DOE OFFICE OF INDIAN ENERGY

Introductions and Negotiation Process

Lizana Pierce, Senior Engineer, Deployment Supervisor, and FOA Manager
Tweedie Doe, DOE Project Officer
Introduction – L. Pierce

Lizana Pierce
Senior Engineer, Deployment
Supervisor, Office of Indian Energy
Policy and Programs, Colorado

Lizana Pierce duty stationed in Colorado and serves as the principal engineering expert for the Director and Deputy Director on deployment programs. Mrs. Pierce is responsible for implementing the Office’s Deployment Programs: Technical Assistance, Financial Assistance; and Education and Capacity Building. Ms. Pierce has 25 years of experience in energy technologies, project development, and management, and has dedicated 20 of those years to assisting Indian tribes in developing their energy resources. Ms. Pierce holds a Bachelor of Science degree in mechanical engineering from Colorado State University, and she pursued a Master’s in Business Administration through the University of Northern Colorado.
Tweedie Doe
Project Officer, Office of Indian Energy Policy and Programs, Colorado
Ms. Tweedie Doe is Project Officer duty-stationed in Golden, Colorado. As a Project Officer she administers financial assistance awards to Indian tribes, Alaska Native villages, and tribal and inter-tribal organizations. Before joining the Office of Indian Energy, Tweedie served as a Project Officer for eight years with the DOE’s Office of Energy Efficiency and Renewable Energy (EERE) under the Energy Efficiency and Conservation Block Grant (EECBG) Program, and as a Program Management Analyst with the Project Management Coordination Office. Before joining DOE, Tweedie had the privilege of working with the Council of Energy Resource Tribes (CERT), where she gained valuable experience working with Tribal leadership. Ms. Doe has a Bachelor of Arts degree in Political Science at the University of Washington, and a Master of Arts in International Studies with emphasis on economics and human rights from the University of Denver. She obtained her Project Management Professional (PMP) certification in 2013 and is certified as a Project Officer and Contracting Officer Representative.
Department of Energy

Mission
Ensure America’s security and prosperity by addressing its energy, environmental and nuclear challenges through transformative science and technology solutions.

- Science and Innovation
- Energy Economy
- Safety and Security
Department of Energy

Program Offices

- Cybersecurity, Energy Security, and Emergency Response
- Artificial Intelligence & Technology
- Advanced Research Projects Agency – Energy
- Energy Efficiency and Renewable Energy
- Indian Energy Policy and Programs
- Environmental Management
- Office of Electricity
- Loan Program Office
- Fossil Energy
- Legacy Management
- Nuclear Energy
- Science
The DOE Office of Indian Energy is charged by Congress under the Indian Tribal Energy Development and Self Determination Act of 2005 (Energy Policy Act of 2005 (EPAct 2005), Title V, codified at 42 USC § 15801) to “provide, direct, foster, coordinate, and implement energy planning, education, management, conservation, and delivery programs that –

(1) promote Indian tribal energy development, efficiency, and use;

(2) reduce or stabilize energy costs;

(3) enhance and strengthen Indian tribal energy and economic infrastructure relating to natural resource development and electrification; and

(4) bring electrical power and service to Indian land and the homes of tribal members located on Indian lands or acquired, constructed, or improved (in whole or in part) with Federal funds.”

Clockwise from top right: Seneca Nation’s (NY) 1.5 MW wind turbine, Fort Yukon’s (AK) combined heat and powerhouse, Coeur d’Alene Tribe’s (ID) Benewah Market energy efficiency project, Sokaogon Chippewa Community (WI) Housing Project, and Chippewa Cree Tribe’s (MT) Residential Solar.
Deployment Program

Financial Assistance
We facilitate tribal energy project development through financial assistance (competitively awarded grants).

Technical Assistance
We provide federally recognized Indian tribes, including Alaska Native villages, regional and village corporations, tribal energy resource development organizations, and other tribal groups and communities, with technical assistance to advance tribal energy and infrastructure projects, at no charge.

Education and Capacity Building
Thorough regional workshops, webinars, and college student internships, we support tribal efforts to build internal capacity to develop energy projects and navigate energy markets.
Invested nearly $85 million in more than 180 tribal energy projects valued at over $180 million (2010-2019)
Agenda

- Purpose
- Roles and Responsibilities
- Communication Protocol
- Pre-award Process and Timing
- Supplemental Information
- Next Steps
- Resources
- Questions
Purpose

• Introduce ourselves
• Provide you information on the negotiation process and timing
• Supplemental Forms
• Next Steps
• Answer any of your questions

Note: An individual negotiation call will be scheduled with each project team to discuss and agree on the scope and budget for your individual award.
# DOE Project Contacts

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<thead>
<tr>
<th>Name</th>
<th>Role</th>
<th>Responsibility</th>
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| **Lizana Pierce**         | Deployment Supervisor & FOA Manager | • Responsible for implementing the Office of Indian Energy Deployment Program: Technical Assistance, Financial Assistance; and Education and Capacity Building  
                            |                                      | • Oversees the Deployment Program activities, staff, and technical aspects of the financial assistance process and projects                      |
| **Tweedie Doe**           | Project Officers                    | • Responsible for the technical aspects of the financial assistance process and projects                                                 |
| **Dan Smith**             |                                     | • Prime contact throughout the agreement                                                                                                           |
| **Michael Stevenson**     |                                     | • Reviews, negotiates, and finalizes the Statement of Project Objectives (SOPO), technical milestones/deliverables, and Environmental Questionnaire |
| **Alan Verbitsky**        |                                     | • Reviews the Budget and Budget Justification to ensure that the proposed costs are reasonable and support the SOPO                                  |
| **Jami Alley**            | Project Monitors (Contractors)      | • Assists with reviews, negotiates, and finalizes the SOPO, technical milestones/deliverables, and Environmental Questionnaire                           |
| **Josh Gregory**          |                                     | • Helps review the Budget and Budget Justification to ensure that the proposed costs are reasonable and support the SOPO                             |
| **James Jensen**          |                                     | • Helps review quarterly and final reports                                                                                                                                 |
| **Jennifer (Jen) Luna**  |                                     | • Available to assist recipients and answer questions                                                                                               |
| **Susan Manley**          |                                     |                                                                                                                                                   |
| **Kris Venema**           |                                     |                                                                                                                                                   |
| **Michael Vehar**         |                                     |                                                                                                                                                   |
Indian Energy Team
# DOE Procurement, Legal and NEPA Contacts

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<tr>
<th>Name</th>
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<th>Responsibility</th>
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| **David Orens**       | Contracting Officer           | • Authorized to execute awards on behalf of DOE and is responsible for the business management and non-program aspects of the financial assistance process  
                          |                                | • The only person who has the authority to obligate government funds, commit the government, and authorize new awards and changes to awards.             |
| **Mandy Aden**        | Grants Management/Contracts Specialist | • Reviews the Budget Justification to ensure all proposed costs are treated in accordance with the applicable cost principles and evaluates the allowability, allocability, and reasonableness of the costs  
                          |                                | • Assists negotiation process.                                                                                                                                                                              |
| **Elizabeth Jones**   |                               |                                                                                                                                                                                                               |
| **Kim Graber**        | Legal Counsel                 | • Provides legal advice and guidance to the program  
                          |                                | • Reviews external documents  
                          |                                | • Approves Evaluation and Selection Plan, Eligibility Determination, and Selection Statement and Analysis  
                          |                                | • Makes Conflict of Interest Determinations                                                                                                                                                                 |
| **Casey Strickland**  | NEPA Compliance Officer       | • Reviews proposed projects to evaluate the environmental and related social and economic effects of their proposed actions to ensure compliance with the National Environmental Policy Act (NEPA)  
                          |                                | • Makes NEPA determinations on DOE funded projects  
                          |                                | • Determines if a project will trigger any other regulatory requirements and ensures compliance with these regulations through actions such as consultation under the National Historic Preservation Act or the Endangered Species Act |
| **Casey Strickland**  | NEPA Compliance Officer       | • Reviews proposed projects to evaluate the environmental and related social and economic effects of their proposed actions to ensure compliance with the National Environmental Policy Act (NEPA)  
                          |                                | • Makes NEPA determinations on DOE funded projects  
                          |                                | • Determines if a project will trigger any other regulatory requirements and ensures compliance with these regulations through actions such as consultation under the National Historic Preservation Act or the Endangered Species Act |
Roles & Responsibilities: Recipient Contacts

**Business Contact**
Must be a representative of the Recipient entity authorized to act on behalf of the Recipient in the daily administration of the grant and to negotiate the agreement (not necessarily the signatory).

- Represents the organization relative to administrative and grant management;
- Maintains registrations in SAM;
- Maintains registrations in FedConnect.net;
- Formally accepts new award agreement and modifications in FedConnect.net;
- Ensures invoicing of the grant funds;
- Addresses questions relative to indirect rates, financial systems, and audits; and
- Ensures completion of quarterly financial report submissions and final financial reporting.

**Technical Contact**
Authorized to act as the “project manager” on behalf of the Recipient entity and would be the prime point of contact for DOE’s Project Officer during the project performance.

- Is the point of contact for the DOE Project Officer;
- Acts as the project manager on behalf of the Recipient organization;
- Completes the quarterly Progress Reports and Final Technical Report;
- Presents project progress at the Annual Program Review meeting;
- Generally, manages and/or implements the project on behalf of the recipient organization.

All DOE official written correspondence related to this award agreement, would be addressed to the “Business Contact”.

Functions may be performed by one person or multiple people. For grant purposes, DOE is requesting one individual be designated to represent the Applicant organization as the Business Contact and one as the Technical Contact. In some cases, the recipient may designate one individual to act as both the Business Contact and Technical Contact.
1) DOE’s communication will be exclusively with the Recipient. DOE has no privity of contract with any subcontractors, consultants, or vendors.

2) Expect direct, frequent and open communication on any and all project related matters (e.g., project progress, DOE reimbursement, administrative changes to the agreement, reporting).

3) Quarterly Progress and Financial Reports are the formal means for Recipients to communicate progress (reminders from DOE sent in advance of due date with forms/templates).

4) Recipient should notify the DOE Project Contacts directly of any unplanned situation (more on formal notification requirements later in the presentation).

5) Any requests for Award Modification should be made via email to your DOE Project Contacts.
General Negotiation Process and Timing

All steps shown in the Award Negotiations Schedule are contingent on the Selectee submitting complete documentation.
Award Phases

Selection

- Solicitation
  1) Define Requirements
  2) Post FOA
  - Gather Applications
  - Preliminary Review
  - Merit Review
  - Programmatic Review (HQ)

- Selection Official
  - Gather Missing or Required Info.
  - Technical Evaluation (Review & Recommendations for Scope and Budget)

- Selection
  - Required Forms & Certifications
    2. No Discriminating
    3. No Lobbying
    4. No Environmental Damage (NEPA)
    5. U.S. Benefits (EPAct)

Negotiation

- Contracting Officer
  - Payment (Invoicing or Auto Withdrawal)
  - Periodic Reporting
  - Amendments
    1. Revisions
    2. Incremental Funding
    3. No-Cost Extensions
    4. Deobligations
    5. Administrative

- Award
  - Final Technical Report (Public)

Project Management

Closeout

- You are here
- 1) Forms
  2) Deliverables
  3) Final Report Posted in OSTI (public website)
Award Negotiation Process

Review Letter from the Contracting Officer (CO) and submit requested information

DOE Project Officer/Monitor review proposed costs and scope, obtain supplemental information or clarification and prepare draft budget and scope for your review and concurrence.

Hold pre-award negotiation call to discuss and agree on the scope and budget

DOE Project Officer/Monitor completes programmatic award documentation

Transfer documents to procurement for Grant Management Specialist review and due diligence prior to Contracting Officer approval.

Reminder: National Environmental Policy Act (NEPA) review and determination of your project is required prior to the commitment of federal funds or commencement of activities.
System Registrations

• **FedConnect.net**
  
  Registration is required to review and receive an award.
  
  - [https://www.fedconnect.net](https://www.fedconnect.net)
  - FedConnect Guide: [https://www.fedconnect.net/FedConnect/Marketing/Documents/FedConnect_Ready_Set_Go.pdf](https://www.fedconnect.net/FedConnect/Marketing/Documents/FedConnect_Ready_Set_Go.pdf)
  - Contact FedConnect helpdesk at [support@fedconnect.net](mailto:support@fedconnect.net) or (800) 899-6665

• **Project Management Center (PMC)**
  
  Register with the PMC to submit Quarterly report submission and NEPA Environmental Questionnaire.
  
  - Register at [https://www.eere-pmc.energy.gov/PMCRrecipient/](https://www.eere-pmc.energy.gov/PMCRrecipient/)
System Registrations

• **System for Award Management (SAM)**
  Register with SAM to do business with the federal government and update annually.
  
  o Register at [https://www.sam.gov](https://www.sam.gov)
  o Contact Federal Service Desk at [https://www.fsd.gov/gsafsd_sp/gsafsd_sp](https://www.fsd.gov/gsafsd_sp/gsafsd_sp) or (866) 606-8220

• **VIPERS**
  Submit request for advance or reimbursement (SF-270) electronically through the Department’s Vendor Invoicing Payments Electronic Reporting System (VIPERS).
  
  o Register at [https://vipers.doe.gov/](https://vipers.doe.gov/)
  o Contact VIPERS helpdesk at orfscmail@oro.doe.gov or (888) 251-3557
Supplemental Information

• Notification letter from the Contracting Officer (CO) identified supplemental information needed

• Submit requested information
  ✓ Pre-award Information Sheet (IE T 540.133-02)
  ✓ Environmental Questionnaire (EQ-1 sample) – submit on-line

• Please be responsive to any other requests from the Project Officer and/or Project Monitor
Pre-award Information Sheet (IE T 540.133-02)

- Recipient Contacts
- Type of Organization
- Intellectual Property
- Project Site and congressional District
- Business Assurances and Payment
- Performance and Financial
- Accounting System Survey
- Representation Certification
- Annual Audit Requirements
Award Administration Requirements

Subrecipient and Vendor Definitions

• A **Subrecipient** is a third party participating in a project who contributes any amount of cost share to the proposed project **or** who has a vested interest in the proposed project.

• A **Vendor** is a legal entity contracted to provide goods and services within normal business operations, who provides similar goods or services to many different purchasers and operates in a competitive environment.
Award Administration Requirements

Subrecipient and Vendor Approvals

• The Recipient **must** obtain written approval by the Contracting Officer for reimbursement of costs associated for any To Be Identified (TBD) Subrecipient or Vendor if:

  ➢ Subrecipients whose total project related costs exceeds either (1) $250,000 or (2) 25% of total award costs (whichever is less)
  ➢ Vendors whose costs exceed $250,000
  ➢ Specifically identified in the Award agreement needing prior approval.

• **Until approved, the Recipient is restricted from expending project funds** (either DOE or Recipient cost share) for TBD Subrecipients and/or Vendors unless and until the Contracting Officer provides written approval.
Award Administration Requirements

Subrecipient and Vendor Approvals

• Written Contracting Officer approval in the form of a formal amendment to the agreement is required for TBD Subrecipients and Vendors identified in the Award.

• At its discretion, DOE may not reimburse costs incurred prior to the date of any such written approval by the Contracting Officer.

• Therefore, it is imperative that you notify your DOE Project Officer and Project Monitor once you’ve identified those Subrecipients and/or Vendors so we can work with you to lift those conditions.

• You cannot expend funds or invoice for project related costs for TBD Subrecipients and/or Vendors until approved by the Contracting Officer.
Award Administration Requirements

Subrecipient and Vendor Approvals

• Required for TBD Subrecipient and Vendor approvals
  – Name of selected entity,
  – DUNS number,
  – Description of the selection process,
  – Budget support,
  – Copy of the contract with scope of work and contract amount, and
  – For non-competitively selected entities, a formal waiver request with your reasons for not competing must be made to the Contracting Officer for approval.

• You may not invoice for project related costs for TBD Subrecipients and/or Vendors until the CO approves your Subrecipient or Vendor and documents that approval in a formal modification to the grant agreement.
The Office of Indian Energy’s decision on whether and how to distribute federal funds is subject to the National Environmental Policy Act (NEPA) and DOE must conduct a NEPA review for all proposed project activities prior to authorizing the use of federal funds. As this time, DOE has not issued a final NEPA determination for your proposed project.
Award Administration Requirements

National Environmental Policy Act of 1969 (NEPA)

• NEPA requires the Federal Government to evaluate and understand the potential benefits and impacts to the environment BEFORE committing resources to a proposed action (i.e. providing federal funding).

• The entire project (either funded with Federal funds or cost-shared) is subject to NEPA compliance.

• The NEPA process considers and documents potential impacts that an action would have on the social, economic and physical environment.

• DOE must also comply with other environmental statutes as part of the NEPA compliance process:
  – Endangered Species Act, National Historical Preservation Act, Coastal Zone Management Act, Marine Mammal Protection Action, Essential Fish Habitat, Migratory Bird Treaty Act, and several more depending on the location.

*It is important to read and understand your specific NEPA provision in the Terms & Conditions of your Financial Assistance Agreement.*
Award Administration Requirements

NEPA Review and Determinations

**Categorical Exclusions (CX)**
- Siting/construction/operation of facilities for bench-scale research, conventional laboratory operations, small-scale research and development, pilot and demonstration projects (in existing/established facilities)
- Information gathering, dissemination and document preparation
- Technical advice and planning assistance
- Site characterization/environmental monitoring
- Research related to conservation of fish and wildlife

**Environmental Assessment (EA)**
- “Siting, construction, and operation of energy system prototypes including, but not limited to, wind resource, hydropower, geothermal, fossil fuel, biomass, and solar energy pilot projects”, DOE NEPA Regulations 10 CFR 1021
- Actions and activities where impacts/environmental consequences to the human environment are not definitively known and do not qualify under a CX.
- Activities where the potential impacts can be reduced (mitigated) to less than significant levels after a complete analysis.

**Environmental Impact Statement (EIS)**
- Actions and activities that may significantly impact the environment, can be considered environmentally controversial and the impacts can not be reduced to less than significant.
Irreversible/Irretrievable

DOE cannot take or support any actions that could be characterized as an *irreversible and/or irretrievable* commitment in advance of completing the NEPA review process.

These activities include but are not limited to:

- Site Preparation
- Construction
- Infrastructure modification, etc.

*AND*

- Final design
- Capital equipment purchase
Invoice-by-Invoice Cost Share

Invoice-by-Invoice Cost Share (Pre-Award Information Sheet Form IE T 540.133-02, Question D.4)

• DOE requires Grant Recipients to contribute cost share incrementally over the life of the award, on a pro-rata basis.

• Specifically, the cumulative cost share percentage provided on each invoice must reflect, at a minimum, the cost share percentage specified in your award.

• To request a waiver to this requirement, indicate your intent on the IE T 540.133-02 form (Question #5) and submit a waiver request to include:
  (1) a detailed justification for the request;
  (2) a proposed schedule of payments, including amounts and dates;
  (3) a written commitment to meet that schedule; and
  (4) such evidence as necessary to demonstrate that the Prime Recipient has complied with its cost share obligations to date.

The Contracting Officer must approve all such requests before they go into effect.
Selectees may **not** incur pre-award costs without prior DOE approval

- Pre-award costs are those *costs incurred prior to the effective date of the Federal award*, in anticipation of the Federal award, where such costs are necessary for the timely performance of the scope of work.

- Such costs are *allowable only to the extent that they would have been allowable if incurred after the date of the Federal award* and only with the written approval of the DOE Contracting Officer.

- Pre-award costs cannot be incurred prior to the Selection Official signing the Selection Statement and Analysis.

- **Pre-Award expenditures are made at the Selectee’s risk**: DOE is not obligated to reimburse costs:
  1) In the absence of appropriations;
  2) If an award is not made; or
  3) If an award is made for a lesser amount than the Selectee anticipated.
Next Steps

WHAT'S NEXT?
Next Steps

Selectees should have completed the following:

✓ Registered with SAM to do business with the federal government
✓ Registered on FedConnect.net to receive an award
✓ Registered with the PMC to submit Quarterly report and NEPA Environmental Questionnaire
✓ Completed and returned the Pre-Award Information Sheet (IE T 540.133-02)
✓ Completed the Environmental Questionnaire (EQ-1) online on the PMC.
Next Steps

Schedule negotiation call to discuss and agree on the scope and budget

DOE Project Office and Project Monitor prepare award documents

Obtain your concurrence on the scope and budget

Transfer to procurement for their reviews and due diligence prior to DOE Contracting Officer approval

Contracting Officer reviews, approves award and obligates funds

Recipient notified of award

Recipient acknowledges award in FedConnect.net (electronic signature)
Next Steps

Annual Program Review

Unique Tribal Forum for Sharing and Learning

- Forum for Tribes to meet and learn from each other and to share their successes and challenges
- Networking & learning opportunity
- Generally, fifty to sixty (50-60) Tribal energy projects presented
- Typically, ~200 participants

Tentatively November 15-19, 2021
Next Steps

- A future webinar will be scheduled to go over the award documents, other requirements, and resources.
Next Steps

✔ Recipient Guide to Award Negotiation and Administration

This Guide is intended to help grant Recipients navigate the Department of Energy (DOE) and the Office of Indian Energy Policy and Programs (Office of Indian Energy) award process.

This includes the pre-award process, the critical first few days after selection, execution of the award, award administration, and closeout of the agreement.

www.energy.gov/indianenergy/grant-recipient-resources
This Recipient Guide to Award Negotiation and Administration is intended to help award recipients navigate DOE and the Office of Indian Energy award process and includes the pre-award process, the critical first few days after selection, execution of the award, award administration, and closeout of the agreement.

The appendices to this guide include a glossary of common DOE terms and acronyms, along with step-by-step instructions with screenshots to help grant recipients navigate the DOE grant systems as follows:

- Recipient Guide to Award Negotiation and Administration
- Appendix 1: Glossary of Terms and Acronyms
- Appendix 2: DUNS Number User Guide
- Appendix 3: EERE Exchange User Guide
- Appendix 4: FedConnect Ready Set Go User Guide
- Appendix 6: PMC to Submit EQ-1 and Reports User Guide
- Appendix 7: SAM Registration User Guide
- Appendix 8: VIPERS to Submit Payment Requests User Guide
- Appendix 10: Sample Grant Agreement Documents

[www.energy.gov/indianenergy/grant-recipient-resources](http://www.energy.gov/indianenergy/grant-recipient-resources)
Next Steps

We look forward to helping you through the negotiation process and, if an award is made, in helping make your projects successful.
Contacts

Deployment Supervisor: Lizana Pierce
Phone Number: (240) 562-1749
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DOE Project Officer: Tweedie Doe
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DOE Project Officer: Dan Smith
Phone Number: 240-751-5192
Email Address: Daniel.Smith1@hq.doe.gov

DOE Project Officer: Michael Stevenson
Phone Number: (240) 562-1576
Email Address: Michael.Stevenson@hq.doe.gov

DOE Project Officer: Alan Verbitsky
Phone Number: (202) 597-0473
Email Address: Alan.Verbitsky@hq.doe.gov

Project Monitor: Jami Alley
Phone Number: (240) 562-1303
Email Address: Jami.Alley@hq.doe.gov

Project Monitor: Josh Gregory
Phone Number: (240) 562-1417
Email Address: Josh.Gregory@hq.doe.gov

Project Monitor: James Jensen
Phone Number: (240-562-1290
Email Address: James.Jensen@hq.doe.gov

Project Monitor: Jennifer (Jen) Luna
Phone Number: (240) 562-1273
Email Address: Jennifer.Luna@hq.doe.gov

Project Monitor: Susan Manley
Phone Number: (240-562-1444
Email Address: Susan.Manley@hq.doe.gov

Project Monitor: Michael Vehar
Phone Number: (240) 562-1413
Email Address: Michael.Vehar@hq.doe.gov

Project Monitor: Kris Venema
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Email Address: Kris.Venema@hq.doe.gov

Indian Energy Helpdesk
IndianEnergy@hq.doe.gov
(720) 356-1352
Thank You