DOE OFFICE OF INDIAN ENERGY

Deployment Projects Kick-off Meeting Webinar

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

- Purpose
- Roles and Responsibilities
- Communication Protocol
- Agreement Documents
- Award Administration Requirements
- Resources
- Questions
Purpose

• Provide you information on award documents and other requirements of the pending DOE grant.

• Answer any of your general questions regarding the pending grant.
# DOE Project Contacts

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

<table>
<thead>
<tr>
<th>Name</th>
<th>Role</th>
<th>Responsibility</th>
</tr>
</thead>
</table>
| **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 |
Roles & Responsibilities: Recipient Contacts

**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.**

**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”.

- 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.
Communication Protocol

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.
Congratulations!

Awardees notified of award and provided Recipient Guide

Recipient’s Guide to Award Negotiation and Administration

June 2017

Special Terms and Conditions

(Recipient), which is identified in Block 5 of the Assistance Agreement, and the Office of Energy Efficiency and Renewable Energy (“EERE”), an office within the United States Department of Energy (“DOE”), enter into this Award, referenced above, to achieve the project objectives and the technical milestones and deliverables stated in Attachment 1 to this Award.

This Award consists of the following documents, including all terms and conditions therein:

<table>
<thead>
<tr>
<th>Assistance Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Terms and Conditions</td>
</tr>
<tr>
<td>Attachment 1</td>
</tr>
<tr>
<td>Statement of Project Objectives and Milestone Summary Table</td>
</tr>
<tr>
<td>Attachment 2</td>
</tr>
<tr>
<td>Federal Assistance Reporting Checklist and Instructions</td>
</tr>
<tr>
<td>Attachment 3</td>
</tr>
<tr>
<td>Budget Information SF-424A</td>
</tr>
<tr>
<td>Attachment 4</td>
</tr>
<tr>
<td>Attachment 5</td>
</tr>
<tr>
<td>Complete Text for additional attachments</td>
</tr>
</tbody>
</table>
Read Your Agreement

READ THE AWARD DOCUMENTS ESPECIALLY THE SPECIAL TERMS AND CONDITIONS
Agreement Documents

• Assistance Agreement
• Special Terms and Conditions
• Attachment 1, Statement of Project Objectives (SOPO)
• Attachment 2, Federal Assistance Reporting Checklist
• Attachment 3, Budget Information
• Attachment 4, Intellectual Property Provisions

Note: Agreement documents, once executed by the DOE Contracting Officer will be available in FedConnect.net for Recipient acknowledgement.
Agreement Documents

Assistance Agreement

- Award Number
- Start and End Dates
- Project Title
- Funding Amounts
- Key Contacts
- DOE Officer Signatures
- Additional notes  
  (Continuation Sheet)
Agreement Documents

Special Terms & Conditions

- Flow Down Requirements
- NEPA Requirements or Conditions
- Performance of Work in United States
- Purchase of American-Made Equipment and Products
- Property, Equipment, and Supplies Requirements and Provisions
- Cost Sharing Requirements
- Pre-award Costs
- Program Income
- Payment Procedures
- Budget Changes
- Subrecipient and Vendor Approvals

Special Terms and Conditions

This Award consists of the following documents, including all terms and conditions therein:

<table>
<thead>
<tr>
<th>Attachment</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Statement of Project Objectives and Milestone Summary Table</td>
</tr>
<tr>
<td>2</td>
<td>Federal Assistance Reporting Checklist and Instructions</td>
</tr>
<tr>
<td>3</td>
<td>Budget Information SF-424A</td>
</tr>
<tr>
<td>5</td>
<td>[Complete text for additional attachments]</td>
</tr>
</tbody>
</table>

The following are incorporated into this Award by reference:

- Research Terms & Conditions and the DOE Agency Specific Requirements at [http://www.nnt.gov/fto/fto/policy/rtf/index.jsp](http://www.nnt.gov/fto/fto/policy/rtf/index.jsp) (if the Award is for research and the Award is to a University or non-profit).
- The Recipient's application/proposal as approved by EERE.
- Applicable program regulations at [http://www.acfr.gov](http://www.acfr.gov) (Specify regulation and date, if applicable, otherwise delete).
Statement of Project Objectives (SOPO)

- Documents the project objectives & milestones
- Written in general terms to allow flexibility

**Milestone Summary Table**

<table>
<thead>
<tr>
<th>Task Number</th>
<th>Task or Subtask (If applicable) Title</th>
<th>Milestone Type (Milestone)</th>
<th>Milestone Number</th>
<th>Milestone Description</th>
<th>Milestone Verification Process (What, How, Who, Where)</th>
<th>Anticipated Date (Months from Start of Project)</th>
<th>Anticipated Quarter (Quarters from Start of the Project)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.0 Material synthesis</td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.1 Batch Quality</td>
<td>Milestone</td>
<td>1.1.1</td>
<td></td>
<td>Demonstrate a 1L batch size with a &gt;1.5% absolute performance improvement over a non-coated device</td>
<td>Send 5 slides to NREL for transmission test, 3 must meet pass over 350°-1000nm ASTM173 spectrum</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>1.1 Batch Quality</td>
<td>Milestone</td>
<td>1.1.2</td>
<td></td>
<td>Demonstrate a 1L batch size with a &gt;2.0% absolute performance improvement over a non-coated device</td>
<td>Send 5 slides to NREL for transmission test, 3 must meet pass over 350°-1000nm ASTM173 spectrum</td>
<td>6</td>
<td>2</td>
</tr>
<tr>
<td>1.1 Batch Quality</td>
<td>Milestone</td>
<td>1.1.3</td>
<td></td>
<td>Demonstrate a 1L batch size with a &gt;2.5% absolute performance improvement over a non-coated device</td>
<td>Send 5 slides to NREL for transmission test, 3 must meet pass over 350°-1000nm ASTM173 spectrum</td>
<td>14</td>
<td>5</td>
</tr>
<tr>
<td>1.2 Batch Volume</td>
<td>Milestone</td>
<td>1.2.1</td>
<td></td>
<td>Demonstrate a 100L batch size with a &gt;2.0% absolute performance improvement over a non-coated device</td>
<td>Send 5 slides to NREL for transmission test, 3 must meet pass over 350°-1000nm ASTM173 spectrum</td>
<td>10</td>
<td>4</td>
</tr>
<tr>
<td>1.2 Batch Volume</td>
<td>Milestone</td>
<td>1.2.2</td>
<td></td>
<td>Demonstrate a 1000L batch size with a &gt;2.5% absolute performance improvement over a non-coated device</td>
<td>Send 5 slides to NREL for transmission test, 3 must meet pass over 350°-1000nm ASTM173 spectrum</td>
<td>16</td>
<td>6</td>
</tr>
</tbody>
</table>

**STATEMENT OF PROJECT OBJECTIVES**

**Solar Electric Deployment Project on Tribal Facilities**

A. **Project Objectives**

The project objective is to install up to approximately 695 kilowatts of solar electric modules on the roofs of up to nine Tribal facilities with trust or fee status and located on the Reservation. The maximum system size is approximately 695 kilowatts that will generate an estimated 817,000 kilowatt-hours of energy per year with an estimated $80,000 in projected revenue per year at net-meter rates.

The three primary benefits to the Tribe from this project are:
1. Construction of approximately 695 kilowatts of photovoltaics to supply more than 10% of energy consumption.
2. The funding strategy will introduce the Tribe to new avenues to pursue different energy technologies.
3. The project will be a significant contribution to the Tribe’s renewable portfolio.

B. **Project Summary**

Solar arrays are planned to be installed on the rooftop of each of the nine buildings. Each building will undergo a complete engineering and design to meet system and code requirements. The approximately 695 kilowatts that will generate an estimated 817,000 kilowatt-hours of energy per year with an estimated $80,000 in projected revenue per year at net-meter rates for each individual project was based on solar resource, energy dimensions and condition, interconnection capabilities, and utility performance.
Agreement Documents – Attachment 2

Federal Assistance Reporting Checklist (IE 355)

- Quarterly Reports (Due 30 days after the calendar quarter)
  - Progress Report
  - Financial Report (SF-425)
- Final Reporting (Due 90 days after the project end date)
  - Final (comprehensive) Scientific/Technical Report
  - Final Financial Report (SF-425)
  - Final Property Report (SF-428 & SF-428B)
- Annual reporting at the Program Review

<table>
<thead>
<tr>
<th>Reporting Requirements (see attached “DOE Reporting Instructions”):</th>
<th>Frequency</th>
<th>Address*</th>
</tr>
</thead>
</table>
| I. PROJECT MANAGEMENT REPORTING | Q F Q | A. [Link]
| A. Research Performance Progress Report (RP2P) (R&D Projects) |          |         |
| B. Progress Report (Non-R&D Projects) |          |         |
| C. Financial Report (SF-425) |          |         |
| D. Special Status Report |          |         |
| E. Continuation Application |          |         |
| F. Other (see Special Instructions) |          |         |
| II. SCIENTIFIC/TECHNICAL REPORTING | F A | A. [Link]
| A. Final Scientific/Technical Report |          |         |
| B. Accepted Manuscript of Journal Article |          |         |
| C. Scientific/Technical Conference Paper/Presentation/Proceeding |          |         |
| D. Scientific/Technical Software & Manual |          |         |
| E. Scientific/Technical Dataset |          |         |
| F. Other VTT (Dissertation/Thesis, see Special Instructions) |          |         |
| III. CLOSEOUT REPORTING | F A | A. [Link]
| A. Invention Certification (DOE F 2035.11) |          |         |
| B. Final Property Report (SF-426 & SF-426B) |          |         |
| C. Other (see Special Instructions) |          |         |
| IV. OTHER REPORTING | O Y | A. [Link]
| A. Intellectual Property Reporting |          |         |
| B. Invention Utilization Report |          |         |
| C. Project Management Plan (PMP) |          |         |
| D. Annual Invented Cost Proposal |          |         |
| E. DOE For-Profit Compliance Audit |          |         |
| F. Single Audit: States, Local, Tribal Governments, and Non-Profits |          |         |
| G. Annual Property Inventory (SF-428A) |          |         |
| H. Property Disposition Report (SF-423 & SF-429) |          |         |
| I. Uniform Commercial Code (UCC) Financing Statements |          |         |
| J. Federal Subaward Reporting System (FSSR) |          |         |
| K. Other (see Special Instructions) |          |         |
Budget Information Sheet (SF-424A)

- Reflects the agreed to DOE funds and cost share contributions
- Recipient may move up to 10% of total costs (cumulative) among cost categories without prior DOE approval

- Intellectual Property Provisions (NRD-115) for Non-research and Development

- Intangible and Intellectual property rights are subject to 2 CFR 200.315 or 910.362.
  - Provisions address the use, disposition, copyright of property acquired, and work performed under a Federal award.
  - The Federal government has the right to obtain, reproduce, publish, or otherwise use the data produced under a Federal award.
Award Administration

Putting It All Together
Award Administration

✓ Lifting Conditions
  - Subrecipient and Vendor Approvals
  - NEPA Conditions
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 unidentified 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 unidentified Subrecipients and/or Vendors until the Contracting Officer 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.
Award Administration Requirements

NEPA Review and Determinations

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
Prior Approvals required (§ 200.308 Revision of budget and program plans):

- **Change in the scope** or the objective of the project or program (even if there is no associated budget revision requiring prior written approval).

- **Change in a key person** specified in the application or the Federal award.

- Unless described in the application and funded in the approved Federal awards, the subawarding, transferring or contracting out of any work under a Federal award, including fixed amount subawards as described in § 200.332 Fixed amount subawards. This provision does not apply to the acquisition of supplies, material, equipment or general support services.

- **Changes in the approved cost-sharing** or matching provided by the non-Federal entity.

- **Transfer of funds among direct cost categories to exceed 10 percent** of the total budget as last approved by the Federal awarding agency.

*Important highlights from the 2 CFR 200 (incorporated by reference into all DOE financial assistance agreements).*
Award Administration Requirements

Award Modification Examples

- Revising the SOPO (within the original selected scope)
- Key personnel changes (DOE or Recipient)
- Releasing conditions/holds (Subrecipient/Vendor Approval, NEPA)

- Extending the period of performance (no-cost time extension)

- Moving funds between direct cost categories that are greater than 10% cumulatively
- Deobligating and remaining funds at closeout
Award Administration Requirements

• Other Award Requirements
  – DOE Programmatic Requirements
  – Federal Regulations
  – Accounting Practices
  – Cost Principles
  – Audit Requirements
  – Prior Approvals
  – Procurement
  – Real Property
Award Administration Requirements

Quarterly Reporting

- Progress Report
  - Sample format to be sent with reminders each quarter
  - Do not include any confidential, proprietary or business sensitive information

- Financial Reports (SF-425)
  - Standard financial form
  - Form to be sent with reminders each quarter

- Upload to eere-pmc (see next slide)
  (Due 30 days after the calendar quarter)
Award Administration Requirements

Quarterly Reporting

https://www.eere-pmc.energy.gov/RecipientLogin/
Award Administration Requirements

Annual Reporting (Program Review)

Unique Tribal Forum for Sharing and Learning

- Forum for Tribes to meet and learn from other 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
Award Administration Requirements

Payments (via VIPERS)

- Submit Request Reimbursement form (SF-270) electronically through the DOE’s Vendor Invoicing Payments Electronic Reporting System (VIPERS).

- To access and use VIPERS, the Recipient must enroll at https://vipers.doe.gov.

- Detailed instructions on how to enroll are provided on the website.

- For assistance, contact VIPERS helpdesk at orfscmail@oro.doe.gov or (888) 251-3557

Must include total project costs (DOE and cost share)
Award Administration Requirements

Payments (via VIPERS)

Register at https://vipers.doe.gov
Award Administration Requirements

Payments (via VIPERS)

Invoices (SF-270) **must** be *broken down by cost element* and have sufficient detail and documentation to support the requested cost reimbursement. Invoice **must also include cost share** expended since the last invoice and associated supporting documentation.

**Supporting documentation must show:**

- Total Federal share claimed on the SF-270,
- Non-Federal cost share claimed for the billing period if cost sharing is required, and
- Cumulative expenditures to date (Federal and non-Federal) by cost categories. (personnel; fringe benefits; equipment; travel; supplies; contractual; other direct costs; and indirect costs).

**Typical supporting documentation might include, but is not limited, to:**

- Detailed General Ledger
- Detailed Expense/Revenue Report
- Actual Invoices and documentation
Award Administration Requirements

Allowable Costs

A cost is **allowable** only when the cost complies with the following requirements as defined under 2 CFR 200.403 and 48 CFR 31.201-2.

- Reasonable
- Allowable
- Allocable (i.e., chargeable/assignable to the award based on recipient’s accounting practices and 2 CFR 200.405)
- Given consistent treatment in accordance with generally accepted accounting principles (GAAP)
- Compliant with any award limitations or exclusions
Award Administration Requirements

Reasonable and Allocable Costs

A cost is **reasonable**, if in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost.

- The burden of proof shall be upon the Recipient to establish that such costs are reasonable.

A cost is **allocable** to the DOE award, if it is:

1. Incurred specifically for the award;
2. Benefits both the Federal award and other work and can be distributed to them in a reasonable proportion to the benefits received; or
3. Is necessary to the overall operation of the business, although a direct relationship to a particular award cannot be shown.

Reference: 2 CFR 200.404 and 200.405, 48 CFR 31.201-3 and 31.201-4 for For-Profit Entities
## Award Administration Requirements

### Regulations

<table>
<thead>
<tr>
<th>Recipient Type:</th>
<th>State &amp; Local Governments</th>
<th>Non-Profit Organizations</th>
<th>Educational Institutions</th>
<th>Commercial (For-Profit) Organizations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Audit</td>
<td>2 CRF Part 200 Subpart F</td>
<td>2 CRF Part 200 Subpart F</td>
<td>2 CRF Part 200 Subpart F</td>
<td>2 CFR 910.501</td>
</tr>
</tbody>
</table>

### Relevant Laws and Authorities

- Public Law 95-224: Federal Grant and Cooperative Agreement Act (FGCAA)
- Public Law 106-107: Federal Financial Assistance Management Improvement Act
Award Administration Requirements

Travel Regulations

Recipients should be familiar with federal travel regulations applicable for their organization and *understand what travel costs are considered reasonable and allowable.*

<table>
<thead>
<tr>
<th>Recipient Type</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>State, Local &amp; Indian Tribal Governments</td>
<td>Refer to 2 CFR 200.474 “Travel Costs” for complete information on travel and airfare costs. Costs must be in accordance with the governmental unit’s, organization’s, or institution’s written travel policy.</td>
</tr>
<tr>
<td>Non-Profit Organizations</td>
<td>Refer to the Federal Acquisition Regulations (FAR31.205-46) for complete information on travel and airfare costs. When using government approved rates, please provide us with a copy of the approved rate you are utilizing.</td>
</tr>
</tbody>
</table>
Federal Grant Recipient Accounting Responsibilities

- Establish/maintain internal controls and accounting system in accordance with GAAP
- Prepare financial statements in timely and accurate manner
- Segregate and accumulate all costs by project and categories
- Segregate direct from indirect costs, and Federal from Cost Share
- Track employee time on an hourly basis by project
- If you do not have in-house expertise, consider hiring a consultant with expertise in Government Regulations/Accounting

Noncompliance with Regulations, and/or Award Terms & Conditions may result in withholding of payments, suspension or termination of the award, and withholding of future awards.
The Office of Management and Budget (OMB) establishes federal grant management policies and cost principles through OMB circulars and common rules. These policies and cost principles are incorporated into each relevant agency's applicable Federal regulations in the Code of Federal Regulations (CFR). See 2CFR 200 Subpart E.

Federal cost principles are intended to establish a uniform approach for determining costs and promoting effective program delivery, efficiency, and better relationships between grant recipients, subrecipients, and the Federal government.

The principles are promulgated to determine allowable costs, enforce compliance with Federal grant requirements, and ensure that the Federal Government bear its fair share of costs except where restricted or otherwise prohibited by law.
Award Administration Requirements

Cost Principles

• 2 CFR 200 Subpart E Cost Principles (by organization-type) describe what costs are allowable or unallowable for reimbursement.

• All project costs must be:
  – Reasonable; Allowable; Allocable;
  – Given consistent treatment in accordance with generally accepted accounting principles (GAAP); and
  – Must conform to any award limitations or exclusions.
# Award Administration Requirements

## Audit Requirements

<table>
<thead>
<tr>
<th>Entity</th>
<th>Type</th>
<th>Regulation</th>
<th>Threshold</th>
<th>Allowable Cost</th>
<th>Due Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial Organization (For-Profit)</td>
<td>Compliance audit</td>
<td>2 CFR § 910.501</td>
<td>$750k in Federal funds expended on DOE awards in that year</td>
<td>Direct, indirect if covering multiple DOE awards</td>
<td>Within the earlier of 30 days after receipt of the auditor’s report(s) or 9 months after the end of the audit period (Recipient’s fiscal year-end)</td>
</tr>
<tr>
<td>State, Local Government, Non-Profit Organization</td>
<td>Compliance audit</td>
<td>2 CFR § 200.501</td>
<td>$750k in Federal funds expended on all awards in that year</td>
<td>Indirect, direct if recipient only expends Federal funds on the DOE Award</td>
<td>Within the earlier of 30 days after receipt of the auditor’s report(s) or 9 months after the end of the audit period (Recipient’s fiscal year-end)</td>
</tr>
<tr>
<td>Educational Institution</td>
<td>Compliance audit</td>
<td>2 CFR § 200.501</td>
<td>$750k in Federal funds expended on all awards in that year</td>
<td>Indirect, direct if recipient only expends Federal funds on the DOE Award</td>
<td>Within the earlier of 30 days after receipt of the auditor’s report(s) or 9 months after the end of the audit period (Recipient’s fiscal year-end)</td>
</tr>
</tbody>
</table>

### All Entities Proposing Segregated Indirect Costs through Cost Allocation
- **Annual Incurred Cost Proposal**
  - For-Profit: FAR 52.216-17
  - Others: As Accepted by Auditor
- **Direct, indirect if covering multiple awards**
- Within 180 calendar days after the close of the Recipient's fiscal year. Send to Cognizant Agency.
**Award Administration Requirements**

**Financial Management System Requirements**

<table>
<thead>
<tr>
<th>FINANCIAL MANAGEMENT SYSTEM – ACCOUNTING SYSTEM SURVEY</th>
</tr>
</thead>
<tbody>
<tr>
<td>To qualify for Financial Assistance, compliance with 2 CFR 200 as amended by 2 CFR 910 is required. This includes assurance of an adequate accounting system for estimating, accounting and billing for governmental funding received. Please complete the checklist below as assurance of this requirement.</td>
</tr>
</tbody>
</table>

For additional information, please visit [https://www.dcaa.mil](https://www.dcaa.mil). Under “Checklists and Tools”, click on “Preaward Accounting System Adequacy Checklist”.

1. Is the Accounting System in accordance with Generally Accepted Accounting Principles applicable to the circumstances and associated applicable Federal regulations?  
   - Yes  
   - No  
   - NA

2. Accounting System provides for:  
   a. Segregation of direct costs from indirect costs.  
   - Yes  
   - No  
   - NA  
   b. Identification and accumulation of direct costs by project.  
   - Yes  
   - No  
   - NA  
   c. A logical and consistent method for the allocation of indirect costs to intermediate and final cost objectives. (Project line items are final cost objective)  
   - Yes  
   - No  
   - NA  
   d. Accumulation of costs under general ledger control.  
   - Yes  
   - No  
   - NA  
   e. A timekeeping system that identifies employees’ labor by intermediate and final cost objective (i.e., project level, division level).  
   - Yes  
   - No  
   - NA  
   f. A labor distribution system that charges direct and indirect labor to appropriate cost objectives.  
   - Yes  
   - No  
   - NA  
   g. Interim (at least monthly) determination of costs charged to a project through routine posting of books of account.  
   - Yes  
   - No  
   - NA  
   h. Excluding costs charged to Government projects which are not allowable in terms of FAR 31, Contract Cost Principles and Procedures, or other provisions.  
   - Yes  
   - No  
   - NA  
   i. Identification of costs by project line item and by units (as if each unit or line item were a separate project) if required by the proposed award.  
   - Yes  
   - No  
   - NA

3. Is the Accounting System designed, and are the records maintained in such a manner that adequate, reliable data are developed for use in developing cost proposals?  
   - Yes  
   - No  
   - NA

4. Is the Accounting System currently in full operation?  
   - Yes  
   - No  
   - NA

- Segregate Direct/Indirect cost
- Identify/Accumulate Direct/Indirect costs
- Logical/consistent allocation of cost
- Accumulation costs under general ledger
- Timekeeping system
- Labor distribution system
- Interim cost determination
- Exclude non-allowable costs
- Identify costs by project line item.
Award Administration Requirements

Procurements

Procurements (§ 200.318, § 200.319, § 200.320)

• The non-Federal entity must use its own documented procurement procedures which reflect applicable State, local, and tribal laws and regulations, provided that the procurements conform to applicable Federal law and the standards identified in this part. (§ 200.318 General procurement standards.)

• **All procurement transactions** must be conducted in a manner providing **full and open competition** consistent with the standards of this section.

*Important highlights from the 2 CFR 200 (incorporated by reference into all DOE financial assistance agreements).*
Award Administration Requirements

Procurements

Procurements (§ 200.318, § 200.319, § 200.320)

• The non-Federal entity must use one of the following methods of procurement.

  1) Procurement by micro-purchases
  2) Procurement by small purchase procedures
  3) Procurement by sealed bids (formal advertising)
  4) Procurement by competitive proposals
  5) Procurement by noncompetitive proposals
     (see next slide for details)

Important highlights from the 2 CFR 200 (incorporated by reference into all DOE financial assistance agreements).
Procurements

Procurements (§ 200.318, § 200.319, § 200.320)

• Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:
  – The item is available only from a single source;
  – The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
  – The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity; or
  – After solicitation of a number of sources, competition is determined inadequate.

• Prior approval required for noncompetitive proposals
  – The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity;

Important highlights from the 2 CFR 200 (incorporated by reference into all DOE financial assistance agreements).
Award Administration Requirements

Real Property

- Subject to the conditions set forth in 2 CFR 200.311, title to real property acquired or improved under a Federal award will vest with the non-Federal entity.

- Except as otherwise provided by Federal statutes or by the Federal awarding agency, real property will be used for the originally authorized purpose as long as needed for that purpose, during which time the non-Federal entity must not dispose of, or encumber, its title or other interests.
Award Administration Requirements

Real Property

• When real property is no longer needed for the originally authorized purpose, the non-Federal entity must obtain disposition instructions from the Federal awarding agency or pass-through entity.

• The instructions must provide for one of the following alternatives:
  a) Retain title after compensating the Federal awarding agency as described in 2 CFR 200.311(c)(1);
  b) Sell the property and compensate Federal awarding agency as specified in 2 CFR 200.311(c)(2); or
  c) Transfer title to Federal awarding agency or to a third party designated/approved by Federal awarding agency as specified in 2 CFR 200.311(c)(3).
Award Administration Requirements

Real Property

• See 2 CFR 200.311 for additional requirements pertaining to real property acquired or improved under a Federal award.

• Also see 2 CFR 910.360 for additional requirements for real property for For-Profit recipients.
Award Administration Requirements

Equipment

• Title to equipment acquired under a Federal award will vest upon acquisition in the non-Federal entity.

• Unless a statute specifically authorizes the Federal agency to vest title in the non-Federal entity without further obligation to the Federal Government, and the Federal agency elects to do so, the **title must be a conditional title**.

• See 2 CFR 200.313 for additional requirements
Award Administration Requirements

Equipment

• Title must vest in the non-Federal entity subject to the following conditions:

(1) Use the equipment for the authorized purposes of the project during the period of performance, or until the property is no longer needed for the purposes of the project.

(2) Not encumber the property without approval of the Federal awarding agency or pass-through entity.

(3) Use and dispose of the property in accordance with paragraphs (b), (c) and (e) of 2 CFR 200.313.
Award Administration Requirements

Equipment - UCC Filing Requirement

- Applies to for-profit Recipients and Sub-recipients awarded more than $1,000,000 in DOE funds.

1. Uniform Commercial Code (UCC)
2. 2 CFR 910.360 (b)(4) requires for-profit Recipients and Sub-recipients to record UCC financing statement(s) for all equipment with an acquisition cost per unit of $5,000 or more purchased in whole or in part with Federal funds.
3. UCC financing statement(s) must be approved in writing by the Contracting Officer prior to the recording,
4. UCC financing statement(s) must be filed before DOE may reimburse the Recipient for the Federal share of the equipment.
5. Term included in Special Terms and Conditions, if applicable.
Resources

✓ Recipient Resource Page

The Recipient Resource webpage provides resources for the administration and closeout of your grants, including:

- Recipient Guide
- Webinars (pre-recorded)
- Reporting forms and instruction

https://www.energy.gov/indianenergy/grant-recipient-resources
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.

Sent to you as a reference guide—Please use as a resource
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
Resources

Office of Indian Energy Policies and Programs
Subscribe to listserv and to see funding and events on the Indian Energy Website.
https://www.energy.gov/indianenergy/office-indian-energy-policy-and-programs

Indian Energy Helpdesk
If you have general questions or need immediate assistance.
Indianenergy@hq.doe.gov
(240) 562-1352
Resources

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

Project Management Center (PMC)
Register with the PMC to submit Quarterly report submission and NEPA Environmental Questionnaires.
https://www.eere-pmc.energy.gov/RecipientLogin/
Resources

VIPERS
Submit request for DOE reimbursement electronically through the Department’s Vendor Invoicing Payments Electronic Reporting System (VIPERS) using the SF-270.
https://vipers.doe.gov/
Contact VIPERS helpdesk at orfscmail@oro.doe.gov or (888) 251-3557

Code of Federal Regulations (CFR)
2 CFR 200: Part 200 – Uniform Administrative Requirements, cost Principles, and Audit Requirements for Federal Awards

2 CFR 910: Part 910 supplements 2 CFR 200 with DOE specific regulations including Post Award Requirements and Audit Requirements for For-Profit Entities.
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Project Monitor: Kris Venema
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Email Address: Kris.Venema@hq.doe.gov
Questions
Reminders

• DOE wants your project to be successful.
• Comply with the award requirements.
• The Special Terms and Conditions and Reporting Checklist – Read and Understand.
• Financial record keeping is crucial.
• On-going communication is key.
We are here to help and look forward to helping you make your projects successful.
Thank You