov/documents/patwaivclau.pdf>.

H. Notice of Right to Conduct a Review of Financial Capability

DOE reserves the right to conduct an independent third party review of financial capability for applicants that are selected for negotiation of award (including personal credit information of principal(s) of a small business if there is insufficient information to determine financial capability of the organization).

I. Notice of Potential Disclosure under Freedom of Information Act

Applicants should be advised that identifying information regarding all applicants, including applicant names and/or points of contact, may be subject to public disclosure under the Freedom of Information Act, whether or not such applicants are selected for negotiation of award.

REFERENCE MATERIAL

Appendix A – Definitions

“Amendment” means a revision to a Funding Opportunity Announcement

"Applicant" means the legal entity or individual signing the Application. This entity or individual may be one organization or a single entity representing a group of organizations (such as a Consortium) that has chosen to submit a single Application in response to a Funding Opportunity Announcement.

"Application" means the documentation submitted in response to a Funding Opportunity Announcement.

“Authorized Organization Representative (AOR)” is the person with assigned privileges who is authorized to submit grant applications through Grants.gov on behalf of an organization. The privileges are assigned by the organization’s E-Business Point of Contact designated in the CCR.

"Award" means the written documentation executed by a DOE Contracting Officer, after an Applicant is selected, which contains the negotiated terms and conditions for providing Financial Assistance to the Applicant. A Financial Assistance Award may be either a Grant or a Cooperative Agreement.

"Budget" means the cost expenditure plan submitted in the Application, including both the DOE contribution and the Applicant Cost Share.

“Central Contractor Registration (CCR)” is the primary database which collects, validates, stores and disseminates data in support of agency missions. Funding Opportunity Announcements which require application submission through FedConnect or Grants.gov require that the organization first be registered in the CCR at <http://www.grants.gov/CCRRegister>.

"Consortium (plural consortia)" means the group of organizations or individuals that have chosen to submit a single Application in response to a Funding Opportunity Announcement.

"Contracting Officer" means the DOE official authorized to execute Awards on behalf of DOE and who is responsible for the business management and non-program aspects of the Financial Assistance process.

"Cooperative Agreement" means a Financial Assistance instrument used by DOE to transfer money or property when the principal purpose of the transaction is to accomplish a public purpose of support or stimulation authorized by Federal statute, and Substantial Involvement (see definition below) is anticipated between DOE and the Applicant during the performance of the contemplated activity.

"Cost Sharing" means the respective share of Total Project Costs to be contributed by the Applicant and by DOE. The percentage of Applicant Cost Share is to be applied to the Total Project Cost (i.e., the sum of Applicant plus DOE Cost Shares) rather than to the DOE contribution alone.

"Credential Provider" is an organization that validates the electronic identity of an individual through electronic credentials, PINS, and passwords for Grants.gov and FedConnect. Funding Opportunity Announcements which require application submission through Grants.gov require that the individual applying on behalf of an organization first be registered with the Credential Provider at <https://apply.grants.gov/OrcRegister>.

"Data Universal Numbering System (DUNS) Number" is a unique nine-character identification number issued by Dun and Bradstreet (D&B). Organizations must have a DUNS number prior to registering in the CCR. Call 1-866-705-5711 to receive one free of charge. http://www.grants.gov/applicants/request_duns_number.jsp

"E-Business Point of Contact (POC)" is the individual who is designated as the Electronic Business Point of Contact in the CCR registration. This person is the sole authority of the organization with the capability of designating or revoking an individual's ability to conduct CCR transactions.

"E-Find" is a Grants.gov webpage where you can search for Federal Funding Opportunities in FedGrants. <http://www.grants.gov/search/searchHome.do>

"Financial Assistance" means the transfer of money or property to an Applicant or Participant to accomplish a public purpose of support authorized by Federal statute through Grants or Cooperative Agreements and sub-awards. For DOE, it does not include direct loans, loan guarantees, price guarantees, purchase agreements, Cooperative Research and Development Agreements (CRADAs), or any other type of financial incentive instrument.

"FedConnect" is where federal agencies post opportunities and make awards via the web. Any Applicant can view public postings without registering. However, registered users have numerous added benefits including the ability to electronically submit Applications / Responses to the government directly through this site. <https://www.fedconnect.net/FedConnect/>

"Federally Funded Research and Development Center (FFRDC)" means a research laboratory as defined by Federal Acquisition Regulation 35.017. For a list of FFRDCs, including information about their sponsoring Agencies, see <http://www.nsf.gov/statistics/ffrdc/>.

"Formula-eligible Indian tribe" means an Indian tribe that was eligible for direct funding under the EECBG formula. A list of formula eligible Indian tribes can be found on the program website, <http://www.eecbg.energy.gov>.

"Formula-eligible unit of local government" means a unit of local government that was eligible for direct funding under the EECBG formula. A list of formula eligible local governments can be found on the program website, <http://www.eecbg.energy.gov>.

“Formula-ineligible Indian tribe” means a State-recognized Indian tribe that was not eligible for direct funding under the EECBG formula.

“Formula-ineligible unit of local government” means a city that –

- Is listed in the 2007 Governments Integrated Directory (GID) as an incorporated entity;
- Is identified by the 2007 Census of Governments as having a governance structure consisting of an elected official and governing body;
- Has a governing structure,
 - as indicated by the 2007 Census of Governments publication, with the capabilities and jurisdiction necessary to carry out the broad range of EECBG programs, or
 - with the capabilities and jurisdiction necessary to carry out the broad range of EECBG programs, as demonstrated by the applicant; and
- Was not eligible for direct funding under the EECBG formula.

“Funding Opportunity Announcement (FOA)” is a publicly available document by which a Federal agency makes known its intentions to award discretionary grants or cooperative agreements, usually as a result of competition for funds. Funding opportunity announcements may be known as program announcements, notices of funding availability, solicitations, or other names depending on the agency and type of program.

"Grant" means a Financial Assistance instrument used by DOE to transfer money or property when the principal purpose of the transaction is to accomplish a public purpose of support or stimulation authorized by Federal statute, and no Substantial Involvement is anticipated between DOE and the Applicant during the performance of the contemplated activity.

“Grants.gov” is the “storefront” web portal which allows organizations to electronically find grant opportunities from all Federal grant-making agencies. Grants.gov is THE single access point for over 900 grant programs offered by the 26 Federal grant-making agencies.

<http://www.grants.gov>

“Indian Tribe” means any Indian tribe, band, nation, or other organized group or community, including Alaska Native village or regional or village corporation, as defined in or established pursuant to the Alaska Native Claims Settlement Act (85 Stat. 688)[43 U.S.C. § 1601 et seq.], which are recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

"Key Personnel" mean the individuals who will have significant roles in planning and implementing the proposed Project on the part of the Applicant and Participants, including FFRDCs.

“Marketing Partner Identification Number (MPIN)” is a very important password designated by your organization when registering in CCR. The E-Business Point of Contact will need the MPIN to assign privileges to the individual(s) authorized to perform CCR transactions on behalf of your organization. The MPIN must have 9 digits containing at least one alpha character (must be in capital letters) and one number (no spaces or special characters permitted).

"Participant" for purposes of this Funding Opportunity Announcement only, means any entity, except the Applicant substantially involved in a Consortium, or other business arrangement

(including all parties to the Application at any tier), responding to the Funding Opportunity Announcement.

“Principal Investigator” refers to the technical point of contact/Project Manager for a specific project award.

"Project" means the set of activities described in an Application, State plan, or other document that is approved by DOE for Financial Assistance (whether such Financial Assistance represents all or only a portion of the support necessary to carry out those activities).

“Proposal” is the term used to describe the documentation submitted in response to a Funding Opportunity Announcement. Also see Application.

“Quasi-governmental Organization” means an organization that operates like, or has responsibilities similar to, a unit of government.

“Recipient” means the organization, individual, or other entity that receives a Financial Assistance Award from DOE, is financially accountable for the use of any DOE funds or property provided for the performance of the Project, and is legally responsible for carrying out the terms and condition of the award.

"Selection" means the determination by the DOE Selection Official that negotiations take place for certain Projects with the intent of awarding a Financial Assistance instrument.

"Selection Official" means the DOE official designated to select Applications for negotiation toward Award under a subject Funding Opportunity Announcement.

“State” means the 50 United States, the District of Columbia and the following Territories of the United States: Puerto Rico, the U.S. Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands.

“State-recognized Indian Tribe” means a Native American tribe located within the contiguous 48 States or Alaska that is not Federally recognized pursuant to section 4 of the Indian Self-Determination and Education Assistance Act (42 USC 450b), but is formally recognized as having self-governance authority by one or more individual States in which it resides.

"Substantial Involvement" means involvement on the part of the Government. DOE's involvement may include shared responsibility for the performance of the Project; providing technical assistance or guidance which the Applicant is to follow; and the right to intervene in the conduct or performance of the Project. Such involvement will be negotiated with each Applicant prior to signing any agreement.

"Total Project Cost" means all the funds to complete the effort proposed by the Applicant, including DOE funds (including direct funding of any FFRDC) plus all other funds that will be committed by the Applicant as Cost Sharing.

“Tribal Energy Resource Development Organization or Group” means an “organization” of two or more entities, at least one of which is an Indian Tribe (see “Indian Tribe” above) that has

the written consent of the governing bodies of all Indian Tribes participating in the organization to apply for a grant or loan, or other assistance under 25 U.S.C. § 3503.

Appendix B – Personally Identifiable Information

In responding to this Announcement, 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.

- a. **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.
- b. **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

Appendix C – NEPA FORM For Completion
U.S. DEPARTMENT OF ENERGY

ENVIRONMENTAL SUMMARY
(To Be Completed by Potential Recipient)

The Department of Energy (DOE) is required by the National Environmental Policy Act (NEPA) of 1969 as amended (42 U.S.C. 4332(2), 40 CFR parts 1500-1508) and DOE implementing regulations ([10 CFR 1021](#)) to consider the environmental effects resulting from federal actions, including providing financial assistance. Please provide the following information to facilitate DOE's environmental review.

PART I: General Information

Title: _____

FOA Number: _____

1. Please describe the intended use of DOE funding in your proposed plan. For example, would the funding be applied to the entire project or only support a phase of the project? Describe the activity as specifically as possible, i.e. planning, feasibility study, design, data analysis, education or outreach activities, construction, capital purchase and/or equipment installation or modification.

2. Does any part of your project require review and/or permitting by any other federal, state, regional, local, environmental, or regulatory agency? ☐ Yes ☐ No

3. Has any review (e.g., NEPA documentation, permits, agency consultations) been completed?
☐ Yes ☐ No
If yes, is a finding or report available and how can a copy be obtained?

4. Provide information about the potential environmental issues, concerns, and impacts associated with your proposal. Please provide as much detail as possible in the following areas: specifics of proposed activities, project locations, size, layout, commitments to waste management and historic preservation. If project specific information is unknown, describe your plan for obtaining this information.

Appendix D – Budget Justification

Using the “Object Class Categories” in the SF-424A Budget form, justify the costs in each category **for each budget period of the project.**

The SF424A Budget form and the Budget Justification must include both Federal (DOE), and Non-Federal (cost share) funds, thereby reflecting TOTAL PROJECT COSTS proposed.

For each sub-recipient with total project costs of \$100,000 or more, a separate SF-424A budget and budget justification form must be submitted. For sub-recipients with estimated costs less than \$100,000, provide what Statement of Project Objectives task(s) are being performed, the purpose/need for the effort, and a basis of the estimated costs that is considered sufficient for DOE evaluation.

All costs incurred by the Applicant’s sub-recipients, vendors, contractors, consultants and Federal Research and Development Centers (FFRDCs), should be entered only in section f. Contractual. All other sections are for the costs of the Applicant only.

Personnel

List costs solely for employees of the Applicant. Identify positions to be supported. Key personnel should be identified by title. All other personnel should be identified either by title or a group category. State the amounts of time (e.g., hours or % of time) to be expended, the composite base pay rate, total direct personnel compensation and identify the rate basis (e.g., actual salary, labor distribution report, technical estimate, state civil service rates, etc.). Identify the number of employees (on a Full Time Equivalent) that will be employed in each position or group category. Note the prevailing wage requirements in the ARRA (P.L. 111-5). See example below.

Task # and Title	Position Title	Budget Period 1			Budget Period 2			Budget Period 3			Project Total Hours	Project Total Dollars	Rate Basis
		Time (Hours)	Pay Rate (\$/Hr)	Total Budget Period 1	Time (Hours)	Pay Rate (\$/Hr)	Total Budget Period 2	Time (Hours)	Pay Rate (\$/Hr)	Total Budget Period 3			
Task 1. – Task Name	Sr. Engineer (1)	2000	\$85.00	\$170,000	200	\$50.00	\$10,000	200	\$50.00	\$10,000	2400	\$190,000	Actual Salary
Task 2 – Task Name	Process engineers (3)	6200	\$35.00	\$217,000	400	\$35.00	\$14,000	600	\$35.00	\$21,000	7200	\$252,000	Actual Salary
Task 3 – Task Name	Technician (1)	1800	\$20.00	\$36,000	0	\$0.00	\$0	0	\$0.00	\$0	1800	\$36,000	Actual Salary

Fringe

A federally approved fringe benefit rate agreement, or a proposed rate supported and agreed upon by DOE for estimating purposes is required if reimbursement for fringe benefits is requested. If a fringe benefit rate has been negotiated with, or approved by, a federal government agency, a copy of the latest rate agreement must be included with this application. If there is not a current, federally approved rate agreement negotiated and available, provide a copy of the proposal with the application. If selected, the rate agreement will be finalized during award negotiations. Calculate the fringe rate and enter the total amount in Section B, line 6.b. (“Fringe Benefits”) of form SF-424A.

IMPORTANT: Provide all fringe rates, along with a complete explanation and the full calculations used to derive the total fringe costs. If the total fringe costs are a cumulative amount of more than one

calculation or rate application, the explanation and calculations should identify all rates used, along with the base they were applied to (and how the base was derived), and a total for each (along with grand total). The rates and how they are applied should not be averaged to get one fringe rate. NOTE: The fringe rate should be applied to both the Federal Share and Recipient Cost Share.

Travel

See example of travel detail below. Identify total Foreign and Domestic Travel as separate items. Purpose of travel are items such as professional conferences, DOE sponsored meetings, project management meetings, etc. Identify number of travelers, estimated cost per traveler, and duration of trip. The Basis for Estimating Costs could be items such as past trips, current quotations, Federal Travel Regulations, etc. All listed travel must be necessary for performance of the Statement of Project Objectives. NOTE: All projects should include travel for 1-2 travelers to a DOE project review during each year of the project. Each review will take approximately 2-3 days.

Purpose of travel	No. of Travelers	Depart From	Destination	No. of Days	Cost per Traveler	Cost per Trip	Basis for Estimating Costs
Budget Period 1							
Domestic Travel							
Visit to reactor mfr. to set up vendor agreement	2	Denver CO	Dallas TX	2	\$650	\$1,300	Internet prices
Domestic Travel subtotal						\$1,300	
International Travel							
Visit to technology provider to discuss IP agreement	2	Denver CO	Berlin Germany	5	\$4,000	\$8,000	Previous experience
International Travel subtotal						\$8,000	
Budget Period 1 Total						\$9,300	
(repeat as necessary for each Budget Period)							

Equipment

Equipment is generally defined as an item with an acquisition cost greater than \$5,000 and a useful life expectancy of more than one year. All proposed equipment should be identified, providing a basis of cost such as vendor quotes, catalog prices, prior invoices, etc., and briefly justifying its need as it applies to the Statement of Project Objectives. If it is existing equipment, and the value of its contribution to the project budget is being shown as cost share, provide logical support for the estimated value shown. If it is new equipment which will retain a useful life upon completion of the project, provide logical support for the estimated value shown. For equipment over \$50,000 in price, also include a copy of the associated vendor quote or catalog price list. See example below.

Equipment Item	Qty	Unit Cost	Total Cost	Basis of Cost	Justification of need
Budget Period 1					
EXAMPLE ONLY!!! Thermal shock chamber	2	\$20,000	\$40,000	Vendor Quote	Reliability testing of PV modules- Task 4.3
Budget Period 1 Total			\$40,000		
(repeat as necessary for each Budget Period)					

Supplies

Supplies are generally defined as an item with an acquisition cost of \$5,000 or less and a useful life expectancy of less than one year. Supplies are generally consumed during the project performance.

Further definitions can be found in 10 CFR 600.

Proposed supplies should be identified, providing a basis of cost such as vendor quotes, catalog prices, prior invoices, etc., and briefly justifying the need for the Supplies as they apply to the Statement of Project Objectives. Note that Supply items must be direct costs to the project at this budget category, and not duplicative of supply costs included in the indirect pool that is the basis of the indirect rate applied for this project.

General Category of Supplies	Qty	Unit Cost	Total Cost	Basis of Cost	Justification of need
Budget Period 1					
EXAMPLE ONLY!!! Wireless DAS components	10	\$360.00	\$3,600	Catalog price	For Alpha prototype - Task 2.4
Budget Period 1 Total			\$3,600		
(repeat as necessary for each Budget Period)					

Contractual

The applicant must provide and justify all costs related to sub-recipients, vendors, contractors, consultants and FFRDC partners. See example below.

Sub-recipients (partners, sub-awardees):

For each sub-recipient with total project costs of \$100,000 or more, a separate SF-424A budget and budget justification form must be submitted. For sub-recipients with estimated costs less than \$100,000, provide what Statement of Project Objectives task(s) are being performed, the purpose/need for the effort, and a basis of the estimated costs that is considered sufficient for DOE evaluation.

Vendors (includes contractors and consultants):

Identify all vendors, contractors and consultants supplying commercial supplies or services used to support the project. The support to justify vendor costs (in any amount) should provide the purpose for the products or services and a basis of the estimated costs that is considered sufficient for DOE evaluation.

Federal Research and Development Centers (FFRDCs):

For FFRDC partners, the applicant should provide a Field Work Proposal (if not already provided with the original application), along with the FFRDC labor mix and hours, by category and FFRDC major purchases greater than \$25,000, including Quantity, Unit Cost, Basis of Cost, and Justification.

Sub-Recipient Name/Organization	Purpose/Tasks in SOPO	Budget Period 1 Costs	Budget Period 2 Costs	Budget Period 3 Costs	Project Total
EXAMPLE ONLY!!! XYZ Corp.	Partner to develop optimal fresnel lens for Gen 2 product - Task 2.4	\$48,000	\$32,000	\$16,000	\$96,000
	Sub-total	\$48,000	\$32,000	\$16,000	\$96,000
Vendor Name/Organization	Product or Service, Purpose/Need and Basis of Cost (Provide additional support at bottom of page as needed)	Budget Period 1 Costs	Budget Period 2 Costs	Budget Period 3 Costs	Project Total
EXAMPLE ONLY!!! ABC Corp.	Vendor for developing custom robotics to perform lens inspection, alignment, and placement (Task 4). Required for expanding CPV module mfg. capacity. Cost is from competitive quotes.	\$32,900	\$86,500		\$119,400
	Sub-total	\$32,900	\$86,500	\$0	\$119,400
FFRDC Name/Organization	Purpose	Budget Period 1 Costs	Budget Period 2 Costs	Budget Period 3 Costs	Project Total
					\$0

	Sub-total	\$0	\$0	\$0	\$0
Total Contractual		\$80,900	\$118,500	\$16,000	\$215,400

Construction

Construction, for the purpose of budgeting, is defined as all types of work done on a particular facility, including erecting, altering, or remodeling. Construction conducted by the award recipient should be justified in this category. Any construction work that is performed by a vendor or subrecipient to the award recipient should be entered under “Contractual.”

Identify all proposed construction, providing a basis of cost such as engineering estimates, prior construction, etc., and briefly justify its need as it applies to the Statement of Project Objectives. For major endeavors, a copy of the engineering estimate or quote should also be provided. See example below.

Overall description of construction activities:			
Example Only!!! - Build wind turbine platform			
General Description	Cost	Basis of Cost	Justification of need
Budget Period 1			
Three days of excavation for platform site EXAMPLE ONLY!!!	\$28,000	Engineering estimate	Site must be prepared for construction of platform.
Budget Period 1 Total	\$28,000		
(repeat as necessary for each Budget Period)			

Other Direct Costs

Other direct costs are direct cost items required for the project which do not fit clearly into other categories, and are not included in the indirect pool for which the indirect rate is being applied to this project. Basis of cost are items such as vendor quotes, prior purchases of similar or like items, published price list, etc.

General description	Cost	Basis of Cost	Justification of need
Budget Period 1			
EXAMPLE ONLY!!! Grad student tuition	\$16,000	Established UCD costs	Support of graduate students working on project
Budget Period 1 Total	\$16,000		
(repeat as necessary for each Budget Period)			

Indirect Costs

A federally approved indirect rate agreement, or rate proposed supported and agreed upon by DOE for estimating purposes is required if reimbursement of indirect benefits is requested. If there is a federally approved indirect rate agreement, a copy must be provided with this application and if selected, must be provided electronically to the Contracting Officer for this project. If there is no current, federally approved indirect rate agreement or if the federally approved indirect rate agreement has been changed or updated, a rate proposal must be included with the application. If selected, the rate agreement will be finalized during award negotiations. Calculate the indirect rate dollars and enter the total in the Section

B., line 6.j. (Indirect Charges) of form SF 424A.

IMPORTANT: Provide a complete explanation and the full calculations used to derive the total indirect costs. If the total indirect costs are a cumulative amount of more than one calculation or rate application, the explanation and calculations should identify all rates used, along with the base they were applied to (and how the base was derived), and a total for each (along with grand total). The rates and how they are applied should not be averaged to get one indirect cost percentage. **NOTE:** The indirect rate should be applied to both the Federal Share and Recipient Cost Share.

Cost Share

A detailed presentation of the cash or cash value of all cost share proposed for the project must be provided. Identify the source and amount of each item of cost share proposed by the Applicant and each sub-recipient. Letters of commitment must be submitted for all third party cost share (other than award recipient).

Note that "cost-share" is not limited to cash investment. Other items that may be assigned value in a budget as incurred as part of the project budget and necessary to performance of the project, may be considered as cost share, such as: contribution of services or property; donated, purchased or existing equipment; buildings or land; donated, purchased or existing supplies; and/or unrecovered personnel, fringe benefits and indirect costs, etc. For each cost share contribution identified as other than cash, identify the item and describe how the value of the cost share contribution was calculated.

Funds from other Federal sources MAY NOT be counted as cost share. This prohibition includes FFRDC sub-recipients. Non-Federal sources include private, state or local Government, or any source not originally derived from Federal funds.

Fee or profit will not be paid to the award recipients or subrecipients of financial assistance awards. Additionally, foregone fee or profit by the applicant shall not be considered cost sharing under any resulting award. Reimbursement of actual costs will only include those costs that are allowable and allocable to the project as determined in accordance with the applicable cost principles prescribed in 10 CFR 600.127, 10 CFR 600.222 or 10 CFR 600.317. Also see 10 CFR 600.318 relative to profit or fee. See example below.

Organization/Source	Type (cash or other)	Cost Share Item	Budget Period 1 Cost Share	Budget Period 2 Cost Share	Budget Period 3 Cost Share	Total Project Cost Share
ABC Company EXAMPLE ONLY!!!	Cash	Project partner ABC Company will provide 40 PV modules for product development at 50% off the of the retail price of \$680	\$13,600			\$13,600
		Totals	\$0	\$0	\$0	\$0
Total Project Cost:		\$312,300	Cost Share Percent of Award:			0.0%

Appendix E
OMB Guidance for Implementing the Recovery Act At 2 CFR PART 176

The following Special Notices from OMB's guidance for implementing the Recovery Act at 2 CFR Part 176 are incorporated in this FOA:

- **Wage Rate Requirements under Section 1606 of the American Recovery and Reinvestment Act of 2009**

a) Section 1606 of the Recovery Act requires that all laborers and mechanics employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part by and through the Federal Government pursuant to the Recovery Act shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code.

Pursuant to Reorganization Plan No. 14 and the Copeland Act, 40 U.S.C. 3145, the Department of Labor has issued regulations at 29 CFR Parts 1, 3, and 5 to implement the Davis-Bacon and related Acts. Regulations in 29 CFR 5.5 instruct agencies concerning application of the standard Davis-Bacon contract clauses set forth in that section. Federal agencies providing grants, cooperative agreements, and loans under the Recovery Act shall ensure that the standard Davis-Bacon contract clauses found in 29 CFR 5.5(a) are incorporated in any resultant covered contracts that are in excess of \$2,000 for construction, alteration or repair (including painting and decorating).

(b) For additional guidance on the wage rate requirements of section 1606, contact your awarding agency. Recipients of grants, cooperative agreements and loans should direct their initial inquiries concerning the application of Davis-Bacon requirements to a particular federally assisted project to the Federal agency funding the project. The Secretary of Labor retains final coverage authority under Reorganization Plan Number 14.

- **Buy American Requirements under Section 1605 of the American Recovery and Reinvestment Act of 2009**

Depending upon the applicability of relevant international agreements, one of the following two notices applies:

**NOTICE OF REQUIRED USE OF AMERICAN IRON, STEEL, AND
MANUFACTURED GOODS—SECTION 1605 OF THE AMERICAN RECOVERY
AND REINVESTMENT ACT OF 2009**

(a) *Definitions.* “Manufactured good,” “public building and public work,” and “steel,” as used in this notice, are defined in the 2 CFR 176.140.

(b) *Requests for determinations of inapplicability.* A prospective applicant requesting a determination regarding the inapplicability of section 1605 of the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5)(Recovery Act) should submit the request to the award official in time to allow a determination before submission of applications or proposals. The prospective applicant shall include the information and applicable supporting data required by paragraphs (c) and (d) of the award term and condition at 2 CFR 176.140 in the request. If an applicant has not requested a determination regarding the inapplicability of 1605 of the Recovery Act before submitting its application or proposal, or has not received a response to a previous request, the applicant shall include the information and supporting data in the application or proposal.

(c) *Evaluation of project proposals.*

If the Federal government determines that an exception based on unreasonable cost of domestic iron, steel, and/or manufactured goods applies, the Federal Government will evaluate a project requesting exception to the requirements of section 1605 of the Recovery Act by adding to the estimated total cost of the project 25 percent of the project cost, if foreign iron, steel, or manufactured goods are used in the project based on unreasonable cost of comparable manufactured domestic iron, steel, and/or manufactured goods.

(d) *Alternate project proposals.*

(1) When a project proposal includes foreign iron, steel, and/or manufactured goods not listed by the Federal Government at paragraph (b)(2) of the award term and condition at 2 CFR 176.140, the applicant also may submit an alternate proposal based on use of equivalent domestic iron, steel, and/or manufactured goods.

(2) If an alternate proposal is submitted, the applicant shall submit a separate cost comparison table prepared in accordance with paragraphs (c) and (d) of the award term and condition at 2 CFR 176.140 for the proposal that is based on the use of any foreign iron, steel, and/or manufactured goods for which the Federal Government has not yet determined an exception applies.

(3) If the Federal government determines that a particular exception requested in accordance with paragraph (b) of the award term and condition at 2 CFR 176.140 does not apply, the Federal Government will evaluate only those proposals based on use of the equivalent domestic iron, steel, and/or manufactured goods, and the applicant shall be required to furnish such domestic items.

(End of notice)

NOTICE OF REQUIRED USE OF AMERICAN IRON, STEEL, AND
MANUFACTURED GOODS (COVERED UNDER INTERNATIONAL
AGREEMENTS)—SECTION 1605 OF THE AMERICAN RECOVERY AND
REINVESTMENT ACT OF 2009

(a) *Definitions.* “Designated country iron, steel, and/or manufactured goods,” “foreign iron, steel, and/or manufactured good,” “manufactured good,” “public building and public work,” and “steel,” as used in this provision, are defined in 2 CFR 176.160(a).

(b) *Requests for determinations of inapplicability.* A prospective applicant requesting a determination regarding the inapplicability of section 1605 of the American Recovery

and Reinvestment Act of 2009 (Pub. L. 111-5)(Recovery Act) should submit the request to the award official in time to allow a determination before submission of applications or proposals. The prospective applicant shall include the information and applicable supporting data required by paragraphs (c) and (d) of the award term and condition at 2 CFR 176.160 in the request. If an applicant has not requested a determination regarding the inapplicability of 1605 of the Recovery Act before submitting its application or proposal, or has not received a response to a previous request, the applicant shall include the information and supporting data in the application or proposal.

(c) Evaluation of project proposals.

If the Federal government determines that an exception based on unreasonable cost of domestic iron, steel, and/or manufactured goods applies, the Federal Government will evaluate a project requesting exception to the requirements of section 1605 of the Recovery Act by adding to the estimated total cost of the project 25 percent of the project cost if foreign iron, steel, or manufactured goods are used based on unreasonable cost of comparable domestic iron, steel, or manufactured goods.

(d) Alternate project proposals.

(1) When a project proposal includes foreign iron, steel, and/or manufactured goods, other than designated country iron, steel, and/or manufactured goods, that are not listed by the Federal Government in this Buy American notice in the request for applications or proposals, the applicant may submit an alternate proposal based on use of equivalent domestic or designated country iron, steel, and/or manufactured goods.

(2) If an alternate proposal is submitted, the applicant shall submit a separate cost comparison table prepared in accordance with paragraphs (c) and (d) of the award term and condition at 2 CFR 176.160 for the proposal that is based on the use of any foreign iron, steel, and/or manufactured goods for which the Federal Government has not yet determined an exception applies.

(3) If the Federal government determines that a particular exception requested in accordance with paragraph (b) of the award term and condition at 2 CFR 176.160 does not apply, the Federal Government will evaluate only those proposals based on use of the equivalent domestic or designated country iron, steel, and/or manufactured goods, and the applicant shall be required to furnish such domestic or designated country items.

(End of notice)

The following award provisions from OMB's guidance for implementing the Recovery Act at 2 CFR Part 176 are incorporated in awards resulting from this Funding Opportunity Announcement:

- **Reporting and Registration Requirements under Section 1512 of the American Recovery and Reinvestment Act of 2009, Public Law 111-5**

(a) This award requires the recipient to complete projects or activities which are funded under the American Recovery and Reinvestment Act of 2009 ("Recovery Act") and to report on use of Recovery Act funds provided through this award. Information from these reports will be made available to the public.

(b) The reports are due no later than ten calendar days after each calendar quarter in which the recipient receives the assistance award funded in whole or in part by the Recovery Act.

(c) Recipients and their first-tier recipients must maintain current registrations in the Central Contractor Registration (www.ccr.gov) at all times during which they have active federal awards funded with Recovery Act funds. A Dun and Bradstreet Data Universal Numbering System (DUNS) Number (www.dnb.com) is one of the requirements for registration in the Central Contractor Registration.

(d) The recipient shall report the information described in section 1512(c) using the reporting instructions and data elements that will be provided online at www.FederalReporting.gov and ensure that any information that is pre-filled is corrected or updated as needed.

(End of award term)

- **Single Audit Information for Recipients of Recovery Act Funds**

Recovery Act Transactions listed in Schedule of Expenditures of Federal Awards and Recipient Responsibilities for Informing Sub-recipients

(a) To maximize the transparency and accountability of funds authorized under the American Recovery and Reinvestment Act of 2009 (Public Law 111-5)(Recovery Act) as required by Congress and in accordance with 2 CFR 215, subpart ___. 21 “Uniform Administrative Requirements for Grants and Agreements” and OMB A-102 Common Rules provisions, recipients agree to maintain records that identify adequately the source and application of Recovery Act funds.

(b) For recipients covered by the Single Audit Act Amendments of 1996 and OMB Circular A-133, “Audits of States, Local Governments, and Non-Profit Organizations,” recipients agree to separately identify the expenditures for Federal awards under the Recovery Act on the Schedule of Expenditures of Federal Awards (SEFA) and the Data Collection Form (SF-SAC) required by OMB Circular A-133. This shall be accomplished by identifying expenditures for Federal awards made under Recovery Act separately on the SEFA, and as separate rows under Item 9 of Part III on the SF-SAC by CFDA number, and inclusion of the prefix “ARRA-” in identifying the name of the Federal program on the SEFA and as the first characters in Item 9d of Part III on the SF-SAC.

(c) Recipients agree to separately identify to each sub-recipient, and document at the time of sub-award and at the time of disbursement of funds, the Federal award number, CFDA number, and amount of Recovery Act funds. When a recipient awards Recovery Act funds for an existing program, the information furnished to sub-recipients shall distinguish the sub-awards of incremental Recovery Act funds from regular sub-awards under the existing program.

(d) Recipients agree to require their sub-recipients to include on their SEFA information to specifically identify Recovery Act funding similar to the requirements for the recipient SEFA described above. This information is needed to allow the recipient to properly monitor sub-

recipient expenditure of ARRA funds as well as oversight by the Federal awarding agencies, Offices of Inspector General and the Government Accountability Office.

(End of award term)

Appendix F

Adequacy Of Cost Proposal Or Application Budget Submission For Audit

The work contemplated under an award made pursuant to this Funding Opportunity Announcement is in support of the Department of Energy's American Recovery and Reinvestment Act programs and represents a Departmental priority. In order to facilitate timely and efficient evaluation of cost proposals or indirect rate proposals, there is a need to ensure that the applicant's initial cost proposal/budget is adequate and complete for purposes of performing the pre-award audit. Accordingly, the applicant and major proposed subrecipients or subcontractors are strongly encouraged to review their cost proposals/budgets using the Defense Contract Audit Agency "Criteria for Adequate Contract Pricing Proposals" guidance (below) prior to submitting their cost proposals/budgets or indirect rate proposals in order to facilitate the audit of its cost proposal/budget.

CRITERIA FOR ADEQUATE CONTRACT PRICING PROPOSALS (ADEQUACY.DOC, Version 3.0, June 2004)

PURPOSE - A well supported cost proposal reduces effort needed for review and will facilitate negotiations. Proposals should be evaluated for adequacy within seven days after receipt so that corrective action can be taken immediately. The criteria, found in the table below, can be used to evaluate the adequacy of a contract price proposal when the proposal is based on cost or pricing data. When the proposal is based on information other than cost or pricing data, the contracting officer is responsible for obtaining information that is adequate for evaluating price reasonableness. Inadequacies exist when the offeror does not comply with the contracting officer's requirements. The following criteria, while specifically not applicable to information other than cost or pricing data, may provide a guideline to the auditor in reaching an opinion as to the adequacy of the proposal. If the proposal is so deficient that an examination cannot be performed, recommend to the PCO/ACO that the proposal be returned to the offeror without audit until such time as an adequate proposal is received. This approach is intended to permit the efficient use of audit resources. Most of the criteria in the table below are specifically required by the Federal Acquisition Regulation (FAR) and are referenced accordingly. The items not referenced to the FAR are items that will still, in most cases, be needed for negotiations and Government review. Items may be added to the list if required by the contracting officer, as described in the solicitation. As this checklist was developed for contracts and cost proposals in accordance with the FAR, it is not directly applicable to financial assistance. However, the criteria and principles can be applied to financial assistance. Cost and pricing data are not required for financial assistance, think budget justification in its place. Some notes have been added in the checklist to assist in reviews of budgets for financial assistance applications.

The existence of some of the criteria (especially, 4a, 4b, and 8) can be determined only by discussing it with the offeror or during the course of a detailed audit. Therefore, an initial finding of adequacy may be changed once the audit has started.

DOES THE PROPOSAL INCLUDE THE FOLLOWING:			
Criteria	YES	NO	N/A
General			
1. A properly completed first page of the proposal or a summary format as specified by the Contracting Officer in			

the solicitation. (FAR 15.408) Financial Assistance (FA): A properly completed SF424A, SF424C, or SF424R&R budget form included.			
2. An index referencing all cost or pricing data and information accompanying or identified in the proposal. (FAR 15.408)			
3. A summary of total cost by element cross-referenced to supporting cost or pricing data. (FAR 15.408)			
4. An identification of cost or pricing data (i.e., data that are verifiable and factual) and an explanation of the estimating process. When applicable, the following items should be specifically identified: (FAR 15.408) FA: Budget justification included in accordance with the Funding Opportunity Announcement.			
a. Judgmental factors and the methods used in the estimate, including those used in projecting from known data.			
b. The nature and amount of any contingencies.			
5. An identification of any incurred costs for work performed before submission of a proposal. (FAR 15.408)			
6. An identification and description of any agreements with Government representatives on use of forward pricing rates/factors. (FAR 15.408)			
7. The location and point of contact for any cost or pricing data which is identified, but not included, in the proposal.			
8. Disclosure of any other known activity that could materially impact the costs (i.e., existing excess material, company reorganizations, new technology acquisitions, labor union discussions, etc.). (FAR 15.407-1)			
Materials and Services			
9. A consolidated priced summary of individual material quantities included in the various tasks, orders, or contract line items being proposed and the basis for pricing (vendor quotes, invoice prices, etc.). The offeror must include raw materials, parts, components, assemblies, and services to be produced or performed by others. For all items proposed, the offeror must identify the item and show the source, quantity, and price. (FAR 15.408) The auditor will need to exercise judgment in making the determination if a consolidated bill of material is required. The need for a bill of material will depend on the estimating techniques used and whether those techniques are appropriate in the circumstances. For example, a bill of material may not be feasible for products that are in the research and development stage. A parametric type estimate may be more appropriate in these circumstances.			
10. Price analyses of all subcontractor proposals, and cost analyses for all subcontracts when cost or pricing data are required to be submitted by the subcontractor, showing the basis for establishing source and reasonableness of price. The offeror must obtain cost or pricing data from			

prospective sources for those acquisitions exceeding the threshold in FAR 15.403-4 and not otherwise exempt in accordance with FAR 15.403-1(b). The offeror must provide a summary of the cost analysis and a copy of the cost or pricing data submitted by the prospective source in support of each subcontract when required by FAR 15.408. FA: If a DOE Lab is involved, is the Field Work Proposal included.			
Interorganizational Transfers			
11. a. The offeror's cost analysis of the proposed interorganizational transfers and a breakdown of the proposed costs by element, when the proposed transfers are based on cost. (FAR 15.408)			
b. An explanation of the pricing method used for proposed interorganizational transfers when the proposed transfers are based on other than cost. (FAR 15.408)			
Direct Labor			
12. A time phased (i.e., monthly, quarterly, etc.) breakdown of labor rates and hours by category or skill level and the basis for the estimates of rates and hours (i.e., historical experience, engineering estimates, learning curves, etc.). If labor is the allocation base for indirect costs, the labor cost should be summarized in order that the applicable overhead rate can be applied. (FAR 15.408)			
Indirect Costs			
13. In the absence of any agreements on the use of forward pricing rates/factors, the offeror should show how indirect rates were computed and applied. Support for the indirect rates could consist of cost breakdowns, trends, and budgetary data. (FAR 15.408)			
DOES THE PROPOSAL INCLUDE THE FOLLOWING:			
Criteria	YES	NO	N/A
Other Costs			
14. Identification of all other costs by category not described above (e.g., special tooling, travel, computer and consultant services) and bases for pricing. (FAR 15.408)			
Royalties and License Fees			
15. If royalties exceed \$1,500, the proposal must provide the information identified in FAR 15.408, Table 15-2 II.E.			
Facilities Capital Cost of Money			
16. When claiming facilities capital cost of money, the offeror must submit Form CASB-CMF and show the calculation of the proposed amount. (FAR 31.205-10)			
Change Orders, Modifications, and Claims			
17. For Change Orders, Modifications, and Claims, the contractor should follow the format for submission contained in FAR 15.408. a. <u>Deleted Work</u> : The current estimates of what the cost would have been to complete the deleted work not yet performed (not the original proposal estimates), and the			

cost of deleted work already performed. The cost of all deleted work performed should be separately identified.			
b. <u>Added Work</u> : A current estimate of the cost of work added by the change. When nonrecurring costs are significant, or when specifically requested to do so by the Contracting Officer, the contractor should provide a full identification and explanation of the nonrecurring costs. When any of the costs have already been incurred, these should be described on an attached supporting schedule.			
Price Revision / Redetermination			
18. For price revision/redetermination, the contractor should follow the format in FAR 15.408.			
Adequacy / Inadequacy Determination			
19. Is the proposal adequate? If not, list the inadequacies below and indicate when the information was requested. If the proposal is so deficient that an examination cannot be performed, the auditor should consider recommending that the Contracting Officer return the proposal to the contractor.			
Comments			

Appendix G – Template Project Impact Table For Topic 1 and Topic 2:

**Project Impact Table For Topic 1 [TO BE FILLED OUT AND ATTACHED TO APPLICATION];
DOES NOT COUNT IN NARRATIVE PAGE LIMIT**

Project Impact Metrics	During Project Period			Post project period, years 4 to 6		
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
Number of buildings retrofitted						
Total square footage of buildings retrofitted						
Average utilities savings (e.g. cost and fuel savings) achieved per unit retrofitted						
Jobs created or retained						
Average emissions reductions (MMT CO ₂ ¹) per unit						
EECBG Funds Expended						
Leveraged Funds and In-Kind Resources Expended						
{APPLICANT CAN ADD QUANTITATIVE METRIC}						

Assumptions;

The Applicant should list key assumptions made to form the projections listed in this table:

[Add assumptions here in bulleted form]

¹ MMT CO₂ is million metric tons carbon dioxide equivalent

**Project Impact Table For Topic 2 [TO BE FILLED OUT AND ATTACHED TO APPLICATION];
DOES NOT COUNT IN NARRATIVE PAGE LIMIT**

Project Impact Metrics	During Project Period			Post project period, years 4 to 6		
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
Average utilities savings (e.g. cost and fuel savings) achieved						
Average emissions reductions (MMT CO ₂ ²) per unit						
Number of buildings retrofitted						
Total square footage of buildings retrofitted						
Transportation impacts avoided (annual fuel savings or reduction in vehicle miles travelled)						
Renewable Energy Capacity Installed						
Jobs created or retained						
EECBG Funds Expended						
Leveraged Funds and In-Kind Resources Expended						

² MMT CO₂ is million metric tons carbon dioxide equivalent

Project Impact Metrics	During Project Period			Post project period, years 4 to 6		
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
{APPLICANT CAN ADD QUANTITATIVE METRIC}						

Assumptions;

The Applicant should list key assumptions made to form the projections listed in this table:

[Add assumptions here in bulleted form]