



REQUEST FOR PROPOSALS

TRANSMISSION FACILITATION PROGRAM PUBLIC-PRIVATE PARTNERSHIPS TO CONNECT MICROGRIDS IN ALASKA, HAWAII, AND U.S. TERRITORIES

RFP Number: GDO-TFPFY24CON

IIJA Section 40106 – Transmission Facilitation Program

Table of Contents

- I. General Announcement 1
- II. Overview..... 2
- III. Definitions..... 2
- IV. Program Purpose 2
- V. Application Process..... 3
- VI. Selection Criteria 4
- VII. Community Benefits Plan (CBP)..... 5
- VIII. Due Diligence Process and Purpose 5
- IX. Funding Requirements 6
 - A. Build America, Buy America Requirements:..... 6
 - B. Waivers to Build America Buy America Requirements..... 8
 - C. Davis-Bacon Act Requirements 9
 - D. National Environmental Policy Act (NEPA) Requirements 10
 - E. Other Requirements..... 11
- X. Restrictions on Disclosure and Use of Information 11
- Appendix A: Request for Proposals Application Requirements 13
- Appendix B: Community Benefits Plan Template..... 18
- Appendix C: Federal System Registration Requirements, System for Award Management (SAM) ... 37
- Appendix D: Penalty of Perjury Statement..... 38

I. General Announcement

The Transmission Facilitation Program ("TFP"), implemented by the U.S. Department of Energy's ("DOE") Grid Deployment Office ("GDO"), aims to facilitate the construction of transmission infrastructure that will improve and enhance the capacity, efficiency, resiliency, or reliability of the electric power transmission system and improve and enhance access to low cost and low carbon energy resources while ensuring repayment of TFP support.

Section 40106 of the Infrastructure Investment and Jobs Act ("IIJA"), Pub. L. No. 117-58, codified at 42 U.S.C. 18713, directs the Secretary of Energy (Secretary) to establish the TFP, under which DOE may facilitate the construction, replacement, or capacity upgrade of eligible transmission lines through multiple facilitation tools, including a public-private partnership. In a public-private partnership undertaken pursuant to the IIJA, DOE may participate with an Applicant in designing, developing, constructing, operating, maintaining, or owning an Eligible Project. The TFP is not a grant program, and before entering into an agreement the Secretary must certify that there is a reasonable likelihood that funds will be recovered to invest in future projects.

Through this Request for Proposals ("RFP"), DOE is soliciting applications under Section 40106 of the IIJA for public-private partnership funding for projects "to connect an Isolated Microgrid to an existing transmission, transportation, or telecommunications infrastructure corridor located in Alaska, Hawaii, or a territory of the United States." Consumers in Alaska, Hawaii, and the U.S. territories have unique electric transmission grid configurations, including the need to serve many communities' electricity needs through microgrids. Strategic interconnection of these microgrids, to each other and/or to a larger operating transmission system, will help promote reliability and resilience and result in long-term cost reductions for these consumers. This RFP describes the application process and the information necessary for the Secretary to evaluate whether to enter into public-private partnerships with selected projects under this provision of Section 40106 of the IIJA.

DOE expects that the range of projects for which an Applicant may apply for a public-private partnership to connect an Isolated Microgrid may vary widely. DOE invites applications for projects in any stage of development, ranging from the initial planning stage to so-called "shovel-ready" projects, so long as the Applicant can demonstrate the need for a public-private partnership to ensure project completion, consistent with the requirements included in this RFP. Potential Applicants with projects located in Alaska, Hawaii, and the U.S. territories are encouraged to apply and to describe their specific project's goals, needs, and project development status.

Key RFP Dates	
RFP Issue Date	2/29/2024
Application Deadline	5/31/2024
Start of Evaluation Period	6/3/2024
Expected Date for DOE Selection Notification	October 2024

Applicants must submit their application by 5:00 pm ET on May 31, 2024, to be eligible for evaluation. Applications must be sent to transmissionfacilitation@hq.doe.gov.

Any questions on this RFP may be emailed to transmissionfacilitation@hq.doe.gov.

II. Overview

This RFP, prepared by GDO, describes the application process and the information necessary for the Secretary of Energy to evaluate DOE's potential participation in public-private partnerships for projects that seek to connect Isolated Microgrids to Infrastructure Corridors within Alaska, Hawaii, or the U.S. territories, under Section 40106 of the IIJA.

DOE intends to allocate up to \$200 million of the TFP's borrowing authority for Eligible Projects selected pursuant to this RFP but reserves the right to make no awards.

III. Definitions

The following definitions apply exclusively to this RFP:

Applicant means an entity that submits an application.

Eligible Project means a project (including any related facility) to connect an Isolated Microgrid to an Infrastructure Corridor located in Alaska, Hawaii, or a U.S. territory. See definitions of Isolated Microgrid and Infrastructure Corridor. Eligible Project related facilities do not include facilities used primarily to generate electric energy, nor facilities used in the local distribution of electric energy.

Infrastructure Corridor means an existing right-of-way for transmission facilities, or transportation or telecommunications infrastructure.

Isolated Microgrid means a group of interconnected electric loads, transformers, distribution lines, protective devices, and distributed energy resources, which may include energy storage, within clearly defined electrical boundaries that acts as a single controllable power system and that does not have a sustained or reliable connection to a larger-scale synchronous utility electric grid.

Proposed Project means a project for which an application is submitted pursuant to this RFP.

Indian Tribe means any Indian Tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians as defined in 25 U.S.C. 5304(d).

RFP means this Request for Proposals.

Territory means a federally identified sub-national administrative division of the United States such as American Samoa, Commonwealth of Puerto Rico, Guam, Commonwealth of Northern Mariana Islands, and United States Virgin Islands.

IV. Program Purpose

A resilient, reliable, and expanded transmission system is critical to meeting the Nation's current and future economic, energy, and national security needs. Upgrading and expanding the current transmission system will enhance grid reliability and resilience and enable cost-effective access to low-carbon and lower-cost energy.

To help meet this need, Congress enacted, and President Biden signed, the IIJA. The IIJA provides new authorities, appropriations, and borrowing authority, including the TFP, that DOE can use to help reduce financing challenges transmission project sponsors face and to help catalyze investment in transmission. The TFP authorizes three forms of facilitation tools—capacity contracts, public-private partnerships, and loans—through which DOE may facilitate the construction of new, replacement, or capacity upgrade of

eligible transmission lines and related facilities.

DOE intends to employ these tools to support Eligible Projects that demonstrate a need for the facilitation provided by the TFP; provide a reasonable prospect of cost recovery by the Federal government; and meet the statute's articulated goals. DOE is authorized to borrow from the U.S. Treasury for the purpose of carrying out the TFP.

With this RFP, DOE is seeking to support projects that connect an Isolated Microgrid to an Infrastructure Corridor located in Alaska, Hawaii, or a U.S. territory by entering into public-private partnerships. These locations experience unique electric grid challenges and connecting Isolated Microgrids to Infrastructure Corridors can support community needs in many ways, including enhancing grid reliability and resilience and enabling access to clean, diverse, and lower cost energy. In a public-private partnership undertaken pursuant to the IJJA, DOE may participate with an Applicant in designing, developing, constructing, operating, maintaining, or owning an Eligible Project.

By statute, the TFP prioritizes projects that improve electric grid resiliency and reliability; support economic growth; and provide access to clean energy sources. DOE is committed to (i) supporting the IJJA objectives to invest in America's workforce by including specific elements to accelerate job growth and job quality; and (ii) advancing the Administration's equity, environmental, and energy justice priorities, including the Justice40 Initiative.¹

Note that DOE offers other support to facilitate transmission deployment in addition to the TFP programs, including the capacity contract offerings. Interested persons are encouraged to consult DOE's web site ([see link: Grid and Transmission Program – Conductor Guide](#)) or to contact the Grid Deployment Office at transmission@hq.doe.gov for more information on programs administered by DOE.

V. Application Process

The deadline and submittal instructions are located in the General Announcement section of this RFP.

Appendix A to this RFP contains instructions for preparation and submission of a maximum 16-page proposal. Appendix B to this RFP is comprised of a community benefits plan ("CBP") template. Each application must satisfy the requirements described in Appendix A: Request for Proposals Application and Appendix B: CBP Template for DOE to proceed to evaluation. Applicants should anticipate providing additional information as required during application evaluation, as well as possibly engaging in a virtual meeting to discuss their project's suitability for TFP funding.

DOE expects that the range of Proposed Projects for which an application is submitted may vary widely and invites applications for projects within any stage of development, ranging from the initial planning stage to so-called "shovel ready" projects, so long as the Applicant can demonstrate the need for a public-private partnership to ensure project completion, consistent with the requirements included in this RFP. DOE understands that applications for Proposed Projects that are in early stages of development may contain limited information. This will not necessarily preclude DOE's evaluation of the application.

DOE may select Proposed Projects that it determines as most consistent with the requirements of the

¹ Justice40 directs that 40% of the overall benefits of certain federal investments flow to "disadvantaged communities." Pursuant to E.O. 14008 and the Office of Management and Budget's Interim Justice40 Implementation Guidance M-21-28 and M-23-09, DOE recognizes disadvantaged communities as defined and identified by the White House Council on Environmental Quality's Climate and Economic Justice Screening Tool (CEJST), located at <https://screeningtool.geoplatform.gov/>.

TFP to participate in the due diligence process and negotiation of terms for entering into a public-private partnership. See Section VIII for additional due diligence process information. Under a public-private partnership model, DOE would be an equity partner in Eligible Projects alongside the project’s existing owners; DOE may provide both technical assistance and capital to Eligible Projects. DOE may assist projects at an early stage of project development in, for example, facilitating negotiations with relevant authorities or providing TFP funding for surveys or studies necessary for project development. For projects closer to the start of construction, DOE may, for example, assist in reviewing the terms of material contracts necessary to achieve financial close, in addition to funding a repayable portion of the construction costs.

The terms of DOE’s commitment will be finalized in one or more public-private partnership agreement(s) between DOE and the Applicant. These agreements will set out each party’s responsibilities, their funding commitments, governance arrangements for the project (such as each party’s voting and veto rights), the allocation of returns between parties, and other terms. Selected Applicants should anticipate working with DOE to provide additional project information, including information to further assist DOE in determining how and when DOE will recover its funding.

Recipients of funding under the IJJA must comply with requirements of all applicable Federal, State, territorial, and local laws, regulations, DOE policy and guidance, and instructions in this RFP. DOE shall not be bound by oral representations made during the application stage or during any negotiations. No binding commitment, agreement, obligation, or right of any kind may be assumed or enforced by any Applicant against DOE, other than in accordance with a duly and validly executed contract. It is a crime to knowingly make false statements to a Federal agency. Misrepresentation of material facts may be the basis for denial of an application for TFP assistance. Penalties upon conviction may include fine and imprisonment. For details, please refer to 18 U.S.C. 1001.

Selected Applicants must register with the System for Award Management (SAM), as described in Appendix C to this RFP. Applicants must execute a Penalty of Perjury Statement as set forth in Appendix D to accompany its application.

VI. Selection Criteria

DOE will evaluate applications based on the following criteria, weighted as shown in the table below, to determine whether to invite proposed projects into due diligence:

Selection Criteria	Weight
1. The project addresses specific electricity delivery challenges in the targeted community and contributes to the IJJA’s energy technology and climate goals.	20%
2. The project promotes the following goals: (i) create good-paying, high-quality, local jobs; (ii) advance diversity, equity, inclusion, and accessibility for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality; (iii) support meaningful community and labor engagement; and (iv) contribute to the goal that 40% of the overall benefits of certain federal investments flow	20%

Selection Criteria	Weight
to Disadvantaged Communities (the Justice40 Initiative). See Section VII Community Benefits Plans, for more information.	
3. The project is unlikely to be constructed in as timely a manner or with as much transmission capacity in the absence of DOE's TFP participation.	30%
4. DOE has a reasonable expectation that the proceeds from the project will be adequate for DOE to recover its costs.	30%

In addition to the criteria set forth above, DOE may take into account the following additional policy factors in determining which Applicants to invite to due diligence:

- The degree to which the project improves reliability and resilience.
- The degree to which the project optimizes the use of available TFP funding.
- The degree to which the project serves Alaska Native communities, Native Hawaiian communities, or Indian Tribes.
- The degree to which the project will deliver the greatest benefits for the least amount of TFP funding.
- The degree to which the project, or group of Proposed Projects, represents a geographic distribution.
- The degree to which the project leverages existing infrastructure, facilities, and/or workforce skills.

VII. Community Benefits Plan (CBP)

To support the goal of building a clean and equitable energy economy, IJA-funded projects are expected to: (1) support meaningful community and labor engagement; (2) invest in America's workforce through quality jobs; (3) advance diversity, equity, inclusion, and accessibility (DEIA); and (4) contribute to the President's goal that 40% of the overall benefits of certain federal investments flow to disadvantaged communities (the Justice40 Initiative). A project's contribution to meeting these goals will be tracked through a required CBP.

To assess the reasonable likelihood of meeting these goals, all Applicants must complete the Appendix B: CBP Template. Applicants should complete each portion of the Appendix B: CBP Template to the greatest extent possible and may provide additional narrative explanation as helpful to provide maximum CBP information. In cases where information is incomplete, not available, or irrelevant to the Proposed Project, Applicants should clearly explain the reason for missing information.

VIII. Due Diligence Process and Purpose

DOE may select Proposed Projects to move forward to the due diligence process. In due diligence, DOE will conduct document review on a Proposed Project to confirm the documentation meets the certification requirements of the statute on which it has been evaluated and will meet with applicants to determine how best to structure DOE's role in the public-private partnership. Due diligence will include DOE consulting with state/regional planning entities, assessing financial information, and validating all information submitted by the Applicant. DOE may also contract with industry experts as part of the information verification process.

During due diligence, DOE will negotiate the terms of the public-private partnership with the participating Applicant. Based on the project maturity, DOE will describe the events and actions that must occur before DOE releases funding. These events and actions may include:

- The conditions that the Applicant must satisfy for DOE to execute the public-private partnership agreement, which could include conditions related to the project’s financing, commencement of construction, commercial operation, and receipt of regulatory approvals;
- Milestones to demonstrate measurable progress to commercial operation, and remedies if a milestone is not achieved; and
- Compliance with the funding requirements laid out in Section IX. Funding Requirements of this RFP.

The IJIA requires DOE to determine that it has a reasonable likelihood of recovering the costs of facilitation activities carried out before entering into a public-private partnership contract.² As a condition for the Applicant’s participation in due diligence, DOE may require the Applicant to enter into a cost reimbursement agreement to reimburse DOE for its third party legal and consulting services costs incurred in due diligence and contract negotiation.

As part of its analysis, DOE will need to determine, per 42 U.S.C. 18713(h), that the project: (1) (A) is located in an area designated as a national interest electric transmission corridor pursuant to section 216(a) of the Federal Power Act (16 U.S.C. 824p(a)), or (B) is necessary to accommodate an actual or projected increase in demand for electric transmission capacity across more than one State or transmission planning region; (2) is consistent with efficient and reliable operation of the transmission grid; (3) will be operated in conformance with prudent utility practices; (4) will be operated in conformance with the rules of (a) a Transmission Organization (as defined in section 3 of the Federal Power Act (16 U.S.C. 796)), if applicable, or (b) a regional reliability organization; and (5) is not duplicative of the functions of existing transmission facilities that are the subject of ongoing siting and related permitting proceedings.

IX. Funding Requirements

All Applicants are subject to the following requirements.

A. Build America, Buy America Requirements:³

The Build America, Buy America Act (Buy America) requirements include:

- All iron, steel, and manufactured products used in the project must be produced in the United States.
- All construction materials used in the project must be manufactured in the United States.

In general, whether a given project must apply this requirement is dependent on several factors, such as the recipient’s entity type, whether the work involves “infrastructure,” as that term is defined in Section 70912 of the IJIA, based in part on whether the infrastructure in question is publicly owned or serves a public function. All projects are considered “infrastructure” within the Buy America provision of the IJIA, based on implementation guidance from the Office of Management and Budget M-24-02 (OMB Guidance Document) issued on October 25, 2023.

Moreover, based on the OMB Guidance Document, the Buy America requirements of the IJIA do not apply to DOE projects in which the Prime Recipient, in this case an Applicant, is a for-profit entity; the

² 42 U.S.C. 18713(d)(4)(A)(i).

³ [M-24-02 Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure.](#)

requirements only apply to projects whose Prime Recipient is a “non-federal entity,” e.g., a state, local government, territory, Indian Tribe, institution of higher education, or nonprofit organization. Subawards should conform to the terms of the prime award from which they flow; in other words, for-profit Prime Recipients are not required to flow down these Buy America requirements to subrecipients, even if those subrecipients are non-federal entities as defined above. Conversely, Prime Recipients which are non-federal entities must flow the Buy America requirements down to all subrecipients, even if those subrecipients are for-profit entities.

Selected applicants must agree to fulfill the commitments: (1) regarding the procurement of U.S.-produced products; and (2) made in their applications regarding the procurement of other key component metals and manufactured products domestically that are deemed available in sufficient and reasonably available quantities or of a satisfactory quality at the time of award negotiation. Applicants may seek waivers of these requirements in very limited circumstances and for good cause shown.

For purposes of the Buy America requirements, based both on the statute and the OMB Guidance Document dated October 25, 2023, the following definitions apply:

Construction materials includes an article, material, or supplies that consist of only one of the items listed in paragraph (1) of this definition, except as provided in paragraph (2) of this definition. To the extent one of the items listed in paragraph (1) contains as inputs other items listed in paragraph (1), it is nonetheless a construction material:

- Nonferrous metals
- Plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables)
- Glass (including optic glass)
- Fiber optic cable (including drop cable)
- Optical fiber
- Lumber
- Engineered wood
- Drywall

Infrastructure encompasses federal infrastructure projects in the United States. The term includes, at a minimum, the structures, facilities, and equipment for roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property; and structures, facilities, and equipment that generate, transport, and distribute energy including electric vehicle (EV) charging.

Moreover, according to the OMB Guidance Document:

When determining if a program has infrastructure expenditures, federal agencies should interpret the term “infrastructure” broadly and consider the definition provided above as illustrative and not exhaustive. When determining if a particular construction project of a type not listed in the definition above constitutes “infrastructure,” agencies should consider whether the project will serve a public function, including whether the project is publicly owned and operated, privately operated on behalf of the public, or is a place of public accommodation, as opposed to a project that is privately owned and not open to the public. Projects with the former qualities have greater indicia of infrastructure, while projects with the latter quality have

fewer. Projects consisting solely of the purchase, construction, or improvement of a private home for personal use, for example, would not constitute a public infrastructure project for purposes of Buy America.

DOE, not the applicant, will have the final say as to whether a given project includes infrastructure, as defined herein. Accordingly, in cases where the “public” nature of the infrastructure is unclear, but the other relevant criteria are met, DOE strongly recommends that applicants complete their full application with the assumption that Buy America requirements will apply to the proposed project.

Infrastructure project means any activity related to the construction, alteration, maintenance, or repair of infrastructure in the United States regardless of whether infrastructure is the primary purpose of the project.

In accordance with Section 70914 of the IJIA, none of the project funds may be used for an infrastructure project unless:

- 1) All iron and steel used in the project are produced in the United States—this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
- 2) All manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States, and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard that meets or exceeds this standard has been established under applicable law or regulation for determining the minimum amount of domestic content of the manufactured product; and
- 3) All construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States.

The Buy America requirements only apply to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, the requirements do not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor do the Buy America requirements apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

For additional information related to the application and implementation of these Buy America requirements, please see OMB Memorandum M-24-02, issued October 25, 2023: <https://www.whitehouse.gov/wp-content/uploads/2023/10/M-24-02-Buy-America-Implementation-Guidance-Update.pdf>.

B. Waivers to Build America, Buy America Requirements

DOE will minimize waivers to the Buy America requirements. In very limited circumstances, DOE may waive the application of the Buy America requirements where DOE determines that:

- 1) Applying the Buy America requirements would be inconsistent with the public interest.
- 2) The types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality.
- 3) The inclusion of iron, steel, manufactured products, or construction materials produced in the

United States will increase the cost of the overall project by more than 25%.

If an applicant or recipient is seeking a waiver of the Buy America requirements, it may submit a waiver request with its application or after it has been notified of its selection. A waiver request must include:

- A detailed justification for the use of “non-domestic” iron, steel, manufactured products, or construction materials to include an explanation as to how the non-domestic item(s) is essential to the project.
- A certification that the applicant or recipient made a good faith effort to solicit bids for domestic products supported by terms included in requests for proposals, contracts, and nonproprietary communications with potential suppliers.
- Applicant/Recipient name and Unique Entity Identifier (UEI).
- Total estimated project cost, DOE, and cost-share amounts.
- Project description and location (to the extent known).
- List and description of iron or steel item(s), manufactured goods, and construction material(s) the applicant or recipient seeks to waive from Domestic Content Procurement Preference requirement, including name, cost, country(ies) of origin (if known), and relevant Product and Service Code (PSC) and North American Industry Classification System (NAICS) code for each.
- Waiver justification including due diligence performed (e.g., market research, industry outreach) by the applicant or recipient.
- Anticipated impact if no waiver is issued.

DOE may require additional information before considering the waiver request.

Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the Made in America Office. There may be instances where an award qualifies, in whole or in part, for an existing waiver described at [DOE Buy America Requirement Waiver Requests | Department of Energy](#).

DOE’s decision concerning a waiver request is not appealable.

C. Davis-Bacon Act Requirements

DOE’s participation in a public-private partnership will be funded under Division D of the IJJA. Accordingly, per Section 41101 of that law, all laborers and mechanics employed by the recipient, subrecipient, contractors, or subcontractors in the performance of construction, alteration, or repair work funded in whole or in part through a public-private partnership shall be paid wages at rates not less than those prevailing on similar projects in the locality, as determined by the Secretary of Labor in accordance with Subchapter IV of Chapter 31 of Title 40, United States Code, commonly referred to as the “Davis-Bacon Act” (DBA).

Applicants shall provide written assurance acknowledging the DBA requirements above, and confirming that the laborers and mechanics performing construction, alteration, or repair work on projects funded in whole or in part by a public-private partnership are paid or will be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the DBA.

Applicants acknowledge that they will comply with all the DBA requirements, including but not limited to:

- 1) Ensuring that the wage determination(s) and appropriate DBA clauses and requirements are flowed down to and incorporated into any applicable subcontracts or subrecipient awards.
- 2) Ensuring that if wage determination(s) and appropriate DBA clauses and requirements

- are improperly omitted from contracts and subrecipient awards, the applicable wage determination(s) and clauses are retroactively incorporated to the start of performance.
- 3) Being responsible for compliance by any subcontractor or subrecipient with the DBA labor standards.
 - 4) Receiving and reviewing certified weekly payrolls submitted by all subcontractors and subrecipients for accuracy and to identify potential compliance issues.
 - 5) Maintaining original certified weekly payrolls for 3 years after the completion of the project and must make those payrolls available to DOE or the U.S. Department of Labor (“DOL”) upon request, as required by 29 CFR 5.6(a)(2).
 - 6) Conducting payroll and job-site reviews for construction work, including interviews with employees, with such frequency as may be necessary to assure compliance by its subcontractors and subrecipients and as requested or directed by the DOE.
 - 7) Cooperating with any authorized representative of DOL in their inspection of records, interviews with employees, and other actions undertaken as part of a DOL investigation.
 - 8) Posting in a prominent and accessible place the wage determination(s) and DOL Publication: WH-1321, Notice to Employees Working on Federal or Federally Assisted Construction Projects.
 - 9) Notifying DOE of all labor standards issues, including all complaints regarding incorrect payment of prevailing wages and/or fringe benefits, received from the recipient, subrecipient, contractor, or subcontractor employees; significant labor standards violations, as defined in 29 CFR 5.7; disputes concerning labor standards pursuant to 29 CFR Parts 4, 6, and 8 and as defined in FAR 52.222-14; disputed labor standards determinations; DOL investigations; or legal or judicial proceedings related to the labor standards under a contract, a subcontract, or subrecipient award.
 - 10) Preparing and submitting to the Contracting Officer, OMB Control Number 1910-5165, Davis Bacon Semi-Annual Labor Compliance Report, by April 21 and October 21 of each year. Form submittal will be administered through the iBenefits system (<https://doeibenefits2.energy.gov>), its successor system, or other manner of compliance as directed by the Contracting Officer.

Recipients of support through a public-private partnership will also be required to undergo DBA compliance training and to maintain competency in DBA compliance. DOL offers free Prevailing Wage Seminars several times a year that meet this requirement, at <https://www.dol.gov/agencies/whd/government-contracts/construction/seminars/events>.

For additional guidance on how to comply with the DBA provisions and clauses, see <https://www.dol.gov/agencies/whd/government-contracts/construction> and <https://www.dol.gov/agencies/whd/government-contracts/protections-for-workers-in-construction>.

DOE anticipates contracting with a third party for a DBA electronic payroll compliance software application. Recipients of funding under this RFP must ensure the timely electronic submission of weekly certified payrolls through this software as part of its compliance with the DBA unless a waiver is granted to a particular contractor or subcontractor because they are unable or limited in their ability to use or access. Applicants should indicate if a waiver will be sought.

D. National Environmental Policy Act (NEPA) Requirements

DOE’s decision whether and how to distribute federal funds under this program is subject to NEPA (42 U.S.C. 4321, et seq.). NEPA requires federal agencies to integrate environmental values into their decision-making processes by considering the potential environmental impacts of their proposed actions. For additional background on NEPA, see DOE’s NEPA website at <https://www.energy.gov/nepa>.

While NEPA compliance is a federal agency responsibility and the ultimate decisions remain with the federal agency, all recipients selected for a public-private partnership will be required to assist in the timely and effective completion of the NEPA process in the manner most pertinent to their project. If DOE determines certain records must be prepared to complete the NEPA review process (e.g., biological evaluations or environmental assessments), the recipient may be required to prepare the records and the costs to prepare the necessary records may be included as part of the project costs.

E. Other Requirements

All federally assisted construction contracts exceeding \$10,000 annually will be subject to the requirements of Executive Order 11246, as amended, Equal Employment Opportunity:

- Recipients and their contractors and subcontractors are prohibited from discriminating in employment decisions on the basis of race, color, religion, sex, sexual orientation, gender identity or national origin.
- Recipients and their contractors and subcontractors are required to take affirmative action to ensure that equal opportunity is provided in all aspects of their employment. This includes flowing down the appropriate language to all subrecipients, contractors, and subcontractors. Recipients and their contractors and subcontractors are prohibited from taking adverse employment actions against applicants and employees for asking about, discussing, or sharing information about their pay or, under certain circumstances, the pay of their co-workers.

The Department of Labor's Office of Federal Contractor Compliance Programs ("OFCCP") uses a neutral process to schedule contractors for compliance evaluations. OFCCP's Technical Assistance Guide should be consulted to gain an understanding of the requirements and possible actions the recipients, subrecipients, contractors, and subcontractors must take.

X. Restrictions on Disclosure and Use of Information

Confidential business information shared with DOE is subject to Federal laws, regulations, and DOE policies. As a matter of policy, the TFP program and its federal employees do not enter into confidentiality agreements. Application materials may become federal records and subject to disclosure statutes such as the Freedom of Information Act. To the extent practicable, DOE will protect confidential business information from public release. Patentable ideas, trade secrets, proprietary and confidential commercial or financial information, disclosure of which may harm the Applicant, should be included in an application only to the extent that such information is necessary to convey an understanding of the Proposed Project. The use and disclosure of such information will be restricted, to the extent consistent with applicable law, provided the Applicant specifically identifies and marks such data as described below:

- 1) Upload the following legend on a separate page when submitting an application (be sure to specify the section number(s) from the application that contain(s) such data): "Applicant submits this application based on DOE's assurance that the application will be kept confidential to the extent consistent with applicable law. Applicant hereby certifies that Section(s) [] of this application contain(s) trade secrets or commercial or financial information that is privileged or confidential and is exempt from public disclosure. Such information shall be used or disclosed only for evaluation purposes or in accordance with the agreement with DOE, if any, entered in response to this application. If Applicant enters into a public-private partnership because of, or in connection with, the submission of this application, DOE shall have the right to use or disclose the data contained herein, other than such data that have been properly declared to be trade secrets or commercial or financial

information that is privileged or confidential and is exempt from public disclosure.”

- 2) Include the following legend on the first or cover page of each document or electronic file submitted that contains such data (be sure to specify the page numbers from the document or electronic file that contains such data): “Notice of Restriction on Disclosure and Use of Data - Pages [] of this document contain trade secrets or commercial or financial information that is privileged or confidential and is exempt from public disclosure. Such information shall be used or disclosed only for evaluation purposes or in accordance with a public-private partnership agreement between the submitter and the Government. The Government may use or disclose any information that is not appropriately marked or otherwise restricted, regardless of source.”
- 3) Include the following legend on each page containing trade secrets or commercial or financial information that is privileged or confidential: “Contains trade secrets or commercial or financial information that is privileged or confidential and exempt from public disclosure.”
- 4) In addition, each line or paragraph containing trade secrets or commercial or financial information that is privileged or confidential should be marked with brackets or other clear identification, such as highlighting. For more guidance regarding the treatment of confidential information, please refer to DOE’s regulations implementing the Freedom of Information Act (10 CFR 1004).

Appendix A: Request for Proposals Application Requirements

For a Proposed Project to be evaluated under this RFP, the Applicant must submit a completed Appendix A by the application deadline. All elements in Appendix A are required unless otherwise indicated as optional.

DOE is accepting applications across the spectrum of development and understands that some required information may not be available for projects in early stage of development. Applications should indicate any missing information and provide an explanation for when in the development process the information is expected.

Optional information and other additional project information, at the discretion of DOE, will be required from Applicants during due diligence.

SECTION	DESCRIPTION & INFORMATION	PAGE LIMIT
Cover Page	<ul style="list-style-type: none"> (i) Proposed Project Title. (ii) Date application submitted. (iii) Applicant name. (iv) Applicant address. (v) Name of all team member organizations (if applicable). (vi) Proposed Project site (name, location/address). (vii) Business point of contact (name, address if different than Applicant's. phone number, e-mail). (viii) Include any statement regarding confidentiality. (ix) Total DOE TFP funding request. (x) Total estimated project cost. 	1
Section A – Proposed Project Narrative	<ul style="list-style-type: none"> (i) Description of the Isolated Microgrid(s) involved, including the location(s), community(ies) served, and size(s) of the load. (ii) Description of how the Proposed Project: (a) supports the movement or transfer of electric energy between points of generation and points of delivery and/or receipt at which it is transformed for delivery to customers or is delivered to other electric systems; or (b) serves as an intertie between communities at a voltage level that support the communities' distribution systems, and the associated rights of way. 	5

SECTION	DESCRIPTION & INFORMATION	PAGE LIMIT
	<p>(iii) Explanation of how a public-private partnership would facilitate development of the Proposed Project. This should include but is not limited to:</p> <ul style="list-style-type: none"> a. Description of how the Proposed Project would improve reliability and resiliency to the new or existing electric power transmission system. b. Description of how the Proposed Project would help achieve national or sub-national greenhouse gas reduction goals (for example, provide transmission for future low/zero emissions generation or reduce greenhouse gas (GHG) emissions). c. Description of how and to what extent the Proposed Project would lower costs for community(ies). d. Description of how the Proposed Project would address the affected community needs. e. Description of how the Proposed Project would support economic growth in the region or territory where the project is to be developed and built. (Optional) f. Additional benefits the Applicant expects to be derived from the Proposed Project. (Optional) <p>(iv) Description of the developmental stage of the Proposed Project, the challenges/barriers the Applicant faces to completing the project, and how a public-private partnership with DOE would address those challenges/barriers.</p> <ul style="list-style-type: none"> a. The Applicant should address the extent to which the Proposed Project would be unlikely to be developed and constructed, or constructed in as timely a manner, in the absence of DOE’s TFP funding. b. The Applicant should describe the support sought from DOE as part of the public-private partnership, 	

SECTION	DESCRIPTION & INFORMATION	PAGE LIMIT
	<p>including the direct financial support, types and roles of technical assistance, duration of support, and any other support requested.</p> <p>c. The Applicant should describe how the Proposed Project would repay DOE’s costs.</p>	
<p>Section B – Applicant Details and Qualifications</p>	<ul style="list-style-type: none"> (i) Description of the Applicant, including ownership structure, for Proposed Project and point of contact name(s), including title(s), telephone number(s), and email address(es) for Applicant. (ii) Description of Proposed Project participants, including owners and/or sponsors and their related business relationship to the Proposed Project. (iii) Description of legal and financial partners involved in the Proposed Project. (iv) Description of the qualifications and experience of all identified Applicants, participants, partners, and other entities involved in the Proposed Project. (Optional) (v) Description of the relevant regulatory entities involved or whose approval or review may be required for the Proposed Project, including point of contact name(s), including title(s), telephone number(s), and email address(es) for the regulatory entities. 	<p>2</p>
<p>Section C – Proposed Project Budget Information</p>	<p>Identification of:</p> <ul style="list-style-type: none"> (i) The Proposed Project cost recovery plan and/or model to repay DOE’s TFP funding. (ii) The total cost of the capital of the Proposed Project. (iii) The total amount of TFP funding being requested. (iv) The timeline for when TFP funding would be required. (v) Any other federal and/or state funding sources to be used to support the Proposed Project. (vi) The major cost categories of the Proposed Project (such as materials, design, rights of way, engineering support, etc.). (Optional) 	<p>1-2</p>

SECTION	DESCRIPTION & INFORMATION	PAGE LIMIT
<p>Section D – Technical Details of Proposed Project</p>	<ul style="list-style-type: none"> (i) Description of the Proposed Project route, including: <ul style="list-style-type: none"> a. A geographical map identifying the location of the Proposed Project, including both the Isolated Microgrid location(s) and the existing Infrastructure Corridor to which the Proposed Project would connect. b. The transmission route of the Proposed Project. c. All electrical interconnection points of receipt/delivery along the transmission route for the Proposed Project. d. The localities/communities that would be served by the Proposed Project and the reason for selecting such location(s) for Proposed Project. e. Proposed Project’s transmission line total distance (in miles, mi, and kilometers, km) f. Any existing and proposed rights-of-way (ROW) and easements needed for the Proposed Project. (Optional) g. The transmission site control plan and/or strategy for the Proposed Project. (Optional) (ii) Information about the interconnection of the Proposed Project to the Isolated Microgrid(s): <ul style="list-style-type: none"> a. Isolated Microgrid(s) current/network: alternating current (AC) or direct current (DC). b. Load served by the Isolated Microgrid(s) (in kilowatts, kW, or megawatts, MW) and load forecast for next 10 calendar years. c. Capacity of Isolated Microgrid(s) generation (in kilowatts, kW, or megawatts, MW) and expected generation capacity forecast for next 10 calendar years. d. Proposed Project’s voltages (step-up and step-down, as applicable). 	<p>3-6</p>

SECTION	DESCRIPTION & INFORMATION	PAGE LIMIT
	<ul style="list-style-type: none"> e. Capacity of any Isolated Microgrid energy storage capability (in kilowatt hours, kWh, or megawatt hours, MWh) and forecast storage capacity for next 10 calendar years. (Optional) f. Control and communication system needs, including all necessary upgrades and/or all new equipment. (Optional) <p>(iii) Proposed Project schedule: major milestones, including but not limited to the following:</p> <ul style="list-style-type: none"> a. Development duration, inclusive of construction (start/finish). b. Commercial Operation Date (COD). c. Major equipment procurement (contract award, and delivery of equipment). d. Site control (land acquisition or options, as applicable). e. Permitting. f. Notice-to-Proceed (NTP). g. Financial Close (FC). <p>(iv) Interconnection agreement, plan, and strategy.</p> <p>(v) Operation & Maintenance (O&M) Plan. (Optional)</p> <p>(vi) Engineering, Procurement, and Construction (EPC) candidates. (Optional)</p> <p>(vii) O&M candidates. (Optional)</p>	

Appendix B: Community Benefits Plan Template

Community Benefits Plan Template for Demonstration and Deployment

Applicant should insert here:

RFP Number and RFP Title

Organization Name

Project Title

Instructions for Use of this Template:

The purpose of this document is to summarize the specific objectives the Applicant is committing to in its Community Benefits Plan (CBP).

Important information about using this template:

- **The instructional textboxes within each section can be removed when submitting the application. The information below the instructional textboxes is intended to provide examples of commitments that may be relevant to each section, proposed project, or program. Not all information provided may apply.**
- **All information included in this CBP Template must be consistent with other parts of the application.** The CBP should accurately define the work that is planned and the progress that will be expected throughout the project to be achieved.
- **Wherever possible, the objectives laid out in the CBP should be in quantifiable terms with SMART milestones:** Specific, Measurable, Achievable, Relevant, and Timely – and include timelines. The Community Benefits Plan may include multiple milestones but should have at least one SMART milestone per budget period as well as one SMART end of project goal.
- The information provided in the Community Benefits Objectives and Outcomes (CBOO) summary table in the final section should be consistent with the commitments made throughout the CBP Template and broader application.
- By submitting this form, Applicant acknowledges and agrees that the information provided may be distributed or made publicly available, without any restrictions or obligations to maintain confidentiality, as required by applicable laws, rules and regulations. If Applicant wishes to protect proprietary or trade secret information submitted with this CBP Template, every line and paragraph containing such information must be clearly marked as “CONFIDENTIAL” and designated with double brackets or highlighting to indicate the confidential information. Please refer to VII. Restrictions on Disclosure and Use of Information

A. General Project Information

Instructions: This section asks for the applicant to provide general information on the project, including a high-level description of the CBP and how it integrates with the project, including critical information on the construction components, identification of potential risks, and the locations and communities affected. Applicant should also provide a description of the project personnel overseeing the community benefits plan, their qualifications, and time allocated for the activities proposed.

1. High-level description of the CBP and project

Please provide description here.

2. Construction Information

For each planned project location identified in the Location(s) of Work document (included with the application package), **please address each of the following:**

- a. any known construction risks that could cause delays to the schedule, such as availability of skilled workers, permitting delays, materials or supply delays, etc.:
- b. potential public and worker health and safety risks and hazards:
- c. known possibilities of labor disruption:
- d. plans for coordination among various employers (i.e., prime contractors and subcontractors):
- e. plans for resolution mechanism to avoid potential project delays (including issues that may arise among contractors and subcontractors as well as employees):
- f. the general contractor or Engineering, Procurement, and Construction contractor, if known:
- g. the primary business of the general contractor or EPC contractor:

3. Locations and Communities Affected

For each location identified in the Location(s) of Work document (included in the application package), **please identify each known location served or impacted by the project, including:**

- a. the location(s) of construction or alteration activity listed above,
- b. communities geographically near the Applicant's proposed project,
- c. communities that are part of the proposed project's supply or waste life cycle (e.g., where raw materials are being sourced and where waste is planned to be sent),
- d. communities impacted that are disadvantaged communities.⁴

⁴ Justice40 directs that 40% of benefits from Covered Programs flow to "disadvantaged communities." DOE's working definition of "disadvantaged" is based on cumulative burden and includes data for 36 indicators collected at the U.S. Census tract level. See "[About Community Benefit Plans: What is a Disadvantaged Community](#)" for more information.

Instructions for Sections B through E:

Sections B through E below should summarize the specific objectives the applicant is committing to, broken into specific commitments and tasks.

Wherever possible and relevant, each commitment or task should be stated in quantifiable or measurable terms and SMART (**S**pecific, **M**easurable, **A**chievable, **R**elevant, and **T**imely) milestones with timelines should be identified. The CBP may include multiple milestones but should have at least one SMART milestone per budget period as well as one SMART end of project goal.

If awarded, the progress towards meeting the objectives and milestones set forth in the CBPs will be included as part of the Due Diligence evaluation.

B. Community and Labor Engagement

1. Community and Labor Stakeholders Engaged to Date

Instructions: This section should describe the specific stakeholders and organizations already engaged by the project. Examples include local governments, tribal governments, labor unions, and community-based organizations that support or work with disadvantaged communities described in section A3 above.

If the project has received support from any of these stakeholder organizations, describe the nature of the support (e.g., verbal, written, financial, etc.) and commitments that the project has made to the organization that provided the support. For funded projects, funding recipients will be required to report on these activities.

[Example]

Name of Organization or Community of Interest Already Engaged:

Type of Engagement (e.g., Meeting, Community-Engaged Project Development, Research & Design, Reporting, Project Decision Making, Community Input, Reporting Back, Technical Assistance, Other):

Date of Engagement:

Outcome of Engagement (e.g., Memorandums of Understanding, Letters of Support, concerns or opposition, ongoing discussion, survey data or other qualitative/quantitative data, other):

2. Community and Labor Stakeholders to be Engaged.

Instructions: This section should list stakeholders that the project has engaged or plans to engage. Examples include local governments, tribal governments, labor unions, and community-based organizations that support or work with disadvantaged communities described in section A3 above. For funded projects, funding recipients will be required to report on these activities.

[Example]

Name of Organization or Community of Interest Engaged:

Type of Engagement (e.g., Meeting, Community-Engaged Project Development, Research & Design, Reporting, Project Decision Making, Community Input, Reporting Back, Technical Assistance, Other):

Frequency of Engagement:

Outcome of Engagement (e.g., Memorandums of Understanding, Letters of Support, concerns or opposition, ongoing discussion, survey data or other qualitative/quantitative data, other):

3. Workforce and Community Agreements

Instructions: This section should identify whether the applicant is committing to negotiate workforce and/or community agreements and what type of agreements the applicant is committing to negotiate. If the applicant is not committing to negotiate any workforce or community agreements, applicant should note that a Workforce Continuity Plan may be required and should refer to the Community Benefits Plan webpage. If applicant has no entries for this section, continue to section 4 below.

A non-exhaustive list of relevant optional examples of workforce and community agreements are listed below. The applicant should modify, add, or delete to reflect the specific agreements committed to. If negotiating multiple agreements, provide this detail for each agreement.

For each agreement:

- The summary should describe the intended parties to the agreement and the intended scope of the agreement in concrete and specific terms.
- List key tasks and sub-tasks involved in finalizing the agreement (Milestones), with associated budget periods.

[Example]

Agreement A: Good Neighbor Agreement or Community Benefits Agreement

Agreement Summary:

Examples of intended scope include:

The community benefits to be delivered, including those for disadvantaged communities (as discussed in the Justice40 section that follows)

- i. Access to jobs and business opportunities for local residents
- ii. Investments in training for local workers
- iii. Commitments to pay wages and benefits above the required prevailing rates for construction workers
- iv. Commitments to pay above average wages and benefits for hourly non-construction workers
- v. Remedies for non-compliance
- vi. Commitments to make investments in subsidies for caregiving (e.g., childcare subsidies) and/or in transportation services for workers to access the worksite
- vii. Other: [Describe]

Budget Period to be completed:

Milestones with timelines:

[Example]

Agreement B: Collective Bargaining Agreement (pertains to non-construction work)

If the project is in the operation phase, a summary of any existing collective-bargaining agreement(s), in specific terms, can be included here. Additionally, a copy of any applicable collective-bargain agreements can be attached to the applicant's CBP.

Agreement Summary:

Examples of intended scope include:

- i. Access to jobs and business opportunities for local residents
- ii. Investments in training for local workers
- iii. Wages, hours, working conditions
- iv. Guarantees against strikes, lockouts, and similar job disruptions
- v. Effective, prompt, and mutually binding procedures for resolving labor disputes arising during the term of the agreement
- vi. Mechanisms for labor-management cooperation on matters of mutual interest and concern, including productivity, quality of work, safety, and health
- vii. Utilization of registered apprentices
- viii. Other: [\[Describe\]](#)

Budget Period to be completed:

Milestones with timelines:

[Example]

Agreement C: Community Workforce Agreement

Agreement Summary:

Example of intended scope include:

- i. Access to jobs and business opportunities for local residents
- ii. Investments in training for local workers (e.g., support of registered apprenticeship programs, contributions to training institutions to assist in the provision of workforce training)
- iii. Commitments to make investments in subsidies for caregiving (e.g., childcare subsidies) and/or in transportation services for workers to access the worksite
- iv. Commitments to pay upper quintile wages and benefits for the industry
- v. Broad recruitment activities, particularly with strategies to reach under-represented demographic groups
- vi. Other: [\[Describe\]](#)

[Example]

Agreement D: Project Labor Agreement or Community Workforce Agreement (pertains to construction work)

Agreement Summary:

Examples of intended scope include:

- i. Access to jobs and business opportunities for local residents
- ii. Investments in training for local workers
- iii. Commitments to pay wages and benefits above required prevailing rates for construction
- iv. Guarantees against strikes, lockouts, and similar job disruptions
- v. Effective, prompt, and mutually binding procedures for resolving labor disputes arising during the term of the agreement
- vi. Provide mechanisms for labor-management cooperation on matters of mutual interest and concern, including productivity, quality of work, safety, and health
- vii. Utilization of registered apprentices
- viii. Other

Budget Period to be completed:

Milestones with timelines:

[Example]

Agreement E: Other Type of Agreement

Agreement Summary:

Scope:

Budget Period to be completed:

Milestones with timelines:

4. Other Community and Labor Engagement Goals, Commitments, and Milestones

Instructions: This section should describe any additional key goals and milestones.

If the applicant is not, at this stage, committing to negotiate any workforce or community agreements, this section should describe the overall goal of community and labor engagement and key milestones, with budget periods and timelines, that will be used to monitor progress toward successful community and labor engagement.

C. Investing in Job Quality and Workforce Continuity

1. Worker Organizing and Collective Bargaining

Instructions: If the applicant plans to support worker organizing and collective bargaining beyond their legal obligations consistent with the National Labor Relations Act, those commitments should be listed below.

The applicant should add or delete commitments to reflect their specific plan.

Please describe the plan to support worker organizing and collective bargaining related to the following commitments:

[Examples]

Commitment C1.1: Commitment to negotiate a Project Labor Agreement (PLA) for construction activity (as summarized above in Section B)

Commitment C1.2: Pledge to remain neutral during any union organizing campaigns

Commitment C1.3: Intention or willingness to permit union recognition through card check (as opposed to requiring union elections)

Commitment C1.4: Intention to enter into binding arbitration to settle first contracts

Commitment C1.5: Pledge to allow union organizers access to appropriate onsite non-work spaces (e.g. lunch rooms)

Commitment C1.6: Pledge to refrain from holding captive audience meetings⁵

Commitment C1.7: Other commitments or pledges:

2. Union support

Please list any unions supporting the project and any commitments made to unions that aren't listed above in C1.

3. Job Quality and Workforce Continuity

⁵ "Captive audience" meetings refer to the practice among employers of meeting with employees during union organizing campaigns to express the employer's view of the possible negative effects that unionizing may have on the general workforce. Some employers have structured such meetings as mandatory and held them on company property during working hours.

Instructions: This section should stipulate commitments made regarding wages and benefits, education and training investments, and involvement of workers in health and safety committees. These commitments may also be covered by workforce agreements described in section B.

The applicant should add or delete commitments, provide quantitative values where appropriate, and re-number appropriately to reflect their specific plan.

Funding recipients will be required to report on job creation, wages, and benefits.

Please note that (a) pertains to ongoing operations and production jobs and (b) pertains to construction jobs.

Please describe the applicant's plan to ensure that jobs created by this project are good quality, to attract and retain a skilled workforce, including the following commitments to wages and benefits, education and training investments, and worker involvement in health and safety:

a. Ongoing Operations and Production Jobs

[Examples]

Commitment C3a.1: Applicant will provide above-average wages and benefits, benchmarked to industry and occupation reported by BLS:

- The minimum starting wage for production workers is \$_____ per hour compared to the [75th or 90th] percentile of \$_____ per hour for the [_____] industry.

- The minimum value of the following benefits offered to hourly workers is
 - Health insurance: \$_____ per _____
 - Retirement contributions: \$_____ per _____
 - PTO: _____ hours per _____
 - Paid sick or family leave: _____ days per _____
 - Childcare or other caregiving financial assistance: \$_____ per worker or provision of on/near-site care
 - Transportation assistance: \$_____ per worker_
 - Education/tuition reimbursement or financial contribution: \$_____
 - Other: \$_____ per worker _____

Commitment C3a.2: Applicant will provide workforce education and training through:

- Establishment of or contribution to labor-management training partnership(s)⁶
- [Insert minimum number of hours per worker] hours of paid on-the-job training
- Sponsoring registered apprenticeships: [insert goal number of apprentices]
- Covering costs and paid time for professional development and continuing education: [Enter certifications]
- Other:

Commitment C3a.3: Applicant will ensure workers are engaged in the design and implementation of workplace safety and health plans. Specifics include:

- [insert number of hourly workers] will participate in health and safety committee and will be paid [insert time and rate paid] for their time participating.
- Indicate which of the following, if any, the training provided will include:
 - worksite safety analysis
 - hazard prevention and control
 - safety and health training
 - anti-harassment and by-stander intervention training
 - Other: [Describe]
- Indicate the frequency of these health and safety committee planning meetings will be held.
- Indicate plans for how these safety and health plans will be considered by the company's management (e.g., when they will be reviewed and by when a decision to incorporate the recommendations will be made).

b. Construction Jobs

[Examples]

Commitment C3b.1 Applicant commits to pay competitive wage and benefit rates benchmarked against local Davis Bacon prevailing wages as follows:

- %___ above posted prevailing wage per hour for base wages
- Health insurance: \$___ per ___
- Retirement contributions: \$___ per ___
- PTO: ___ hrs per ___

Commitment C3b.2 Applicant will provide workforce education and training through:

- Utilization of registered apprentices at [insert percentage] of total project labor hours.

Commitment C3b.3: Recipient will ensure highest standards of construction site health and safety, including site free of harassment and discrimination. Specifics include:

- [insert percent] of onsite workers that will have OSHA 30 certification
- [insert percent] of onsite workers that will have OSHA 10 certification

⁶ For more information on labor-management partnership, see [this resource](#).

- The training provided will include [indicate which applies]
 - worksite analysis
 - hazard prevention and control
 - safety and health training
 - anti-harassment training
 - Other: [Describe]_____

D. Diversity, Equity, Inclusion, and Accessibility

Instructions: This section should summarize the applicant’s plan to incorporate diversity, equity, inclusion, and accessibility (DEIA) objectives into the project. A non-exhaustive list of possible commitments is provided below.

Each commitment may include a brief summary of the plan and should enumerate specific elements as sub-commitments below.

The applicant should add or delete commitments to reflect their specific plan.

For funded projects, funding recipients will be required to report on partnerships described.

[Examples]

Commitment D1. The applicant commits to partnering with socially disadvantaged business enterprises, for contractor support needs.

Please describe your approach to partnering with Socially Disadvantaged Businesses.

Commitment D1.1: [Name of partnership]

Summary of scope of work: [insert here]

Contract amount: \$_____

Overall value of partnership: \$_____

Commitment D2. Applicant commits to implementing a plan to reduce barriers and improve access to jobs for local and underrepresented workers, including residents of disadvantaged communities, those with disabilities, returning citizens, opportunity youth, and veterans.

Commitment D2.1: Applicant will partner with quality pre-apprenticeship or apprenticeship

readiness programs⁷ to foster improved access for underrepresented workers to career-track training and employment.

Please indicate how, if applicable, partnering programs specifically work to improve access for under-represented workers.

Name and description of readiness program(s): [\[insert here\]](#)

- Partnerships and financial contributions to community-based organizations to provide support services to workers or people in relevant training (e.g., childcare supports, transportation vouchers, employability skills training, etc.): [\[Describe\]](#)

Commitment D2.2: Applicant will partner with training and placement programs [other than pre-apprenticeship programs] for underrepresented workers.

Name of training and placement programs: [\[insert here\]](#)

Establishing and executing an inclusive recruitment strategy (e.g., a strategy to support broad recruitment for the apprenticeship programs, outreach to community-based organizations that work with prospective workers/apprentices): [\[Describe\]](#)

Commitment D2.3: Applicant will provide (\$____) in supports/subsidies for workers to access affordable, reliable and high-quality childcare, or other types of care.

Description of services: [\[insert here\]](#)

Commitment D2.4: Applicant will provide flexible work schedules.

Description of flexible work schedule program: [\[insert here\]](#)

Commitment D2.5: Applicant will provide of (\$____) in transportation assistance to and from work and training sites.

Description of assistance provided, including any cost to employee, contractor, or trainee: [\[insert here\]](#)

Commitment D2.6: Applicant will provide emergency cash assistance for items such as tools, work clothing, etc.

Commitment D2.7: Applicant will hire local, disadvantaged, or underrepresented workers for % [\[insert percent\]](#) of construction work hours.

Commitment D2.8: Applicant will adopt local and economic hiring preferences as follows: [\[insert description here\]](#)

⁷ [Explore Pre-Apprenticeship | Apprenticeship.gov](#) See <https://www.apprenticeship.gov/employers/explore-pre-apprenticeship>

E. Justice40 Initiative

Instructions: This section should reflect the Justice40 benefits and plan for identifying and mitigating any anticipated negative impacts on disadvantaged communities. Justice40 benefits are grouped by category of benefit, with space to add additional benefits for benefits that do not fit in categories provided.

For each benefit, the applicant should indicate:

- which disadvantaged community is to benefit;
- how and when planned or anticipated benefits are expected to flow to communities;
- SMART milestones to indicate progress toward benefit delivery;
- metrics to be used to track and report on benefits; and
- community-based organizations involved in identifying, negotiating, or delivering benefits.

The applicant should add or delete commitments (and re-number accordingly) to reflect their specific plan.

[Examples]

E.1. A decrease in energy burden (energy costs for low-income households)

Benefit E1.1: [Description of benefit]

- Disadvantaged communities that will benefit:
- How benefit will be delivered (e.g., direct or indirect, who will deliver):
- When benefit will be delivered:
- Milestones toward benefit delivery:
- Metrics to track and report on benefits:
- Unanticipated barriers and strategies to address barriers:
- Community-based organization(s) involved in identifying or negotiating benefit or developing plan for benefit delivery:

E.2. A decrease in environmental exposure and burdens

Benefit E2.1: [Description of benefit]

- Disadvantaged communities that will benefit:
- How benefit will be delivered (e.g., direct or indirect, who will deliver):
- When benefit will be delivered:
- Milestones toward benefit delivery:
- Metrics to track and report on benefits:
- Community-based organization(s) involved in identifying or negotiating benefit or developing plan for benefit delivery:

E.3. An increase in access to low-cost capital

Benefit E3.1: [Description of benefit]

- Disadvantaged communities that will benefit:
- How benefit will be delivered (e.g., direct or indirect, who will deliver):
- When benefit will be delivered:
- Milestones toward benefit delivery:
- Metrics to track and report on benefits:
- Community-based organization(s) involved in identifying or negotiating benefit or developing plan for benefit delivery:

E.4. An increase in quality job creation, the clean energy job pipeline, and job training for individuals

This section should clarify any quality jobs-related commitments that are specific to a disadvantaged community and are distinct from more general quality jobs commitments noted in section C or D above.

Benefit E4.1: [Description of benefit]

- Disadvantaged communities that will benefit:
- How benefit will be delivered (e.g., direct or indirect, who will deliver):
- When benefit will be delivered:
- Milestones toward benefit delivery:
- Metrics to track and report on benefits:
- Community-based organization(s) involved in identifying or negotiating benefit or developing plan for benefit delivery:

E.5. Increases in clean energy enterprise creation and contracting (e.g., socially disadvantaged business enterprises)

Benefit E5.1: [Description of benefit]

- Disadvantaged communities that will benefit:
- How benefit will be delivered (e.g., direct or indirect, who will deliver):
- When benefit will be delivered:
- Milestones toward benefit delivery:
- Metrics to track and report on benefits:
- Community-based organization(s) involved in identifying or negotiating benefit or developing plan for benefit delivery:

E.6. Increases in energy democracy, including community ownership of project assets

Benefit E6.1: [Description of benefit]

- Disadvantaged communities that will benefit:
- How benefit will be delivered (e.g., direct or indirect, who will deliver):
- When benefit will be delivered:
- Milestones toward benefit delivery:
- Metrics to track and report on benefits:
- Community-based organization(s) involved in identifying or negotiating benefit or developing plan for benefit delivery:

E.7. Increased parity in clean energy technology access and adoption

Benefit E7.1: [Description of benefit]

- Disadvantaged communities that will benefit:
- How benefit will be delivered (e.g., direct or indirect, who will deliver):
- When benefit will be delivered:
- Milestones toward benefit delivery:
- Metrics to track and report on benefits:
- Community-based organization(s) involved in identifying or negotiating benefit or developing plan for benefit delivery:

E.8. An increase in energy resilience

Benefit E8.1: [Description of benefit]

- Disadvantaged communities that will benefit:
- How benefit will be delivered (e.g., direct or indirect, who will deliver):
- When benefit will be delivered:
- Milestones toward benefit delivery:
- Metrics to track and report on benefits:
- Community-based organization(s) involved in identifying or negotiating benefit or developing plan for benefit delivery:

E.9. Other: Please identify additional, measurable benefits here.

Benefit E9.1: [Description of benefit]

- Disadvantaged communities that will benefit:
- How benefit will be delivered (e.g., direct or indirect, who will deliver):
- When benefit will be delivered:
- Milestones toward benefit delivery:
- Metrics to track and report on benefits:
- Community-based organization(s) involved in identifying or negotiating benefit or developing plan for benefit delivery:

E.10. Anticipated or potential negative environmental impacts

Instructions: This section should summarize anticipated environmental impacts on disadvantaged communities, including projects geographically near the project or directly affected by project construction or operations, as well as known impacts upstream (in the supply chain, e.g., raw material extraction) or downstream (e.g., waste disposal).

This section should also summarize the applicant’s plan to monitor and mitigate negative impacts.

F. Summary Table: Community Benefits Outcomes and Objectives

Instructions: This section should be filled in to reflect the commitments and relevant time-based milestones covered throughout this document.

The applicant should add or delete rows and columns so the table summarizes commitments and timelines from sections above. Red text indicates examples and should be deleted or modified to reflect applicant's plan. The following items should not be included in the CBOO:

- Specific dates (only include general time frames (i.e. Demonstrate XYZ result by Month 3, not Demonstrate XYZ by June 8th, 2013).
- Subcontractors, vendors or individuals by name. The award is with the prime and, as such, the CBOO should not generally reference the subcontractors.

Category and Commitment	Existing or Planned	Budget Period 1 milestone	Budget period 2 milestone	Budget period 3 milestone	Budget period 4 milestone
Community and Labor Engagement					
<i>Good neighbor/community benefits agreement</i>	<input type="checkbox"/> Yes <input type="checkbox"/> Not at this time	<i>Parties and scope identified</i>	<i>Agreement signed</i>		
<i>Collective bargaining agreement (operating jobs)</i>	<input type="checkbox"/> Yes <input type="checkbox"/> Not at this time	<i>Parties and scope identified</i>	<i>Agreement signed</i>		
<i>Project Labor Agreement (construction jobs)</i>	<input type="checkbox"/> Yes <input type="checkbox"/> Not at this time	<i>Initial meeting</i>	<i>MOU signed</i>	<i>Agreement signed</i>	
<i>[Other community and labor engagement commitments, e.g. # and type of engagements, etc.] (applicant should take note if there is a requirement for Workforce Continuity Plan)</i>					
Community feedback and data incorporated into the project	<input type="checkbox"/> Yes <input type="checkbox"/> Not at this time (If "Not at this time", please provide an				

	explanation in this cell).				
Investing in Job Quality and Workforce Continuity	Total Number of Permanent Operations Jobs: [#] Number of Construction phase jobs: [#]				
<i>Minimum starting wage for permanent hourly jobs:</i>	\$__/hr				
<i>Pay upper quintile wages for industry and occupation</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No				
<i>Fringe Benefits</i>	<input type="checkbox"/> Employer-sponsored health insurance <input type="checkbox"/> Contributions to retirement <input type="checkbox"/> Transportation assistance <input type="checkbox"/> Childcare assistance				
<i>Training</i>	<input type="checkbox"/> Contributions to labor-management training partnership <input type="checkbox"/> Utilization of registered apprentices for at least 15% of construction jobs <input type="checkbox"/> Paid training <input type="checkbox"/> Tuition support or reimbursement				
<i>Health and Safety Committee with Hourly Worker Representation</i>	<input type="checkbox"/> Yes <input type="checkbox"/> Not at this time				
<i>Support for Worker Organizing/Collective Bargaining</i>	<input type="checkbox"/> Pledge to remain neutral during any union organizing campaigns <input type="checkbox"/> Pledge to permit union recognition through card check				

	<input type="checkbox"/> Intention to enter into binding arbitration to settle first contracts <input type="checkbox"/> Pledge to allow union organizers access to appropriate onsite non-work spaces (e.g. lunch rooms) <input type="checkbox"/> Pledge to refrain from holding captive audience meetings ⁸				
Other Job Quality and Workforce					
Diversity, Equity, Inclusion, and Accessibility	<input type="checkbox"/> Local and/or targeted recruitment efforts <input type="checkbox"/> MWBE contracting <input type="checkbox"/> Partner with quality pre-apprenticeship or apprenticeship readiness program ⁹	<i>Partnerships with community-based organizations and training providers for workforce needs planned.</i>			
Other DEIA					
Justice40 Initiative					
Identifies benefits/impacts to disadvantaged communities	<input type="checkbox"/> Yes (If yes, list communities here) <input type="checkbox"/> No				
<i>Reduction in energy costs</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No				
<i>A decrease in environmental exposure and burdens</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No				

⁸ “Captive audience” meetings refer to the practice among employers of meeting with employees during union organizing campaigns to express the employer’s view of the possible negative effects that unionizing may have on the general workforce. Some employers have structured such meetings as mandatory and held them on company property during working hours.

⁹ [Explore Pre-Apprenticeship | Apprenticeship.gov](https://www.apprenticeship.gov/employers/explore-pre-apprenticeship) <https://www.apprenticeship.gov/employers/explore-pre-apprenticeship>

<i>An increase in access to low-cost capital</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No				
<i>An increase in quality job creation, the clean energy job pipeline, and job training for individuals</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No				
<i>Increases in clean energy enterprise creation and contracting (e.g., socially disadvantaged business enterprises)</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No				
<i>Increases in energy democracy, including community ownership of project assets</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No				
<i>Increased parity in clean energy technology access and adoption</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No				
<i>An increase in energy resilience</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No				
Other Justice40					

Appendix C: Federal System Registration Requirements, System for Award Management (SAM)

Selected applicants must register with SAM at <https://www.sam.gov/>. Designating an Electronic Business Point of Contact (EBiz POC) and obtaining a special password called an MPIN are important steps in SAM registration.

The Applicant must maintain an active SAM registration with current information at all times during which it has an active Federal award or application under consideration. More information about SAM registration for Applicants is found at: <https://sam.gov/content/entity-registration>.

Unique Entity Identification – Applicants must obtain a UEI from the SAM to uniquely identify the entity. The UEI is available in the SAM entity registration record.

A record of the SAM registration must be emailed to the DOE at transmissionfacilitation@hq.doe.gov by 45 calendar days after selection notification.

Appendix D: Penalty of Perjury Statement

The following certification must be included with any Application:

The undersigned certifies that the data and information submitted in this Application and any attachments to this Application are true and correct, to the best of the Applicant’s knowledge and belief after due inquiry, and the Applicant has not omitted any material facts. The undersigned further certifies that the undersigned has full authority to bind the Applicant.

Applicant (Organization Name) _____
Name of Applicant’s Authorized Officer _____
Signature of Authorized Officer _____
Title of Authorized Officer _____