

**DEPARTMENT OF ENERGY (DOE)**  
**OFFICE OF ENERGY EFFICIENCY AND RENEWABLE ENERGY (EERE)**

**STATE ENERGY PROGRAM 2015 COMPETITIVE AWARDS**

**Funding Opportunity Announcement (FOA) Number: DE-FOA-0001222**

**FOA Type: Initial**

**CFDA Number: 81.119**

<b>FOA Issue Date:</b>	01/20/2015 5:00pm ET
<b>Informational Webinars:</b>	01/27/2015
<b>Submission Deadline for Full Applications:</b>	03/31/2015 5:00pm ET
<b>Expected Date for EERE Selection Notifications:</b>	07/20/2015
<b>Expected Timeframe for Award Negotiations</b>	07/20/2015 – 10/31/2015

- To apply to this FOA, Applicants must register with and submit application materials through EERE Exchange at <https://eere-Exchange.energy.gov>, EERE’s online application portal. Frequently asked questions for this FOA and the EERE Application process can be found at <https://eere-exchange.energy.gov/FAQ.aspx>.
- Applicants must designate primary and backup points-of-contact in EERE Exchange with whom EERE will communicate to conduct award negotiations. If an application is selected for award negotiations, it is not a commitment to issue an award. It is imperative that the Applicant/Selectee be responsive during award negotiations and meet negotiation deadlines. Failure to do so may result in cancelation of further award negotiations and rescission of the Selection.

## **REGISTRATION AND APPLICATION SUBMISSION REQUIREMENTS**

### **Registration Requirements: Allow at least 60 days to complete registrations.**

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

1. Obtain a Dun and Bradstreet Data Universal Numbering System (DUNS) number, at <http://fedgov.dnb.com/webform>.
2. Register in the System for Award Management (SAM) system, at <https://www.sam.gov>. Designating an E-Business Point of Contact (EBiz POC) and obtaining a special password called an MPIN are important steps in SAM registration. These items are needed to submit applications in Grants.gov. Update your SAM registration annually.
3. Register in the EERE Exchange System at <https://eere-exchange.energy.gov/Registration.aspx>. Applicant Registration and User Guides can be found here: <https://eere-exchange.energy.gov/Manuals.aspx>.
4. Register in FedConnect at <https://www.fedconnect.net/>; use “Register as a Vendor” link. To create an organization account, your organization’s SAM MPIN is required.

### **Where to Download the Application Package:**

Download the Application Package for this announcement at <https://eere-exchange.energy.gov/>. Click on the “DE-FOA-0001222” link to download the Application Package.

### **Where to Submit the Application Package:**

Submit applications to the EERE Exchange System at <https://eere-exchange.energy.gov>. Applicants are responsible for verifying successful transmission prior to the Application due date and time.

### **Where to Ask Questions about the Funding Opportunity Announcement Content:**

Questions about this FOA? Email [SEPFY15FOA1222@ee.doe.gov](mailto:SEPFY15FOA1222@ee.doe.gov).

Problems with EERE Exchange? Email [EERE-ExchangeSupport@hq.doe.gov](mailto:EERE-ExchangeSupport@hq.doe.gov). Include FOA name and number in subject line.

### **Where to Submit Questions about the Registrations or Systems:**

DUNS & Bradstreet: [govt@dnb.com](mailto:govt@dnb.com)

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

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

EERE Exchange: [EERE-ExchangeSupport@hq.doe.gov](mailto:EERE-ExchangeSupport@hq.doe.gov)

FedConnect: [support@FedConnect.net](mailto:support@FedConnect.net)

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

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## EXECUTIVE SUMMARY

<b>Means of Submission</b>	Full Applications must be submitted through EERE Exchange at <a href="https://eere-Exchange.energy.gov">https://eere-Exchange.energy.gov</a> , EERE's online application portal. EERE will not review or consider applications submitted through other means. The Users' Guide for Applying to the Department of Energy EERE Funding Opportunity Announcements is found at <a href="https://eere-Exchange.energy.gov/Manuals.aspx">https://eere-Exchange.energy.gov/Manuals.aspx</a> .
<b>Total Amount to be Awarded</b>	Up to \$5,000,000
<b>Average Award Amount</b>	EERE anticipates making awards that range from \$100,000 to \$800,000.
<b>Types of Funding Agreements</b>	Cooperative Agreements
<b>Period of Performance</b>	24 to 36 months
<b>Eligible Applicants</b>	In accordance with 2 CFR 200, eligibility is restricted to the 50 States, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the US Virgin Islands.
<b>Cost Match Requirement</b>	20% of Total Federal Funds
<b>Submission of Multiple Applications</b>	<p><b>For Area of Interest 1, Applicants may submit ONE Full Application:</b></p> <ol style="list-style-type: none"> <li>1) One Full Application that includes no other State or regional partners and covers only the applying State; <b>OR</b></li> <li>2) One Full Application that includes multiple State or regional partners.</li> </ol> <p>The preferred method for submitting multi-State or regional applications is for a single State to serve as the lead (Prime Recipient) with partner States listed as Sub-recipients. However, if State regulations limit this ability, States may submit separate applications that clearly identify which other States they will be working with. Under these circumstances, the separate applications will be grouped together for Merit Review purposes. If selected, each State participating in the group will enter negotiations for an individual award. If selected for award under this scenario, each State participating in the group will be considered a Prime Recipient and will assume associated responsibilities.</p> <p><b>For Area of Interest 2, Applicants may submit a total of TWO Full Applications:</b></p> <ol style="list-style-type: none"> <li>1) Two single State Applications that include no other State or regional partners and cover only the applying State; <b>OR</b></li> </ol>

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	<p>2) Two multi-State Applications that that include multiple State or regional partners; <b>OR</b></p> <p>3) One single State Application that includes no other State or regional partners and covers only the applying State <b>AND</b> one multi-State Application that includes multiple State or regional partners.</p> <p><b>NOTE:</b> For each application, States must select one of the three Transformative Categories listed in Section I.A. to serve as the framework for a proposal. States may only submit one application per Transformative Category</p> <p>The preferred method for submitting multi-State or regional applications is for a single State to serve as the lead (Prime Recipient) with partner States listed as Sub-recipients. However, if State regulations limit this ability, States may submit separate applications that clearly identify which other States they will be working with. Under these circumstances, the separate applications will be grouped together for Merit Review purposes. If selected, each State participating in the group will enter negotiations for an individual award. If selected for award under this scenario, each State participating in the group will be considered a Prime Recipient and will assume associated responsibilities.</p> <p><b>States could potentially receive awards in both Areas of Interest; however, separate applications are required for each.</b></p>
<b>Application Forms</b>	Required forms and templates for Full Applications are available on EERE Exchange at <a href="https://eere-Exchange.energy.gov">https://eere-Exchange.energy.gov</a> .
<b>FOA Summary</b>	This SEP competitive funding opportunity provides up to \$5 million for cooperative agreements that allow States to develop high-impact, innovative approaches and solutions to transform clean energy markets and achieve the economic and environmental benefits that clean energy offers. The FY15 FOA allows States to compete for funding designed to meet EERE’s nationally focused initiatives for the fundamental and permanent transformation of clean energy markets across all sectors of the economy. This FOA will include two Areas of Interest.

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# **I. FUNDING OPPORTUNITY DESCRIPTION**

## **A. DESCRIPTION/BACKGROUND**

### **Description**

The Office of Energy Efficiency and Renewable Energy's (EERE's) State Energy Program (SEP) seeks applications to advance policies, programs, and market strategies that accelerate job creation and reduce energy consumption while achieving energy and climate security for the nation. This competitive Funding Opportunity Announcement (FOA) allows States (which includes the District of Columbia and five territories) to compete for funding designed to meet EERE's nationally focused initiatives for the fundamental and permanent transformation of clean energy markets across all sectors of the economy. Specifically, this FOA focuses on two Areas of Interest:

### **Area of Interest 1 - State Energy Planning**

Through this funding, DOE hopes to bolster State/regional energy planning by funding efforts to facilitate stakeholder and interagency discussions and related activities concerning the future direction of the energy sector in the region/State, with emphasis on the electric power sector and natural gas supply and transport and how energy efficiency and renewable energy fit into the vision for the future. These discussions will help States explore and enhance economic development opportunities, identify measures for enhancing the resiliency and reliability of energy supplies and the electric grid, undertake relevant analytical efforts, and plan strategically for current and future environmental regulations and other economic pressures that will have an impact on the energy sector.

Area of Interest 1 applicants are required to complete the fillable 'State Energy Assessment' template or equivalent located in EERE Exchange as a part of the application package. The State Energy Assessment will provide DOE an understanding about the "state of play" in the State's energy space.

### **Area of Interest 2 - Innovative Opportunities for Energy Efficiency and Renewable Energy Practices**

The purpose of this Area of Interest is to assist States in advancing residential, commercial and/or industrial markets for energy efficiency and renewable energy through a set of policy and regulatory actions within a topical portfolio of three Transformative Categories:

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- Transformative Category 1: Developing or Expanding Utility-Related Programs
- Transformative Category 2: Working with Local Governments
- Transformative Category 3: Developing or Designing Financing Programs, EM&V Strategies, or Benchmarking & Disclosure Programs

DOE's goal is to provide broad flexibility to States in determining which policy, program, and regulatory areas to address in a project while also focusing on those actions that can achieve the greatest energy savings and other benefits for the State or region, and the nation as a whole. It is also a key goal of DOE under this Area of Interest to promote the most innovative ideas from States tailored to their specific energy resources and profiles.

Area of Interest 2 applicants are required to complete the fillable 'State Energy Assessment' template or equivalent located in EERE Exchange about State energy policies as a part of the application package. The 'State Energy Assessment' will provide an understanding about the "state of play" in the State's energy space.

## **Background**

The mission of the SEP is to provide leadership to maximize the benefits of energy efficiency and renewable energy through technology deployment, communications and outreach activities, and access to new partnerships and resources. Through the SEP, DOE provides formula and competitive funding assistance to States. States use formula awards to address their energy priorities through programs and policies that accelerate adoption of emerging energy efficiency and renewable energy technologies. DOE provides competitive awards to support policy and project developments that are highly leveraged and sustainable.

The SEP upholds the Department of Energy (DOE) Strategic Plan Goals 1.2 and 1.4:

- Goal 1.2 - "Environmental Impact of Energy" aims to improve the quality of the environment.
- Goal 1.4 - "Energy Productivity" serves to cost-effectively improve the energy efficiency of the U.S. economy.

Congress authorized the DOE to allow for formula and competitive grants and/or cooperative agreements to the States under the SEP. See e.g., Energy Policy and Conservation Act, section 365(f) (codified at 42 USC 6325(f) and Energy Independence and Security Act of 2007, section 531. DOE provides formula grants to States to design and carry out their own energy efficiency and renewable energy programs.

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In FY2015, the SEP competitive funding opportunity provides up to \$5 million for cooperative agreements that allow States to develop high-impact, innovative approaches and solutions to transform clean energy markets and achieve the economic and environmental benefits that clean energy offers.

## **B. TOPIC AREAS/TECHNICAL AREAS OF INTEREST**

### **Area of Interest 1 – State Energy Planning**

- Number of Projects: Up to 9
- Total Potential Award Funding: Up to \$3,500,000
- Awards Range: approximately \$200,000 to \$300,000 for an individual State-specific application; approximately \$300,000- \$500,000 total for multi-State applications that include up to three states; and approximately \$800,000 for multi-State applications that include four or more states.
- Award duration: 2 years

DOE is seeking applications from States to bolster State/regional energy planning by facilitating stakeholder and interagency discussions and related activities concerning 1) the future direction of the energy sector in the region/State, with emphasis on the electric power sector and natural gas supply and transport, and 2) how energy efficiency and renewable energy fit into the vision for the future.

### **For Area of Interest 1, Applicants may submit ONE Full Application:**

- 1) One Full Application that includes no other State or regional partners and covers only the applying State; **OR**
- 2) One Full Application that includes multiple State or regional partners.

The preferred method for submitting multi-State or regional applications is for a single State to serve as the lead (Prime Recipient) with partner States listed as Sub-recipients. However, if State regulations limit this ability, States may submit separate applications that clearly identify which other States they will be working with. Under these circumstances, the separate applications will be grouped together for Merit Review purposes. If selected, each State participating in the group will enter negotiations for an individual award. If selected for award under this scenario, each State participating in the group will be considered a Prime Recipient and will assume associated responsibilities.

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## **Road Maps**

States will be required to develop 'Road Maps' as a key deliverable under Area of Interest 1 if selected for an award. The 'Road Map' will serve as a guide for project implementation that achieves State or regional environmental and economic development goals with milestones set for 2020 and 2025. To the extent possible, roadmaps will be replicable and serve as "how-to" guides for other States. Please see Appendix D for additional information.

States that submitted proposals to Area of Interest 1 in the FY14 Competitive FOA are encouraged to review the strengths and weaknesses indicated by the prior year's Merit Review Panel and consider submitting revised proposals.

## **Area of Interest 2 – Opportunities for Innovative Energy Efficiency and Renewable Energy Practices**

- Number of Projects: Up to 12
- Total Potential Award Funding: Up to \$2,500,000
- Awards Range: approximately \$100,000 to \$300,000 for an individual State-specific application; approximately \$300,000 to \$500,000 total for multi-State applications that include up to three states; and approximately o \$800,000 for multi-State applications that include four or more states.
- Award duration: 2 to 3 years

DOE is seeking proposals from States that will advance residential, commercial and/or industrial markets for energy efficiency and renewable energy by means of policy and regulatory actions within a topical portfolio of three possible Transformative Categories:

If selected for award under Area of Interest 2, States will be required to create an Implementation Model as a key deliverable. The Implementation Model will serve to explain the development of - or changes to - policies, processes, outreach efforts, tools, resources, etc. during execution of the strategy. Please refer to Appendix E. for more information on Implementation models.

Applicants in Area of Interest 2 may elect to submit an Implementation Model "**Plan**" with their Full Application. The Implementation Model "**Plan**" will identify the measureable actions the State will take to develop the Implementation Model (for example, how the strategy will measure success so that lessons learned and best practices can be identified in the Implementation Model).

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## **Transformative Category 1: Development or Expansion of Utility Related Programs**

*Proposals may address a single topic OR may integrate multiple topics:*

Topic #1: Utility Requirements to meet Statewide Energy Efficiency & Renewable Energy Goals

Topic #2: Distributed Energy Resources and Interconnection Standards

Topic #3: Scope of Utility or Third-party Administered Energy Efficiency Programs

Topic #4: Evaluation, Measurement & Verification of Ratepayer-Funded Energy Efficiency Programs

Topic #5: Access to Whole Building Data

Topic #6: Customer Access to Standardized Usage Data

## **Transformative Category 2: Working with Local Governments**

*Proposals may address a single topic OR may integrate multiple topics:*

Topic #1: Working with Local Governments on Advanced Policies and/or Programs

Topic #2: Working with Local Governments to Address Underserved Sectors

Topic #3: Working with Local Governments to Address Wastewater Facilities

## **Transformative Category 3: Developing Financing Programs, EM&V Strategies, or Benchmarking & Disclosure Programs**

*Proposals may address a single topic OR may integrate multiple topics:*

Topic #1: Developing Financing Mechanisms for Public Sector Clean Energy Investment

Topic #2: Developing Financing Mechanisms for Private Sector Clean Energy Investment

Topic #3: Energy Performance Benchmarking and Disclosure

Topic #4: Evaluation, Measurement & Verification of Non-Utility Programs

Please review the detailed description of DOE's interpretation of categories and questions in Appendix F, "Guidance for Addressing Transformative Category Topic Areas: Area of Interest 2." DOE intends to allow States to present proposals, based on many (but not all) questions in the FY15 State Energy Assessment, that identify which areas they could progress and develop and implement a plan to advance specific clean energy policies. This could be in the form of changing a "No" answer to a "Yes" for one or more of the questions and/or by expanding the scope of an existing regulation or policy addressed in the assessment.

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To help guide States in developing proposals, we have indicated below the Transformative Categories related to topics from past FOAs that would be applicable in Area of Interest 2 proposals. These include:

- *Stimulating Energy Efficiency Action in States (FY 12 & 13)*: Increase investments in cost-effective energy efficiency-y through policy and program frameworks created through collaboration with key stakeholders to design and develop high-impact policies and programs that support greater investment in energy efficiency and significantly increase Statewide energy savings. (Transformative Category 1)
- *Improving or Developing a Fee-based Self-funded Public Facility Retrofit Program (FY 12)*: Develop/improve and implement a comprehensive and well-designed self-funded program which relies on a fee-for-services model that can successfully be used to retrofit public facilities Statewide across multiple sectors. (Transformative Category 3 for State Programs, Transformative Category 2 for programs involving local governments)
- *Driving Demand for Public Facility Retrofits (FY 13)*: Develop and implement models to drive demand for public facility retrofit programs using sustainable financing programs (e.g., performance contracting) with a focus on increasing uptake in underserved market sectors, such as local government facilities, public housing, State facilities and others. (Transformative Category 3 for State facilities; Transformative Category 2 for programs involving local governments)
- *Advancing Industrial Energy Efficiency (FY13)*: Develop and implement programs and policies to expand industrial energy efficiency and the use of combined heat and power. (Transformative Category 1)

**Applicants may submit a total of TWO Full Applications:**

- 1) Two single State Applications that include no other State or regional partners and cover only the applying State; **OR**
- 2) Two multi-State Applications that that include multiple State or regional partners; **OR**
- 3) One single State Application that includes no other State or regional partners and covers only the applying State **AND** one multi-State Application that includes multiple State or regional partners.

**NOTE:** For each application, States must select one of the three Transformative Categories listed above to serve as the framework for a proposal. States may only submit one application per Transformative Category.

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DOE encourages States that submitted proposals that were not awarded under any of the four FOA Areas of Interest above or otherwise to revisit and align with the goals of one of the three Transformative Categories included in Area of Interest 2. Moreover, States that submitted proposals in FY14 under Area of Interest 2 are encouraged to review the strengths and weaknesses indicated by the prior year's Merit Review Panel and consider submitting revised proposals.

### **C. APPLICATIONS SPECIFICALLY NOT OF INTEREST**

The following types of applications will be deemed nonresponsive and will not be reviewed or considered (See Section III.D of the FOA):

- Applications that fall outside the technical parameters specified in Section I.B of the FOA, including but not limited to:
  - a) Construction, such as construction of mass transit systems and exclusive bus lanes, or for construction or repair of buildings or structures;
  - b) Purchase of land, a building or structure or any interest therein;
  - c) Subsidizing fares for public transportation;
  - d) Subsidizing utility rate demonstrations or State tax credits for energy conservation measures or renewable energy measures;
  - e) The conduct of, or purchase equipment to conduct, research, development or demonstration of energy efficiency or renewable energy techniques and technologies not commercially available;
  - f) Loan guarantees or loan forgiveness (10 CFR section 420.18);
  - g) Programs that include government assets other than buildings and facilities, such as fleets;
  - h) Programs targeted to making new construction energy-efficient;
  - i) Programs that use award funds to implement specific project-level energy efficiency retrofits and upgrades.

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- (However, States could use project funds to design and develop programs that could lead to retrofits implemented with non-project funds); and
- j) Programs that use project funds to capitalize financing programs. (However, States could use project funds to design and develop templates for the creation of financing programs).

## **II. AWARD INFORMATION**

### **A. AWARD OVERVIEW**

#### ***1. ESTIMATED FUNDING***

EERE expects to make approximately \$5,000,000 of Federal funding available for new awards under this FOA, subject to the availability of appropriated funds. EERE anticipates making approximately 10-15 awards under this FOA. EERE may issue one, multiple, or no awards.

Individual awards may vary between approximately \$100,000 and approximately \$800,000.

EERE may issue awards in one, multiple, or none of the following topic areas:

Area of Interest 1: State Energy Planning

EERE may issue up to 9 awards in this Area of Interest.

Area of Interest 2: Innovative Opportunities for Energy Efficiency and Renewable Energy Practices

EERE may issue up to 12 awards in this Area of Interest.

EERE may establish more than one budget period for each award and fund only the initial budget period(s). Funding for all budget periods, including the initial budget period, is not guaranteed.

#### ***2. PERIOD OF PERFORMANCE***

EERE anticipates making awards that will run 24 months in length for Area of Interest 1 and between 24 and 36 months for Area of Interest 2.

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### **3. NEW APPLICATIONS ONLY**

EERE will accept only new applications under this FOA. EERE will not consider applications for renewals of existing EERE-funded awards through this FOA.

**States could potentially receive awards in both Areas of Interest; however, separate applications are required for each.**

## **B. EERE FUNDING AGREEMENTS**

Through Cooperative Agreements and other similar agreements, EERE provides financial and other support to projects that have the potential to realize the FOA objectives. EERE does not use such agreements to acquire property or services for the direct benefit or use of the United States Government.

### **1. COOPERATIVE AGREEMENTS**

EERE generally uses Cooperative Agreements to provide financial and other support to Prime Recipients.

Through Cooperative Agreements, EERE provides financial or other support to accomplish a public purpose of support or stimulation authorized by Federal statute. Under Cooperative Agreements, the Government and Prime Recipients share responsibility for the direction of projects.

EERE has substantial involvement in all projects funded via Cooperative Agreement. See Section VI.C.10 of the FOA for more information on what substantial involvement may involve.

## **III. ELIGIBILITY INFORMATION**

### **A. ELIGIBLE APPLICANTS**

#### **1. DOMESTIC ENTITIES**

State entities are eligible to apply for funding as a Prime Recipient.

In accordance with 2 CFR 200 and Energy Policy and Conservation Act, section 365(f) codified at 42 USC 6325(f) and Energy Independence and Security Act of 2007, section 531, eligibility for award for Areas of Interest 1 and 2 is restricted to the 50 States, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the US Virgin Islands.

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Applications must be submitted by the State Energy Office (SEO) or other agency responsible for administering the State Energy Program pursuant to 10 CFR 420, although States may work in collaboration with non-State entities. Non-State entities interested in collaborating with their respective State Energy Office (SEO) must contact their respective SEO.

## **B. COST MATCH**

The Recipient cost match must be at least 20% of the total Federal funds allocated. The Recipient's cost match must come from non-Federal sources unless otherwise allowed by law. By accepting Federal funds under this award, the Recipient agrees to be liable for its percentage match of Federal Government share, on a budget-period basis, even if the project is terminated early or is not funded to its completion. See 10 CFR 420.34.

### **1. LEGAL RESPONSIBILITY**

The Prime Recipient is legally responsible for paying the entire cost match. The Prime Recipient's cost match obligation is expressed in the Assistance agreement as a static amount in U.S. dollars (cost match amount) and as a percentage of the total Federal funds allocated (cost match percentage).

If the funding agreement is terminated prior to the end of the project period, the Prime Recipient is required to contribute at least the cost match percentage of total expenditures of Federal funds incurred through the date of termination.

The Prime Recipient is solely responsible for managing cost match contributions by the Project Team and enforcing cost match obligations assumed by Project Team members in subawards or related agreements.

### **2. COST MATCH ALLOCATION**

Each Project Team is free to determine how best to allocate the cost match requirement among the team members. The amount contributed by individual Project Team members may vary, as long as the cost match requirement is met.

### **3. COST MATCH TYPES AND ALLOWABILITY**

Every cost match contribution must be allowable under the applicable Federal cost principles, as described in Section IV.G.1 of the FOA. In addition, cost match must be verifiable upon submission of the Full Application.

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Project Teams may provide cost match in the form of cash or in-kind contributions. Cash contributions may be provided by the Prime Recipient or Sub-recipients. Allowable in-kind contributions include, but are not limited to: personnel costs, indirect costs, facilities and administrative costs, rental value of buildings or equipment, and the value of a service, other resource, or third party in-kind contribution.

Project teams may use funding or property received from State or local governments to meet the cost match requirement, so long as the funding was not provided to the State or local government by the Federal Government.

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

- Revenues or royalties from the prospective operation of an activity beyond the project period;
- Proceeds from the prospective sale of an asset of an activity;
- Federal funding or property (e.g., Federal grants, equipment owned by the Federal Government); or
- Expenditures that were reimbursed under a separate Federal Technology Office.

In addition, Project Teams may not use independent research and development (IR&D) funds to meet their cost match obligations. Project Teams may not use the same cash or in-kind contributions to meet match requirements for more than one project or program.

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

Applicants are encouraged to refer to 2 CFR 200 for additional guidance on cost match, specifically 10 CFR Part 420 for the State Energy Program.

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#### **4. COST MATCH VERIFICATION**

Applicants are required to provide written assurance of their proposed cost match contributions in their Full Applications.

Upon selection for award negotiations, Applicants are required to provide additional information and documentation regarding their cost match contributions.

#### **5. COST MATCH PAYMENT**

All proposed cost match contributions must be reviewed in advance by the Contracting Officer and incorporated into the project budget before the expenditures are incurred.

### **C. COMPLIANCE CRITERIA**

Full Applications must meet all Compliance criteria listed below or they will be considered noncompliant. EERE will not review or consider submissions of Full Applications or otherwise submitted through means other than EERE Exchange, submitted after the applicable deadline, and/or submitted incomplete. EERE will not extend the submission deadline for Applicants that fail to submit required information due to server connection or congestion.

#### **1. COMPLIANCE CRITERIA**

Full Applications are deemed compliant if:

- The Full Application complies with the content and form requirements in Section IV.C of the FOA; and
- The Applicant successfully uploaded all required documents and clicked the “Submit” button in EERE Exchange by the deadline stated in the FOA.

### **D. RESPONSIVENESS CRITERIA**

Applications are deemed nonresponsive and are not reviewed or considered if elements contained in the “Applications Specifically Not of Interest” Section I.C of the FOA are present.

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## **E. LIMITATION ON NUMBER OF FULL APPLICATIONS ELIGIBLE FOR REVIEW**

### **For Area of Interest 1, Applicants may submit ONE Full Application:**

- 1) One Full Application that includes no other State or regional partners and covers only the applying State; **OR**
- 2) One Full Application that includes multiple State or regional partners.

The preferred method for submitting multi-State or regional applications is for a single State to serve as the lead (Prime Recipient) with partner States listed as Sub-recipients. However, if State regulations limit this ability, States may submit separate applications that clearly identify which other States they will be working with. Under these circumstances, the separate applications will be grouped together for Merit Review purposes. If selected, each State participating in the group will enter negotiations for an individual award. If selected for award under this scenario, each State participating in the group will be considered a Prime Recipient and will assume associated responsibilities.

**Under Area of Interest 1**, a State may submit a maximum of one application on which that State is identified as a Prime Recipient. If a State submits more than one application in Area of Interest 1 where they are listed as the Prime Recipient, EERE will only consider the last timely submission for evaluation. Any other submissions received listing the same applicant as the Prime Recipient will be considered noncompliant and not eligible for further consideration. This limitation does not prohibit an applicant from collaborating on other applications (as a potential partner or Sub-recipient).

### **For Area of Interest 2, Applicants may submit a total of TWO Full Applications:**

- 1) Two single State Applications that include no other State or regional partners and cover only the applying State; **OR**
- 2) Two multi-State Applications that include multiple State or regional partners; **OR**
- 3) One single State Application that includes no other State or regional partners and covers only the applying State **AND** one multi-State Application that includes multiple State or regional partners.

**NOTE:** Each Application must address a different Transformative Categories as described in Section I.A. of this FOA.

The preferred method for submitting multi-State or regional applications is for a single State to serve as the lead (Prime Recipient) with partner States listed as Sub-recipients.

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However, if State regulations limit this ability, States may submit separate applications that clearly identify which other States they will be working with. Under these circumstances, the separate applications will be grouped together for Merit Review purposes. If selected, each State participating in the group will enter negotiations for an individual award. If selected for award under this scenario, each State participating in the group will be considered a Prime Recipient and will assume associated responsibilities.

**States could potentially receive awards in both Areas of Interest; however, separate applications are required for each.**

#### **F. QUESTIONS REGARDING ELIGIBILITY**

EERE will not make eligibility determinations for potential Applicants prior to the date on which Applications to this FOA must be submitted. The decision whether to submit an application in response to this FOA lies solely with the applicant.

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## IV. APPLICATION AND SUBMISSION INFORMATION

### A. APPLICATION PROCESS

EERE performs an initial eligibility review of the applicant submissions to determine whether they meet the eligibility requirements of Section III of the FOA. EERE will not review or consider noncompliant and/or nonresponsive or otherwise ineligible submissions. All submissions must conform to the following form and content requirements, including maximum page lengths, described below and must be submitted via EERE Exchange at <https://eere-exchange.energy.gov/>. EERE will not review or consider submissions submitted through means other than EERE Exchange, submissions submitted after the applicable deadline, or incomplete submissions. EERE will not extend deadlines for Applicants who fail to submit required information and documents due to server connection or congestion.

A Control Number will be issued when an Applicant begins the Exchange application process. This Control Number must be included with all Application documents, as described below.

The Full Application must conform to the following requirements:

- Must be submitted in Adobe PDF format unless stated otherwise
- Each must be written in English
- All pages must be formatted to fit on 8.5 x 11 inch paper with margins not less than one inch on every side. Use Times New Roman typeface, a black font color, and a font size of 12 point or larger (except in figures or tables, which may be 10 point font). A symbol font may be used to insert Greek letters or special characters, but the font size requirement still applies. References must be included as footnotes or endnotes in a font size of 10 or larger. **Footnotes and endnotes are counted toward the maximum page requirement.**
- The Control Number must be prominently displayed on the upper right corner of the header of every page. Page numbers must be included in the footer of every page.
- Each must not exceed the specified maximum page limit, including cover page, charts, graphs, maps, and photographs when printed using the formatting requirements set forth above and single spaced. If Applicants exceed the maximum page lengths indicated below, EERE will review only the authorized number of pages and disregard any additional pages.

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Applicants are responsible for meeting each submission deadline. Applicants are strongly encouraged to submit their Full Applications at least 48 hours in advance of the submission deadline. Under normal conditions (i.e., at least 48 hours in advance of the submission deadline), Applicants should allow at least 1-hour to submit a Full Application. Once submitted, Applicants may revise or update their application until the expiration of the applicable deadline.

EERE urges Applicants to carefully review their Full Application and to allow sufficient time for the submission of required information and documents. All Full Applications that pass compliance review will undergo a comprehensive technical merit review according to the criteria identified in Section V.A.1 of the FOA.

#### **1. ADDITIONAL INFORMATION ON EERE EXCHANGE**

EERE Exchange is designed to enforce the deadlines specified in this FOA. The “Apply” and “Submit” buttons will automatically disable at the defined submission deadlines. Should applicants experience problems with Exchange, the following information may be helpful:

- Applicants that experience issues with submission PRIOR to the FOA deadline should contact the Exchange helpdesk for assistance ([EERE-ExchangeSupport@hq.doe.gov](mailto:EERE-ExchangeSupport@hq.doe.gov)). The Exchange helpdesk and/or the EERE Exchange system administrators will assist Applicants in resolving issues.
- In the event that an Applicant experiences technical difficulties so severe that they are unable to submit their application by the deadline, the Applicant should contact the Exchange helpdesk for assistance ([EERE-ExchangeSupport@hq.doe.gov](mailto:EERE-ExchangeSupport@hq.doe.gov)). The Exchange helpdesk and/or the EERE Exchange system administrators will assist the Applicant in resolving all issues (including finalizing submission on behalf of and with the Applicant’s concurrence). PLEASE NOTE that those Applicants who are unable to timely submit their application materials due to waiting until the last minute when network traffic is at its heaviest will not be able to use this process.

#### **B. APPLICATION FORMS**

Application forms and instructions are available on EERE Exchange. To access these materials, go to <https://eere-Exchange.energy.gov> and select Funding Opportunity Number DE-FOA-0001222.

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## C. CONTENT AND FORM OF THE FULL APPLICATION

Applicants must submit a Full Application by the specified due date to be considered for funding under this FOA. Applicants must complete all application forms found on the EERE Exchange website at <https://eere-Exchange.energy.gov/> in accordance with the instructions.

Applicants will receive a Control Number when an application is initiated in Exchange. All Full Application documents must be marked with the Control Number issued. The Control Number must be prominently displayed on the upper right corner of the header of every page. Page numbers must be included in the footer of every page. Applicants should include the Control Number in the file name of their Full Application submission and should identify the applicable Area of Interest. For example: {{ControlNumber}}\_{{LeadOrganization}}\_AOI 1).

In regards to Area of Interest 2 submissions, please also include the Transformative Category and topic/s being addressed. For example: {{ControlNumber}}\_{{LeadOrganization}}\_AOI 2\_TC 1\_topic 1).

### **Please Note:**

- Exchange requires double brackets to contain {{ControlNumber}} and {{LeadOrganization}} terms.
- The maximum file size that can be uploaded to the EERE Exchange website is 10MB. Files in excess of 10MB cannot be uploaded or submitted. If a file exceeds 10MB but is still within the maximum page limit specified in the FOA, it must be broken into parts and denoted to that effect. For example:

    {{ControlNumber}}\_{{LeadOrganization}}\_AOI x\_Part\_1  
    {{ControlNumber}}\_{{LeadOrganization}}\_AOI x\_Part\_2, etc.

**EERE will not accept late submissions that result from technical difficulties due to uploading files that exceed 10MB.**

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## 1. FULL APPLICATION CONTENT REQUIREMENTS

SUBMISSION	COMPONENTS	FILE NAME (IF NECESSARY)
Full Application (PDF, unless stated otherwise)	Technical Volume	{{ControlNumber}}_{{LeadOrganization}}_TechnicalVolume
	SF-424 Application for Federal Assistance (no page limit). Link to fillable form provided in EERE Exchange.	{{ControlNumber}}_{{LeadOrganization}}_App424
	Budget Justification (EERE 159) (no page limit) Applicants must use the template available in EERE Exchange.	{{ControlNumber}}_{{LeadOrganization}}_Budget_Justification
	Summary for Public Release (1 page limit)	{{ControlNumber}}_{{LeadOrganization}}_Summary
	Summary Slide (1 PowerPoint slide limit)	{{ControlNumber}}_{{LeadOrganization}}_Slide
	Subaward Budget Justification Workbook (EERE 159) (if applicable - no page limit); Applicants must use the template available in EERE Exchange.	{{ControlNumber}}_{{LeadOrganization}}_Subawardee_Budget_Justification
	SF-LLL Disclosure of Lobbying Activities. Link to fillable form provided in EERE Exchange.	{{ControlNumber}}_{{LeadOrganization}}_SF-LLL
	SF-424A – Budget Information for Non-Construction Programs. Link to fillable form provided in EERE Exchange.	{{ControlNumber}}_{{LeadOrganization}}_SF424A Budget
	Resume File	{{ControlNumber}}_{{LeadOrganization}}_Resumes
	Letters of Commitment	{{ControlNumber}}_{{LeadOrganization}}_Commitment
	State Energy Assessment. Fillable template provided in EERE Exchange.	{{ControlNumber}}_{{LeadOrganization}}_SEA

## 2. TECHNICAL VOLUME

The Technical Volume must be submitted in Adobe PDF format. The Technical Volume must conform to the following content and format requirements, including maximum page length. If Applicants exceed the maximum page length indicated below, EERE will review only the authorized number of pages and disregard any additional pages. This volume must address the Merit Review Criteria as discussed in Section V.A.1 of the FOA. Save the Technical Volume as a PDF file using the following convention for the title: “{{ControlNumber}}\_{{LeadOrganization}}\_TechnicalVolume”.

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Applicants must provide sufficient citations and references to primary research literature to justify the claims and approaches made in the Technical Volume.

EERE may review primary research literature in order to evaluate applications. However, EERE is under no obligation to review cited sources.

The Technical Volume to the Full Application may not be more than 30 pages, including **(unless otherwise stated)** the cover page and table of contents; any additional citations, charts, graphs, maps, and photos; and must include all of the information in the table below. The applicant should consider the weighting of each of the evaluation criteria (see Section V.A.1 of the FOA) when preparing the Technical Volume.

SECTION	DESCRIPTION
<b>Cover Page</b>	The cover page must include the project title, the specific FOA Area of Interest being addressed, whether the application is single State or a multi-State/regional collaboration, the technical and business points of contact, names of all team member organizations, and any statements regarding confidentiality. Area of Interest 2 applications must also specify the Transformative Category and sub-topic/s being addressed.
<b>Project Overview</b> (This section should constitute approximately 10% of the Technical Volume)	<p>The Project Overview should contain the following information:</p> <ul style="list-style-type: none"> <li>• <b>Background:</b> The Applicant should discuss the background of their organization including the history, successes, and current technical baseline relevant to the technical topic being addressed in the Full Application.</li> <li>• <b>Project Goal:</b> The Applicant should explicitly identify the targeted improvements to the technical baseline and the critical success factors in achieving that goal.</li> <li>• <b>DOE Impact:</b> The Applicant should discuss the measureable impacts that DOE funding would have on the proposed project. Applicants should specifically explain how DOE funding, relative to prior, current, or anticipated funding from other public and private sources, is necessary to achieve the project objectives.</li> </ul>
<b>Technical Description, Innovation, and Impact</b> (This section should constitute approximately 25% of the Technical Volume)	<p>The Technical Description should contain the following information:</p> <ul style="list-style-type: none"> <li>• <b>Merit Review Criterion Summary:</b> This section should be formatted to address each of the merit review criteria and sub-criteria listed in Section V.A.1. Provide data succinctly so that reviewers will be able to evaluate the application in accordance with these merit review criteria.</li> </ul>

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	<p>Please elaborate on responses in the Workplan section of the Technical Volume.</p> <p>PLEASE NOTE THAT MERIT REVIEWERS WILL BE EVALUATING APPLICATIONS BASED ON HOW WELL THE APPLICATION ADDRESSES SEPARATELY EACH OF THE MERIT REVIEW CRITERIA AND SUBCRITERIA.</p>
<p><b>Workplan</b> (This section should constitute approximately 50% of the Technical Volume)</p>	<p>The Workplan should contain the following information:</p> <ul style="list-style-type: none"> <li>• Project Objectives: The Applicant should provide a clear and concise high-level statement of the goals and objectives of the project as well as the expected outcomes.</li> <li>• Project Narrative: The Project Narrative should, to the extent practical, follow the outline below in its organization and content; however, additional topics may be covered as necessary for the applicant to deliver a full explanation of the proposal. Please elaborate on responses to the Merit Review Criteria in this section of the Technical Volume. <ul style="list-style-type: none"> <li>○ Area of Interest 1: <ol style="list-style-type: none"> <li>1. Objective, goals and potential impacts and outcomes</li> <li>2. Approach and strategies to achieve objective(s), goal(s) and impact(s)</li> <li>3. Existing efforts &amp; how they will be leveraged (if applicable)</li> <li>4. Identification of possible barriers and how they will be overcome</li> <li>5. Project team, roles and structure, including partners and capabilities</li> <li>6. Stakeholders &amp; plan for engagement</li> <li>7. Information and data needs, including any modeling resources</li> </ol> </li> <li>○ Area of Interest 2: <ol style="list-style-type: none"> <li>1. Project Overview/Executive Summary</li> <li>2. Project strategy/plan</li> <li>3. Objective, goals and potential impacts and outcomes</li> <li>4. Approach and strategies to achieve objective(s), goal(s) and measureable impact(s)</li> <li>5. If more than one topical area is being addressed within a given Transformative Category, identify how the topics are complimentary and integrated as a single strategy</li> <li>6. Existing efforts &amp; how they will be leveraged (if applicable)</li> <li>7. Project team, roles and structure, including partners and capabilities</li> </ol> </li> </ul> </li> </ul>

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	<p style="text-align: center;">8. Stakeholders &amp; plan for engagement 9. Information and data needs</p> <ul style="list-style-type: none"> <li>• Summary Table: A complete Technical Volume will include a table summarizing the project. <b>Example Summary Tables for Area of Interest 1 and Area of Interest 2 are provided as fillable templates in EERE Exchange.</b> Applicants in Area of Interest 2 need only complete the tables related to the Transformative Category and applicable topic/s for which they are applying. <b><u>Summary tables do not count towards the page limit.</u></b></li> <li>• Technical Scope Summary: The Applicant should provide a summary description of the overall work scope and approach to achieve the objective(s). <b>PLEASE NOTE:</b> Applicants awarded under Area of Interest 1 will be required to develop ‘Road Maps’ as a key post-award deliverable (see Appendix D of this FOA for detailed guidance on roadmapping). Applicants should consider using the Road Map guidance as a framework for which to create the Technical Scope Summary.</li> <li>• Work Breakdown Structure (WBS) and Task Descriptions: The WBS should fully describe the work to be accomplished and how the applicant will achieve milestones and, accomplish final project goal/s. The WBS is to be structured with a hierarchy of performance period task and subtasks, which is typical of a standard WBS for any project. The WBS shall contain a concise, detailed description of the specific activities to be conducted over the life of the project. “Detailed” is defined as a full explanation and disclosure of the project being proposed (i.e., a Statement such as “we will then complete a <b>proprietary</b> process” is unacceptable). It is the Applicant’s responsibility to prepare an adequately detailed task plan to describe the proposed project and the plan for addressing the objectives of this FOA. To this end, each task and subtask is to have a unique number and title and an indication of the duration of the task or subtask in months. Each task and subtask is to have a task summary that describes the objectives, what work is to be accomplished, and relationship to project deliverables or expected results. Appropriate milestones should be incorporated into the task and subtask structure. Each task and subtask is to have a technical details section, as appropriate, to discuss how the work will be done, anticipated problems or uncertainties, and any further clarification, such as why a specific approach is being taken. <b>Please see Appendix G of this FOA for guidance. The WBS does not count towards the page limit.</b></li> <li>• Milestones: The Applicant should provide appropriate milestones throughout the project to demonstrate success where success is defined as technical achievement rather than simply completing a task. To ensure that milestones are relevant, Applicants should follow the SMART rule of thumb, which is that all milestones should be Specific,</li> </ul>
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	<p><b>Measurable, Achievable, Relevant, and Timely.</b></p> <ul style="list-style-type: none"> <li>• Unless otherwise specified in the FOA, the minimum requirement is that each project must have at least one milestone per quarter for the duration of the project.</li> <li>• The Applicant should also provide the means by which the milestone will be verified. In addition to describing milestones in the WBS text, please complete a Milestone Summary Table. <b>A fillable template is provided in Exchange. The Milestone Summary Table does not count towards the page limit.</b></li> <li>• Project Schedule (Gantt chart or similar): The Applicant should provide a detailed schedule for the entire project, including task and subtask durations, and milestones. <b>The Project Schedule does not count towards the page limit.</b></li> <li>• Project Management: The Applicant should discuss the team’s proposed management plan, including the following: <ul style="list-style-type: none"> <li>○ The overall approach to and organization for managing the work</li> <li>○ The roles of each Project Team member</li> <li>○ Any critical handoffs/interdependencies among Project Team members</li> <li>○ The technical aspects of the management plan including systems and practices such as financial and project tracking practices</li> <li>○ The approach to project risk management</li> <li>○ A description of how project changes will be handled</li> <li>○ If applicable, the approach to Quality Assurance/Control</li> <li>○ How communications will be maintained among Project Team members</li> </ul> </li> </ul>
<p><b>Technical Qualifications and Resources</b> (Approximately 15% of the Technical Volume)</p>	<p>The Technical Qualifications and Resources should contain the following information:</p> <ul style="list-style-type: none"> <li>• Describe the Project Team’s unique qualifications and expertise, including those of key Sub-recipients</li> <li>• Describe the Project Team’s existing equipment and facilities that will facilitate the successful completion of the proposed project.</li> <li>• This section should also include a discussion of how previous work efforts and demonstrated innovations will enable the Applicant to achieve the project objectives.</li> <li>• Describe the time commitment of the key team members to support the project.</li> </ul>

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	<p>For multi-State or regional proposals, describe succinctly:</p> <ul style="list-style-type: none"> <li>○ The roles and the work to be performed by each Key Participant;</li> <li>○ Business agreements between the Applicant and each Key Participant;</li> <li>○ How the various efforts will be integrated and managed;</li> <li>○ Process for making decisions on project direction;</li> <li>○ Publication arrangements; and</li> <li>○ Communication plans</li> </ul> <p>PLEASE NOTE: A resume file (as described below) is a required component of applications to be included separate of the Technical Volume.</p>
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### **3. SF-424: APPLICATION FOR FEDERAL ASSISTANCE**

Complete all required fields in accordance with the instructions on the form. The list of certifications and assurances in Field 21 can be found at <http://energy.gov/management/office-management/operational-management/financial-assistance/financial-assistance-forms>, under Certifications and Assurances. Note: The dates and dollar amounts on the SF-424 are for the complete project period and not just the first project year, first phase or other subset of the project period. Save the SF-424 as a PDF file using the following convention for the title: “{{ControlNumber}}\_{{LeadOrganization}}\_App424”

### **4. BUDGET JUSTIFICATION WORKBOOK (EERE 159)**

Applicants are required to complete the Budget Justification Workbook. This form is available on EERE Exchange at <https://eere-Exchange.energy.gov/>. Prime Recipients must complete each tab of the Budget Justification Workbook for the project as a whole, including all work to be performed by the Prime Recipient and its Sub-recipients and Contractors, and provide all requested documentation. Applicants should include costs associated with required annual audits and incurred cost proposals in their proposed budget documents. **Applicants to Area of Interest 2 should plan for costs associated with the development of Implementation Models (see appendix E. of this FOA for guidance) that will be a key deliverable if selected for award. Applicants to Area of Interest 1 should also plan for costs associated with the development of a project ‘Road Map’ that will be a key deliverable if selected for award (see appendix D. of this FOA for guidance).** Applicants must carefully read the “Instructions and Summary” tab provided within the Budget Justification Workbook. Detailed guidance on object class categories and parameters can be found in Appendix C. of this FOA. Save the Budget Justification Workbook as a Microsoft Excel file using the following convention for the title: “{{ControlNumber}}\_{{LeadOrganization}}\_Budget\_Justification”.

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## **5. SUMMARY/ABSTRACT FOR PUBLIC RELEASE**

Applicants are required to submit a one-page summary/abstract of their project. The project summary/abstract must contain a summary of the proposed activity suitable for dissemination to the public. It should be a self-contained document that identifies the name of the applicant, the project director/principal investigator(s), the project title, the objectives of the project, a description of the project (including methods to be employed) the potential impact of the project (i.e., benefits, outcomes), and major participants (for collaborative projects). This document must not include any proprietary or sensitive business information as the Department may make it available to the public after selections are made. The project summary must not exceed 1 page when printed using standard 8.5 x 11 paper with 1" margins (top, bottom, left, and right) with font not smaller than 11 point. Save the Summary for Public Release as a PDF file using the following convention for the title: “{{ControlNumber}}\_{{LeadOrganization}}\_Summary”.

## **6. SUMMARY SLIDE**

Applicants are required to provide a single PowerPoint slide summarizing the proposed project. The slide must be submitted in Microsoft PowerPoint format. This slide is used during the evaluation process. Save the Summary Slide using the following convention for the title: “{{ControlNumber}}\_{{LeadOrganization}}\_Slide”.

The Summary Slide requires the following information:

- A project Summary;
- A description of the project’s potential impact\*;
- Proposed project goals;
- Any key graphics (illustrations, charts and/or tables);
- The project’s key idea/takeaway;
- Project title, Prime Recipient, Principal Investigator, and Key Participant/Subrecipient information; and
- Requested EERE funds and proposed applicant cost match.

\* Note: Potential impact description should include estimated metrics associated with the project as applicable. For example: energy savings (kWh, MW, or TBtus), annual energy cost savings in dollars, jobs created, private dollars leveraged with the federal funds, etc.

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## **7. SUBAWARD BUDGET JUSTIFICATION WORKBOOK (EERE159)**

Applicants must provide a separate Budget Justification Workbook for each subawardee that is expected to perform work estimated to be more than \$250,000 or 25-percent of the total work effort (whichever is less). This form is available on EERE Exchange at <https://eere-Exchange.energy.gov/>. The subawardee Budget Justification must include the same justification information described in the “Budget Justification” section above. Save each subawardee budget justification as a Microsoft Excel file using the following convention for the title: “{{ControlNumber}}\_{{LeadOrganization}}\_Subawardee\_Budget\_Justification.”

## **8. SF-LLL: DISCLOSURE OF LOBBYING ACTIVITIES**

Prime Recipients and Sub-recipients may not use any Federal funds to influence or attempt to influence, directly or indirectly, congressional action on any legislative or appropriation matters.

Prime Recipients and Sub-recipients are required to complete and submit SF-LLL, “Disclosure of Lobbying Activities” (<http://www.whitehouse.gov/sites/default/files/omb/grants/sflllin.pdf>) if any non-Federal funds have been paid or will be paid to any person for influencing or attempting to influence any of the following in connection with your application:

- An officer or employee of any Federal agency;
- A Member of Congress;
- An officer or employee of Congress; or
- An employee of a Member of Congress.

Save the SF-LLL as a PDF file using the following convention for the title: “{{ControlNumber}}\_{{LeadOrganization}}\_SF-LLL.”

## **9. SF 424A EXCEL, BUDGET INFORMATION – NON-CONSTRUCTION PROGRAMS FILE**

Applicants must provide budget for the total project period. Use the SF 424A Excel, “Budget Information – Non Construction Programs” form on the DOE Financial Assistance Forms Page at <http://energy.gov/management/downloads/budget-information-non-construction-programs>. You may request funds under any of the Object Class Categories as long as the item and amount are necessary to perform the proposed work, meet all the criteria for allowability under applicable Federal cost principles, and are not prohibited by the funding restrictions in this announcement (see Section IV, H). Save as a Microsoft Excel file using the following convention for the title: “{{ControlNumber}}\_{{LeadOrganization}}\_SF424A Budget.”

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## **10. RESUME FILE**

Provide a resume for each key person proposed, including subawardees and consultants if they meet the definition of key person. A key person is any individual who contributes in a substantive, measurable way to the execution of the project. The biographical information for each resume should include the following information, if applicable:

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

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

Publications. Provide a list of up to 10 publications most closely related to the proposed project. For each publication, identify the names of all authors (in the same sequence in which they appear in the publication), the article title, book or journal title, volume number, page numbers, year of publication, and website address, if available electronically.

Patents, copyrights and software systems developed may be provided in addition to, or substituted for, publications.

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

- Of the key personnel identified in this file, indicate the Principal Investigator(s).
- The applicant (whether a single organization or team/ partnership/ consortium) must indicate if the project will include multiple Principle Investigators (PIs). The decision to use multiple PIs for a project is the sole discretion of the applicant. If multiple PIs will be designated, the application must identify contacts and provide a “Coordination and Management Plan” that describes the organization structure of the project as it pertains to the designation of multiple PIs. This plan should, at a minimum, include:
  - Process for making decisions on scientific/technical direction;
  - Publications;
  - Intellectual property issues;
  - Communication plans;
  - Procedures for resolving conflicts; and
  - PIs’ roles and administrative, technical and scientific responsibilities for the project.

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Save the Resume File as a PDF file using the following convention for the title:  
“{{ControlNumber}}\_{{LeadOrganization}}\_Resumes.”

### **11. LETTERS OF COMMITMENT**

Applicants **must** include a letter from each third party contributing cost match (i.e., a party other than the organization submitting the application) stating that the third party is committed to providing a specific minimum dollar amount of cost match. Identify the following information for each third party contributing cost match: (1) the name of the organization; (2) the proposed dollar amount to be provided; (3) the amount as a percentage of total Federal funds allocated; and (4) the proposed type of cost match – cash, services, or property. Save all Letters of Commitment as a PDF using the following convention for the title  
“{{ControlNumber}}\_{{LeadOrganization}}\_Commitment.”

### **12. STATE ENERGY ASSESSMENT**

Applicants to both Area of Interest 1 and Area of Interest 2 are required to complete and submit the fillable ‘State Energy Assessment’ template or equivalent found in EERE Exchange. Please note that DOE may use this information publicly, but before doing so, DOE will communicate with the responding State(s) about making information public. Save the State Energy Assessment as a PDF file using the following convention for the title:  
“{{ControlNumber}}\_{{LeadOrganization}}\_SEA.” All proposals must include a Statement from the State Energy Office Director confirming that the Director reviews and approves the responses provided in the Assessment.

### **13. OPTIONAL APPLICATION SUBMITTALS**

The following components are strongly encouraged to be included but not required in application packages:

#### **Statements of Support**

Statements of Support’ from key stakeholders (excluding vendors) are strongly encouraged to be included in application packages. ‘Statements of Support’ differ from ‘Letters of Commitment’ in that Statements of Support are for the purpose of identifying the key stakeholders and partners that are intended to play an integral role in the project design and /or implementation whereas Letters of Commitment are required for the purpose of verifying the cost match portion of the award. For stakeholders that are **both** committed to providing match funds and are also integral players in program execution, applicants may submit a single letter containing both data/information asks for that entity. In this case, save the document in a single PDF file using the following convention for the title:

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“{{ControlNumber}}\_{{LeadOrganization}}\_Commitment\_Support.” If this scenario does not apply, please save as a PDF file using the following convention for the title: “{{ControlNumber}}\_{{LeadOrganization}}\_Support.”

### **Implementation Model “Plan”**

If selected for award under Area of Interest 2, States will be required to create an Implementation Model to explain the development of - or changes to - policies, processes, outreach efforts, tools, resources, etc. Applicants in Area of Interest 2 may elect to submit an Implementation Model “**Plan**” with their Full Application. The Implementation Model “**Plan**” will identify the measurable actions the State will take to develop the Implementation Model (for example, how the strategy will measure success so that lessons learned and best practices can be identified in the Implementation Model). See Appendix E. of this FOA for specific guidance. Save Implementation Model Plans as a PDF file using the following convention for the title: “{{ControlNumber}}\_{{LeadOrganization}}\_IMP.”

### **D. POST-AWARD INFORMATION REQUESTS**

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

- Indirect cost information
- Other budget information
- Name and phone number of the Designated Responsible Employee for complying with national policies prohibiting discrimination (See 10 CFR 1040.5)
- Representation of Limited Rights Data and Restricted Software, if applicable
- Environmental Questionnaire

### **E. SUBMISSION DATES AND TIMES**

Full Applications must be submitted no later than 5p.m. Eastern on the dates provided on the cover page of this FOA.

### **F. INTERGOVERNMENTAL REVIEW**

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

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## G. FUNDING RESTRICTIONS

### 1. ALLOWABLE COSTS

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

All expenditures must be allowable, allocable, and reasonable in accordance with the applicable Federal cost principles.

Please note foreign travel is not allowed.

Refer to the following applicable Federal cost principles for more information:

2 CFR 200 as amended by 2CFR910 for the applicable cost principles

### 2. PRE-AWARD COSTS

Selectees may charge pre-award costs incurred within the 90-day period immediately preceding the effective date of the award. If the Selectee is a for-profit, non-profit, or University, prior approval by the Contracting Officer (CO) to incur pre-award costs is not required unless the costs are more than \$25,000.

**If the Selectee is a governmental entity, it must request prior approval from the CO to incur pre-award costs, regardless of the amount.**

Pre-award costs cannot be charged prior to the Selection Official signing the Selection Statement and Analysis. Pre-award costs can only be charged if such costs would be reimbursable under the agreement if incurred after award.

Pre-Award expenditures are made at the Selectee's risk; EERE is not obligated to reimburse costs: (1) in the absence of appropriations; (2) if an award is not made; or (3) if an award is made for a lesser amount than the Selectee anticipated.

*Pre-Award Costs Related to National Environmental Policy Act (NEPA) Requirements*

EERE's decision whether and how to distribute federal funds under this FOA is subject to NEPA.

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Applicants should carefully consider and should seek legal counsel or other expert advice before taking any action related to the proposed project that would have an adverse effect on the environment or limit the choice of reasonable alternatives prior to EERE completing the NEPA review process.

EERE does not guarantee or assume any obligation to reimburse costs where the Prime Recipient incurred the costs prior to receiving written authorization from the Contracting Officer. If the Applicant elects to undertake activities that may have an adverse effect on the environment or limit the choice of reasonable alternatives prior to receiving such written authorization from the Contracting Officer, the Applicant is doing so at risk of not receiving Federal funding and such costs may not be recognized as allowable cost match. Likewise, if a project is selected for negotiation of award, and the Prime Recipient elects to undertake activities that are not authorized for Federal funding by the Contracting Officer in advance of EERE completing a NEPA review, the Prime Recipient is doing so at risk of not receiving Federal Funding and such costs may not be recognized as allowable cost match. Nothing contained in the pre-award cost reimbursement regulations or any pre-award costs approval letter from the Contracting Officer override these NEPA requirements to obtain the written authorization from the Contracting Officer prior to taking any action that may have an adverse effect on the environment or limit the choice of reasonable alternatives.

### **3. PERFORMANCE OF WORK IN THE UNITED STATES**

#### **a. Requirement**

All work performed under EERE Awards must be performed in the United States. This requirement does not apply to the purchase of supplies and equipment; however, the Recipient should make every effort to purchase supplies and equipment within the United States. The Recipient must flow down this requirement to its Sub-recipients.

#### **b. Failure to Comply**

If the Recipient fails to comply with the Performance of Work in the United States requirement, EERE may deny reimbursement for the work conducted outside the United States and such costs may not be recognized as allowable Recipient cost match. The Recipient is responsible should any work under this Award be performed outside the United States, absent a waiver, regardless of if the work is performed by the Recipient, Sub-recipients, vendors or other project partners.

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c. Waiver

There may be limited circumstances where it is in the interest of the project to perform a portion of the work outside the United States. To seek a waiver of the Performance of Work in the United States requirement, the Recipient must submit a written waiver request to EERE which includes the following information:

- The countries in which the work is proposed to be performed;
- A description of the work to be proposed to be performed outside the U.S.;
- Proposed budget of work to be performed; and
- The rationale for performing the work outside the U.S.

For the rationale, the Recipient must demonstrate to the satisfaction of EERE that a waiver would further the purposes of the FOA that the Award was selected under and is otherwise in the interests of EERE and the United States. EERE may require additional information before considering a waiver request. Save the waiver request(s) as a PDF file titled “{{ControlNumber}}\_{{PerformanceofWork}}\_Waiver.”

**4. CONSTRUCTION**

EERE generally does not fund projects that involve major construction (i.e., construction of new buildings, major renovations, or additions to existing buildings). Recipients are required to obtain written authorization from the Contracting Officer before incurring any major construction costs.

**5. EQUIPMENT AND SUPPLIES**

To the greatest extent practicable, all equipment and products purchased with funds made available under this FOA should be American-made. This requirement does not apply to used or leased equipment.

Property disposition will be required at the end of a project if the property is no longer used by the Prime Recipient for the objectives of the project, and the fair market value of property exceeds \$5,000. The rules for property disposition are set in 2 CFR 200 as amended by 2 CFR Part 910.

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## 6. LOBBYING

Recipients and Sub-recipients may not use any Federal funds to influence or attempt to influence, directly or indirectly, congressional action on any legislative or appropriation matters.

Recipients and Sub-recipients are required to complete and submit SF-LLL, “Disclosure of Lobbying Activities” (<http://www.whitehouse.gov/sites/default/files/omb/grants/sflllin.pdf>) if any non-Federal funds have been paid or will be paid to any person for influencing or attempting to influence any of the following in connection with your application:

- An officer or employee of any Federal agency;
- A Member of Congress;
- An officer or employee of Congress; or
- An employee of a Member of Congress.

## V. APPLICATION REVIEW INFORMATION

Applicants working to prepare a successful application package are advised to review and all provisions outlined in items A through C in this section, and to respond fully to the ‘State Energy Assessment’ and Merit Review Criteria. Regarding multi-State applications, the preferred method for submitting multi-State or regional applications is for a single State to serve as the lead (Prime Recipient) with partner States listed as Sub-recipients. However, if State regulations limit this ability, States may submit separate applications that clearly identify which other States they will be working with. Under these circumstances, the separate applications will be grouped together for Merit Review purposes. If selected, each State participating in the group will enter negotiations for an individual award. If selected for award under this scenario, each State participating in the group will be considered a Prime Recipient and will assume associated responsibilities.

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

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## A. TECHNICAL REVIEW CRITERIA

### 1. FULL APPLICATIONS

Applications will be evaluated against the Merit Review Criteria shown below.

#### Area of Interest 1 – State Energy Planning

##### **Criterion 1: Program Strategy and Plan**

Weight: 30%

- Reasonableness, completeness and feasibility of the proposed approach to meet the objectives of the Funding Opportunity Announcement. More specifically, how well does the proposal:
  - Identify the extent to which the State/s or region already uses energy efficiency and renewable energy as part of their energy resource mix and describe the State's future goals and implementation strategy;
  - Identify barriers to implementing a successful program and describe how the proposed strategy and activities will overcome those barriers;
  - Establish a dialogue among the different State agencies with purview over the energy sector to develop a coordinated vision for energy planning that can help meet State policy goals, support electric reliability and comply with environmental standards. This would include a discussion of the disparate mandates of the State agencies; a discussion of current, near term and future challenges and opportunities they see in the energy sector.
  - Establish a stakeholder engagement process (including utilities), to obtain their input on electric power sector planning;
  - Include an explanation of the extent to which appropriate stakeholders for the program will be engaged in the overall effort and an outline of the timeframe of their involvement. Examples of stakeholders include: State and local environmental agencies; national air and energy associations; utilities and Public Utility Commissioners; public benefit fund administrators; contractors; educational institutions; non-profits, etc.
  - Outline a process to map out and assess a set of solutions over several scenarios that:
    - Meets projected electricity and natural gas demand;
    - Addresses reliability and resiliency concerns (energy assurance);
    - Promotes economic development;
    - Mitigates to the extent possible any increase in customer bills;
    - Identifies any energy resource constraints, including infrastructure (supply, transport, transmission, delivery)

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- Discusses how State Energy Offices, Public Utility Commissions and Departments of Environmental Protection will work together to accurately and rigorously measure, track, and report energy savings and emissions reductions;
  - Address or achieve the goals of existing and forthcoming environmental regulations (making assumptions about future regulations);
  - Considers a range of potential solutions, including market-based approaches; and
  - Demonstrates (quantitatively when possible) how energy efficiency and/or renewable energy can help meet these goals.
- Degree to which the proposed approach contains clear goals, metrics, tasks and methods, deliverables, schedule, and budget.
  - Degree to which applicant’s approach identifies and adequately addresses applicant’s previous road mapping experiences.
  - Degree to which applicant’s approach incorporates best practices.

**Criterion 2: Potential Impact**

Weight: 20%

- Degree to which the applicant demonstrates that the proposed approach will lead to continuing dialogue among State Energy Offices, State and local environmental agencies, public utility commissioners and utilities to address energy, environmental and economic issues.
- Degree to which the applicant will use analytical tools (modeling, etc.) to inform the development of the roadmap.
- Degree to which the proposed programs and activities will lead to the development of a plan that is likely to achieve increased levels of energy efficiency and renewable energy in the State/region, increases economic development opportunities associated with promoting energy efficiency and renewable energy, enhances the resiliency and reliability of energy supplies and the electric grid, complies with current and future environmental regulations, and addresses other economic pressures that will have an impact on the energy sector.
- Degree to which the proposal will focus on regional or multi-State (as opposed to State-specific) challenges and will develop regional solutions and outlines a coherent proposal for such an approach.
- Degree to which the proposal focuses on creating mechanisms for accurately and rigorously measuring, tracking, and reporting energy savings and emissions reductions.

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**Criterion 3: Estimated Energy Savings Impact**

Weight: 20%

- Estimate of energy savings and associated cost savings that would result from implementation of the project as conceived.
- Estimate of carbon dioxide reductions that would result from implementation of the project as conceived.

**Criterion 4: Capabilities and Partnership Structure**

Weight: 30%

- Appropriateness of the credentials, capabilities, and experience of the project team and key personnel.
- Degree to which the roles, responsibilities, and level of effort of each of the project team members has been identified, and to which the described management approach allows for successful management and implementation of the proposed project.

**Area of Interest 2 - Innovative Opportunities for Energy Efficiency and Renewable Energy Practices**

**Criterion 1: Program Strategy and Plan**

Weight: 30%

The following criteria apply to all proposals:

- Reasonableness, completeness and feasibility of the proposed approach to meet the objectives of the Funding Opportunity Announcement (see below for how this subcriterion will be evaluated for specific questions/topics).
- Degree to which the proposed approach contains clear goals, metrics, tasks and methods, deliverables, schedule, and budget.
- In the case of a proposal addressing more than one question, the degree to which the proposal presents an integrated approach to addressing these questions.
- Degree to which applicant's approach identifies and adequately addresses applicant's previous experiences that have impeded progress in the selected policy/program area(s).
- Degree to which applicant's approach incorporates best practices and continuous improvement feedback mechanisms.
- Degree of project sustainability that will result from policies.
- Extent to which the proposals will seek to leverage financing sources to implement projects.
- Extent to which the proposal capitalizes on existing momentum at the State and local levels.

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- Extent to which the proposal addresses applicable questions in the ‘State Energy Assessment.’ Specifically:

The following are review criteria specific to each Transformative category and associated sub-topics below:

**Transformative Category 1: Development or Expansion of Utility Related Programs**

**Topic #1: Utility Requirements to meet Statewide Energy Efficiency & Renewable Energy Goals**

With respect to the general subcriterion “Reasonableness, completeness and feasibility of the proposed approach to meet the objectives of the Funding Opportunity Announcement,” the following will be evaluated in determining whether this general subcriterion is met:

The extent to which the proposal describes:

- The current energy savings targets and goals and/or renewable energy targets and goals in the State;
- The status of utilities in the State working to achieve the current targets and goals; and
- The reasonableness, completeness and feasibility of the approach the State will pursue regarding:
  - The identification of a suite of utility energy efficiency policies and programs that will provide significant energy savings;
  - The adoption of an electricity savings goal or expansion of an existing goal and/or;
  - The development of the implementation “plan” to achieve the goals including any proposed stakeholder process expected to be utilized.

**Transformative Category 1: Development or Expansion of Utility Related Programs**

**Topic #2: Distributed Energy Resources (DER) and Interconnection Standards**

With respect to the general subcriterion “Reasonableness, completeness and feasibility of the proposed approach to meet the objectives of the Funding Opportunity Announcement,” the following will be evaluated in determining whether this general subcriterion is met:

The extent to which the proposal describes:

- Whether the rules are standardized across the utilities (investor-owned and/or muni and/or coops);

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- What DER size categories are covered;
- How net metering is treated under interconnection rules (if at all); and
- The reasonableness, completeness and feasibility of the approach the State plans to use to pursue standardized interconnection rules, including stakeholder engagement (utilities, technology developers) and State utility regulatory engagement.

### **Transformative Category 1: Development or Expansion of Utility Related Programs**

#### Topic #3: Scope of Utility or Third party administered energy efficiency programs

With respect to the general subcriterion “Reasonableness, completeness and feasibility of the proposed approach to meet the objectives of the Funding Opportunity Announcement,” the following will be evaluated in determining whether this general subcriterion is met:

The extent to which the proposal describes:

- Current sectors (residential, commercial, industrial, etc.) offered electric and/or natural gas rate-payer funded energy efficiency programs;
- Current sectors (residential, commercial, industrial, etc.) offered ratepayer-funded energy efficiency programs for other fuels (not electric or natural gas);
- How cost-effectiveness tests are applied to ratepayer-funded energy efficiency programs;
- How the State will work to add sectors (residential, commercial, industrial, etc.) not currently being offered energy efficiency programs or will increase the participation of a given class; and
- How the State will ensure the long-term resource value of energy efficiency is accounted for in the application of cost-effectiveness tests.

### **Transformative Category 1: Development or Expansion of Utility Related Programs**

#### Topic #4: Evaluation, Measurement & Verification of Ratepayer-Funded Energy Efficiency Programs

With respect to the general subcriterion “Reasonableness, completeness and feasibility of the proposed approach to meet the objectives of the Funding Opportunity Announcement,” the following will be evaluated in determining whether this general subcriterion is met:

The extent to which the proposal includes:

- A description of the process by which an EM&V plan/framework will be created;

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- An explanation of how this process will include relevant stakeholders;
- An explanation of how the State will align with and/or apply with Uniform Methods Project protocols; and
- A description of how the State will pursue adoption of the EM&V framework developed.

**Transformative Category 1: Development or Expansion of Utility Related Programs**

Topic #5: Access to Whole Building Data

With respect to the general subcriterion “Reasonableness, completeness and feasibility of the proposed approach to meet the objectives of the Funding Opportunity Announcement,” the following will be evaluated in determining whether this general subcriterion is met:

The extent to which the proposal includes:

- A description of the process by which the applicant will develop policies that enable low-cost, standardized approaches for providing energy data for the purpose of whole-building energy performance benchmarking while protecting tenant privacy;
- Where applicable, a description of how the proposed process will be transparent and include stakeholders;
- A description of how the State will work to obtain support from the State’s regulatory utility commission (PUC, PSC, etc.), since in most cases this entity has regulatory authority in this area;
- A description of the strategy for engaging stakeholders and clients;
- An explanation of how the State will coordinate with related policies and programs;
- The timeline for implementation; and
- The resources required for successful implementation.

**Transformative Category 1: Development or Expansion of Utility Related Programs**

Topic #6: Customer Access to Standardized Usage Data

With respect to the general subcriterion “Reasonableness, completeness and feasibility of the proposed approach to meet the objectives of the Funding Opportunity Announcement,” the following will be evaluated in determining whether this general subcriterion is met:

The extent to which the proposal includes:

- A description of the process by which the applicant will develop policies that address data format standards, privacy and data access rules;

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- An explanation of how the data standard will align with, compare to, or apply the Green Button standard;
- Where applicable, a description of how the proposed process will be transparent and include stakeholders; and
- A description of how the State will work to obtain support from the State’s regulatory utility commission if this entity has regulatory authority in this area.

## **Transformative Category 2: Working with Local Governments**

### **Topic #1: Working with Local Governments on Advanced Policies and/or Programs**

With respect to the general subcriterion “Reasonableness, completeness and feasibility of the proposed approach to meet the objectives of the Funding Opportunity Announcement,” the following will be evaluated in determining whether this general subcriterion is met:

The extent to which the proposal describes:

- Structure of the proposed partnership with local governments, including the number and type of local government partners;
- Areas to be addressed under the partnership;
- Parameters of assistance to be provided by the State;
- The State and local governments’ respective roles and responsibilities in the partnership, including technical assistance to be provided by the State;
- Method(s) to be used to provide the proposal's technical assistance to the local government partners;
- How results from the partnership will be measured and verified;
- How the assistance will be made sustainable by institutionalizing the features of the partnership; and
- Degree of innovation in the proposal's approach. For example:
  - Methodologies to overcome first-cost bias, e.g., life cycle cost analysis
  - Use of unconventional financing mechanisms (e.g. QECBs, PPPs)
  - Inclusion of local government projects in State financing mechanisms
  - Integration of local government water and energy planning/programs;
  - Training and integration of local government departments in addressing energy efficiency
  - Development of local government climate mitigation plans

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## **Transformative Category 2: Working with Local Governments**

### **Topic #2: Working with Local Governments to Address Underserved Sectors**

With respect to the general subcriterion “Reasonableness, completeness and feasibility of the proposed approach to meet the objectives of the Funding Opportunity Announcement,” the following will be evaluated in determining whether this general subcriterion is met:

The extent to which the proposal describes:

- Identification of the underserved sector/s to be addressed (multi-family, small business, low-income, etc.), observed barriers, and how a partnership with local governments will work to overcome these barriers;
- Structure of the proposed partnership with local governments, including the number and type of local government partners;
- Parameters of assistance to be provided by the State;
- The State and local governments’ respective roles and responsibilities in the partnership, including technical assistance to be provided by the State;
- Method(s) to be used to provide the proposal's technical assistance to the local government partners;
- How results from the partnership will be measured and verified; and
- How the assistance will be made sustainable by institutionalizing the features of the partnership.

## **Transformative Category 2: Working with Local Governments**

### **Topic #3: Working with Local Governments to Address Wastewater Facilities**

With respect to the general subcriterion “Reasonableness, completeness and feasibility of the proposed approach to meet the objectives of the Funding Opportunity Announcement,” the following will be evaluated in determining whether this general subcriterion is met: The extent to which the proposal describes:

- Structure of the proposed partnership with local governments, including the number and type of local government partners;
- Parameters of assistance to be provided by the State;
- The State and local governments’ respective roles and responsibilities in the partnership;
- How baseline assumptions for energy consumption in wastewater facilities will be measured and verified;

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- How opportunities for improvements (mechanical upgrades, retrocommissioning, maintenance procedures and training, etc.) will be identified;
- How proposed strategy will be implemented (financing mechanisms, training, etc.);
- How progress (cost savings, kWh and GHG reductions, etc.) will be measured; and
- How the assistance will be made sustainable by standardization, information sharing, and institutionalizing the features of the partnership; and

The extent to which the energy efficiency training and technical assistance program for water and wastewater utilities includes the following elements:

- Conducting assessments of current energy consumption
- Conducting energy audits to identify projects or operational changes to improve energy efficiency, including use of renewable energy;
- Tracking progress in terms of costs savings, kWh reductions, and associated greenhouse gas reductions achieved by energy efficiency improvements and making this information available to the State and other communities;
- Assistance in communicating with local decision-makers on the importance of energy efficiency improvements; and
- Assistance with arranging financing for priority projects identified through the audits.

### **Transformative Category 3: Developing Financing Programs, EM&V Strategies, or Benchmarking & Disclosure Programs**

#### **Topic #1: Developing Financing Mechanisms for Public Sector Clean Energy Investment**

With respect to the general subcriterion “Reasonableness, completeness and feasibility of the proposed approach to meet the objectives of the Funding Opportunity Announcement,” the following will be evaluated in determining whether this general subcriterion is met:

The extent to which the proposal includes:

- A description of the current financing mechanisms offered by the State, if any, for **public sector** energy efficiency and renewable energy projects;
- A description of the financing mechanisms the State will seek to adopt or expand and how adoption or expansion will address current market barriers;
- A description of potential impact (for example, current size of public building stock and annual energy consumption estimates expressed in kWh and/or therms);

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- Potential for leveraging private capital;
- A description of the extent to which hard-to-reach sectors are addressed; and
- A description of how benefits (e.g., energy savings and cost savings) will be measured.

**Transformative Category 3: Developing Financing Programs, EM&V Strategies, or Benchmarking & Disclosure Programs**

**Topic #2: Developing Financing Mechanisms for Private Sector Clean Energy Investment**

With respect to the general subcriterion “Reasonableness, completeness and feasibility of the proposed approach to meet the objectives of the Funding Opportunity Announcement,” the following will be evaluated in determining whether this general subcriterion is met:

The extent to which the proposal includes:

- A description of the current financing mechanisms offered by the State, if any, for **private sector** energy efficiency and renewable energy projects;
- A description of the financing mechanisms the State will seek to adopt or expand and how adoption or expansion will address current market barriers;
- A description of potential impact (for example, current size of targeted market and annual energy consumption estimates expressed in kWh or therms);
- Potential for leveraging private capital;
- A description of the extent to which hard-to-reach sectors are addressed; and
- A description of how benefits (e.g., energy savings and cost savings) will be measured.

**Transformative Category 3: Developing Financing Programs, EM&V Strategies, or Benchmarking & Disclosure Programs**

**Topic #3: Energy Performance Benchmarking & Disclosure**

With respect to the general subcriterion “Reasonableness, completeness and feasibility of the proposed approach to meet the objectives of the Funding Opportunity Announcement,” the following will be evaluated in determining whether this general subcriterion is met:

The extent to which the proposal includes:

- A detailed explanation of the approach the State is proposing to take to create or expand benchmarking and disclosure policies or programs;
- An explanation of the type of policy or program to be pursued (mandatory, voluntary, or some hybrid) and the scope of the policy/program;
- A description of the strategy for engaging stakeholders and clients;

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- An explanation of how the State will coordinate with related policies and programs;
- The extent to which the proposal capitalizes on existing momentum in the State or region.

**Transformative Category 3: Developing Financing Programs, EM&V Strategies, or Benchmarking & Disclosure Programs**

**Topic #4: Evaluation, Measurement & Verification of non-Utility Programs**

With respect to the general subcriterion “Reasonableness, completeness and feasibility of the proposed approach to meet the objectives of the Funding Opportunity Announcement,” the following will be evaluated in determining whether this general subcriterion is met:

The extent to which the proposal includes:

- A description of the process by which an EM&V plan or framework will be created;
- An explanation of how this process will include relevant stakeholders and be transparent;
- An explanation of how the State will align with and/or apply ‘Uniform Methods Project Protocols’; and
- A description of how the State will pursue adoption and implementation.

**Criterion 2: Potential Impact**

Weight: 20%

The following criteria apply to all proposals:

- Degree to which success in initiating or expanding efforts in the selected policy/programs will move the State or region towards leadership in reducing electricity consumption;
- Degree to which the applicant demonstrates that the proposed approach can be replicated in other markets, States or regions;
- The scope of market segments reached by the proposed policy/programs;
- Degree to which applicant fully completed the FY15 State Energy Assessment, thus allowing an accurate assessment of the current energy efficiency and renewable energy state of play in the State.

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### **Criterion 3: Estimated Energy Savings Impact**

Weight: 20%

The following criteria apply to all proposals:

- Estimate of potential energy savings and/or increased renewable generation capacity; and
- Estimate of carbon dioxide reductions that would result from implementation of the project as conceived.

### **Criterion 4: Capabilities and Partnership Structure**

Weight: 30%

- Appropriateness of the credentials, capabilities, and experience of the project team, key personnel and partners;
- Degree to which the roles, responsibilities, and level of effort of each of the project team members has been explained and fits the project, and to which the described management approach allows for successful management and implementation of the proposed project;
- Ability of the applicant to achieve cooperation among and between States, local governments, industry, commissioners, stakeholder groups and other relevant organizations; and
- Degree of demonstrated commitment of the project team.

*For proposals regarding Category 2, Question 2 (Working with Local Governments to Address Underserved Sectors-**Wastewater or Water Utilities**) ONLY:*

With respect to the general subcriterion “Ability of the applicant to achieve cooperation among and between States, local governments, industry, commissioners, stakeholder groups and other relevant organizations,,” the following will be evaluated in determining whether this general subcriterion is met:

- Identification of other partners that will help enhance the implementation and support of the program such as energy utilities, energy service companies, EPA regional offices, DOE Industrial Assessment Centers, or other public or private sector stakeholders.

## **B. STANDARDS FOR APPLICATION EVALUATION**

Applications that are determined to be eligible will be evaluated in accordance with this FOA, by the standards set forth in EERE’s Notice of Objective Merit Review Procedure (76 Fed. Reg. 17846, March 31, 2011) and the guidance provided in the “Department of Energy Merit Review

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Guide for Financial Assistance,” which is available at:  
<http://energy.gov/sites/prod/files/meritrev.pdf>.

## **C. OTHER SELECTION FACTORS**

### **1. PROGRAM POLICY FACTORS**

In addition to the above criteria, the Selection Official may consider the following program policy factors in determining which Full Applications to select for award negotiations:

- The desire to select a mix of projects that achieves the strategic goals of EERE.
- The desire to select projects that represent a diverse portfolio of policies and strategies, including projects that address underserved sectors or address policies or issues that have not been addressed by previous awards.
- The desire to select programs that maximize the geographic diversity (considering past awards and current applications).
- The desire to select for award a group of programs with a broad or specific geographic distribution because of the nature of the energy source, the type of programs envisioned, or limitations of past efforts.
- The extent that the prime applicant represents an underserved eligible entity under the FOA. For purposes of this FOA, underserved is defined as an eligible applicant that has not received DOE competitive funding in the previous three years (2012, 2013 and 2014) for projects identical or similar in nature to the project it proposed under this FOA.

## **D. EVALUATION AND SELECTION PROCESS**

### **1. OVERVIEW**

The evaluation process consists of multiple phases that each include an initial eligibility review and a thorough technical review. Rigorous technical reviews are conducted by reviewers that are experts in the subject matter of the FOA. Ultimately, the Selection Official considers the recommendations of the reviewers, along with other considerations such as program policy factors, in determining which applications to select.

### **2. SELECTION**

The Selection Official may consider the technical merit, the Federal Consensus Board’s recommendations, program policy factors, and the amount of funds available in arriving at selections for this FOA.

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## **VI. AWARD ADMINISTRATION INFORMATION**

### **A. ANTICIPATED NOTICE OF SELECTION AND AWARD DATES**

EERE anticipates notifying applicants selected for negotiation of award by 7/20/2015 and making awards by 10/31/2015.

### **B. AWARD NOTICES**

#### **1. REJECTED SUBMISSIONS**

Ineligible Full Applications are rejected by the Contracting Officer and are not reviewed or considered.

The Contracting Officer sends a notification letter by email to the technical and administrative points of contact designated by the Applicant in EERE Exchange. The notification letter States the basis upon which the Full Application was rejected.

#### **2. FULL APPLICATION NOTIFICATIONS**

EERE notifies Applicants of its determination via a notification letter by email to the technical and administrative points of contact designated by the Applicant in EERE Exchange. The notification letter may inform the Applicant that its Full Application was selected for award negotiations, or not selected for award. Alternatively, EERE may notify one or more Applicants that a final selection determination on particular Full Applications will be made at a later date, subject to the availability of funds or other factors.

#### **3. SUCCESSFUL APPLICANTS**

A notification letter selecting a Full Application for award negotiations does not authorize the Applicant to commence performance of the project. If an application is selected for award negotiations, it is not a commitment to issue an award. Applicants do not receive an award until award negotiations are complete and the Contracting Officer executes the funding agreement.

The award negotiation process will take approximately 60 to 90 days. Applicants must designate a primary and a backup point-of-contact in EERE Exchange with whom EERE will communicate to conduct award negotiations. The Applicant must be responsive during award negotiations (e.g., provide requested documentation) and meet the negotiation deadlines.

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If the Applicant fails to do so or negotiations are otherwise unsuccessful, EERE will cancel award negotiations and rescind the Selection. EERE reserves the right to terminate award negotiations at any time for any reason.

Please refer to Section IV.G.2 of the FOA for guidance on pre-award costs.

#### **4. POSTPONED SELECTION DETERMINATIONS**

A notification letter postponing a final selection determination until a later date does not authorize the Applicant to commence performance of the project. EERE may ultimately determine to select or not select the Full Application for award negotiations.

#### **5. UNSUCCESSFUL APPLICANTS**

EERE shall promptly notify in writing each applicant whose application has not been selected for award or whose application cannot be funded because of the unavailability of appropriated funds. If the application was not selected, the written notice shall explain why the application was not selected.

### **C. ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS**

#### **1. REGISTRATION REQUIREMENTS**

There are several one-time actions before submitting an application in response to this Funding Opportunity Announcement (FOA), and it is vital that applicants address these items as soon as possible. Some may take several weeks, and failure to complete them could interfere with an applicant's ability to apply to this FOA, or to meet the negotiation deadlines and receive an award if the application is selected. These requirements are as follows:

##### *i. EERE Exchange*

Register and create an account on EERE Exchange at <https://eere-Exchange.energy.gov>. This account will then allow the user to register for any open EERE FOAs that are currently in EERE Exchange. It is recommended that each organization or business unit, whether acting as a team or a single entity, use only one account as the contact point for each submission. Backup points of contact should be designated so that applicants may be easily contacted if deemed necessary. This step is required to apply to this FOA.

The EERE Exchange registration does not have a delay. However, the remaining registration requirements listed below could take several weeks to process.

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Although registration in these systems is not a precursor to beginning the application process in Exchange, they are necessary for a potential applicant to receive an award under this FOA. All potential applicants lacking a DUNS number, or not yet registered with SAM or FedConnect should complete those registrations as soon as possible.

*ii. DUNS Number*

Obtain a Dun and Bradstreet Data Universal Numbering System (DUNS) number (including the plus 4 extension, if applicable) at <http://fedgov.dnb.com/webform>.

*iii. System for Award Management*

Register with the System for Award Management (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. Please update your SAM registration annually.

*iv. Grants.gov*

Register in Grants.gov (<http://www.grants.gov>) to receive automatic updates when Amendments to this FOA are posted. However, please note that Full Applications will not be accepted through Grants.gov.

*v. FedConnect*

Register in FedConnect at <https://www.fedconnect.net>. To create an account for your organization, your organization's SAM MPIN is required. For more information about the SAM MPIN or other registration requirements, review the FedConnect Ready, Set, Go! Guide at: [http://www.fedconnect.net/FedConnect/Marketing/Documents/FedConnect\\_Ready\\_Set\\_Go.pdf](http://www.fedconnect.net/FedConnect/Marketing/Documents/FedConnect_Ready_Set_Go.pdf)

*vi. Electronic Authorization of Applications and Award Documents*

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

## **2. AWARD ADMINISTRATIVE REQUIREMENTS**

The administrative requirements for DOE grants and cooperative agreements are contained in 10 CFR 600, or for awards issued on or after 12/26/2014, the Financial Assistance regulations contained in 2 CFR 200, which will be codified by Chapter IX of 2 CFR (DOE's new financial assistance regulations).

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### **3. FOREIGN NATIONAL INVOLVEMENT**

All applicants that ultimately enter into an award resulting from this FOA will be subject to the following requirement concerning foreign national involvement. Upon DOE's request, Prime Recipients must provide information to facilitate DOE's responsibilities associated with foreign national access to DOE sites, information, technologies, and equipment. Foreign national is defined as any person who was born outside the jurisdiction of the United States, is a citizen of a foreign government, and has not been naturalized under U.S. law.

If the Prime Recipient or Sub-recipients, contractors or vendors under the award, anticipate utilizing a foreign national person in the performance of an award, the Prime Recipient is responsible for providing to the Contracting Officer specific information of the foreign national(s) to satisfy compliance with all of the requirements for access approval.

### **4. LIMITATIONS ON COMPENSATION COSTS**

The annual compensation costs for an individual allowable under this Award are limited to \$250,000 (i.e., \$250,000 is the maximum amount that EERE will reimburse a Recipient for any one individual's annual compensation and EERE will not recognize such costs above \$250,000 as Recipient cost match).

This limitation does not restrict the Recipient or its Sub-recipients from providing annual compensation to an individual that exceeds \$250,000. However, any amount above \$250,000 cannot be included in the total project costs (i.e., Federal share or Recipient cost match).

For purposes of this requirement only, the term "annual compensation costs" is defined to include the total amount of wages and salary paid to the employee, which have been approved by the Contracting Officer.

### **5. SUBAWARD AND EXECUTIVE REPORTING**

Additional administrative requirements necessary for DOE grants and cooperative agreements to comply with the Federal Funding and Transparency Act of 2006 (FFATA) are contained in 2 CFR Part 170. **Prime Recipients must register with the new FFATA Subaward Reporting System database and report the required data on their first tier Sub-recipients:** <https://www.fsrs.gov/>.

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## **6. NATIONAL POLICY REQUIREMENTS**

The National Policy Assurances that are incorporated as a Term and Condition of award are located at: <http://energy.gov/management/downloads/national-policy-assurances-be-incorporated-award-terms>.

## **7. ENVIRONMENTAL REVIEW IN ACCORDANCE WITH NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)**

DOE has determined the following activities that are funded by DE-FOA-0001222 are categorically excluded from further NEPA review, absent extraordinary circumstances, cumulative impacts, or connected actions that may lead to significant impacts on the environment, or any inconsistency with “integral elements” (as contained in 10 C.F.R. Part 1021, Appendix B) as they relate to a particular project:

### **Area of Interest 1 - State Energy Planning:**

Assist State/regional energy planning by funding efforts to facilitate stakeholder and interagency discussions and related activities concerning the future direction of the energy sector in the region/State, with emphasis on the electric power sector and natural gas supply and transport and how energy efficiency and renewable energy fit into the vision for the future.

### **Area of Interest 2 - Innovative Opportunities for Energy Efficiency and Renewable Energy Practices:**

Assist States in developing and implementing a plan to advance specific clean energy policies tailored to a State’s specific resources and energy profiles.

Under both Areas of Interest, The State is responsible for:

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

This FOA-wide categorical exclusion does not apply if DOE funding will be used for:

- Ground-breaking activities;
- New construction;

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- Installation of energy efficient retrofits; or
- Installation of onsite renewable energy technology that generate electricity from renewable resources.

If funding will be used for projects or activities that fall outside categorically excluded activities, additional NEPA review is required. States must complete the environmental questionnaire (<https://www.eere-pmc.energy.gov/NEPA.aspx>). Recipients are restricted from taking any action using Federal funds, which would have an adverse effect on the environment or limit the choice of reasonable alternatives prior to DOE providing a final NEPA determination.

If the recipient moves forward with activities that are not authorized for Federal funding by the DOE Contracting Officer in advance of the NEPA determination, the recipient is doing so at risk of not receiving Federal funding and such costs may not be recognized as allowable cost match.

## **8. APPLICANT REPRESENTATIONS AND CERTIFICATIONS**

### *a. Lobbying Restrictions*

By accepting funds under this award, the Recipient agrees that none of the funds obligated on the award shall be expended, directly or indirectly, to influence Congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. §1913. This restriction is in addition to those prescribed elsewhere in statute and regulation.

### *b. Corporate Felony Conviction and Federal Tax Liability Representations (March 2014)*

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

(1) It is **not** a corporation that has been convicted of a felony criminal violation under any Federal law within the preceding 24 months,

(2) It is **not** a corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.

For purposes of these representations the following definitions apply:

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

#### **9. STATEMENT OF FEDERAL STEWARDSHIP**

EERE will exercise normal Federal stewardship in overseeing the project activities performed under EERE Awards. Stewardship Activities include, but are not limited to, conducting site visits; reviewing performance and financial reports, providing assistance and/or temporary intervention in usual circumstances to correct deficiencies that develop during the project; assuring compliance with terms and conditions; and reviewing technical performance after project completion to ensure that the project objectives have been accomplished.

#### **10. STATEMENT OF SUBSTANTIAL INVOLVEMENT**

EERE has substantial involvement in work performed under Awards made following this FOA. EERE does not limit its involvement to the administrative requirements of the Award. Instead, EERE has substantial involvement in the direction and redirection of the technical aspects of the project as a whole. Substantial involvement includes, but is not limited to, the following:

1. EERE may intervene in the conduct or performance of work under this Award for programmatic reasons. Intervention includes the interruption or modification of the conduct or performance of project activities.
2. EERE participates in major project decision-making processes.
3. EERE may provide technical assistance to help States and their partners achieve the goals of their project.
4. EERE shares responsibility with the Recipient for the management, control, direction, and performance of the Project in the areas outlined below:

#### **Area of Interest 1 - State Energy Planning**

DOE involvement may include, but not be limited to, co-chairing stakeholder meetings with Awardees to provide insight and guidance; facilitating agreements amongst participating organizations; developing and validating overall program approaches; participating in project management planning activities; integrating the work effort to ensure that project results address critical system and programmatic goals established by DOE EERE, in coordination with the Awardee; and promoting and facilitating best practice sharing.

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#### DOE Involvement:

- Participating in meetings or conference calls with States and their partners to provide insight and guidance in developing successful road mapping strategies;
- Working with the States to facilitate partnerships amongst and between various government agencies at the State and local levels so that Awardees can take advantage of the national reach of DOE;
- Participating in project management planning activities to ensure DOE's program requirements and/or limitations are considered in performance of the work elements;
- May include providing technical assistance to help States and their partners achieve the goals of their project; and
- Integrating the work effort to ensure that project results address critical system and programmatic goals established by DOE EERE, in coordination with the State Energy Program. Additionally, DOE will coordinate with the States to ensure that the plans are represented in their yearly State energy plan submitted to DOE, as deemed appropriate.

#### Recipient Responsibilities:

- Performing the project activities supported by the award in accordance with the program/strategic plan, including providing the required personnel, facilities, equipment, supplies and services;
- Managing and controlling project activities in accordance with its own established processes and procedures to ensure tasks and subtasks are completed within schedule and budget constraints defined by the program/strategic goal;
- Notifying the DOE point of contact (POC) of all critical decision points and major meetings in sufficient time to allow the POC to participate in person or via the phone;
- Coordinating with DOE, and holding stakeholder meetings to develop successful road-mapping strategies;
- Implementing an approach to identify, analyze and respond to project risk that is commensurate with the complexity of the project;
- Defining and revising approaches and plans, submitting the plans to DOE for review and incorporating DOE comments;
- Coordinating related project activities with team members and external stakeholders to ensure effective integration of work elements (e.g., working collaboratively with DOE and other State awardees during project implementation, including attending periodic peer-to-peer meetings and participating in conference calls to share resources, barriers and solutions, as well as lessons learned); and
- Submitting progress reports, providing data, tools, other documentation and addressing DOE concerns and comments.

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## **Area of Interest 2 – Opportunities for Innovative Energy Efficiency and Renewable Energy Practices**

DOE involvement may include, but not be limited to, co-chairing stakeholder meetings with Awardees to provide insight and guidance; facilitating agreements amongst participating organizations; developing and validating overall program approaches that are replicable and appropriate to other areas of the country; participating in project management planning activities; integrating the work effort to ensure that project results address critical system and programmatic goals established by DOE EERE, in coordination with the Awardee; and promoting and facilitating best practice sharing.

### DOE Involvement:

- Participating in meetings or conference calls with States and their partners to provide insight and guidance in developing successful strategies;
- Working with the States to facilitate partnerships amongst and between various government agencies at the State and local levels (in areas such as financing, marketing and outreach) so that Awardees can take advantage of the national reach of DOE;
- Working with awardees in the development of consistent best practices and implementation of those best practices in other similar programs, which will involve collaboration with other States in developing standardized tools, including contract templates, terms, methodologies, etc. as applicable to the project;
- Participating in project management planning activities to ensure DOE's program requirements and/or limitations are considered in performance of the work elements;
- May include providing technical assistance to help States and their partners achieve the goals of their project; and
- Integrating the work effort to ensure that project results address critical system and programmatic goals established by DOE EERE, in coordination with the State Energy Program.
- Additionally, DOE will coordinate with the States to ensure that the plans are represented in their yearly State energy plan submitted to DOE, as deemed appropriate.

### Recipient Responsibilities:

- Performing the project activities supported by the award in accordance with the program/strategic plan, including providing the required personnel, facilities, equipment, supplies and services;

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- Managing and controlling project activities in accordance with its own established processes and procedures to ensure tasks and subtasks are completed within schedule and budget constraints defined by the program/strategic goal;
- Notifying the DOE point of contact (POC) of all critical decision points and major meetings in sufficient time to allow the POC to participate in person or via the phone;
- Coordinating with DOE, and holding stakeholder meetings to develop successful road-mapping strategies;
- Implementing an approach to identify, analyze and respond to project risk that is commensurate with the complexity of the project;
- Defining and revising approaches and plans, submitting the plans to DOE for review and incorporating DOE comments;
- Coordinating related project activities with team members and external stakeholders to ensure effective integration of work elements (e.g., working collaboratively with DOE and other State awardees during project implementation, including attending periodic peer-to-peer meetings and participating in conference calls to share resources, barriers and solutions, as well as lessons learned); and
- Submitting progress reports, providing data, tools, other documentation and addressing DOE concerns and comments.

## **11. REPORTING**

Reporting requirements are identified on the Federal Assistance Reporting Checklist, DOE F 4600.2, attached to the award agreement. The checklist can be accessed at [http://energy.gov/sites/prod/files/2013/05/f0/Attch\\_FA\\_RepReqChecklist\\_COMBINED\\_FINAL\\_4-23-13%20%283%29\\_0.pdf](http://energy.gov/sites/prod/files/2013/05/f0/Attch_FA_RepReqChecklist_COMBINED_FINAL_4-23-13%20%283%29_0.pdf).

## **VII. QUESTIONS/AGENCY CONTACTS**

Upon the issuance of a FOA, EERE personnel are prohibited from communicating (in writing or otherwise) with Applicants regarding the FOA except through the established question and answer process as described below.

Specifically, questions regarding the content of this FOA must be submitted to: [SEPFY15FOA1222@ee.doe.gov](mailto:SEPFY15FOA1222@ee.doe.gov) not later than 3 business days prior to the application due date.

All questions and answers related to this FOA will be posted on EERE Exchange at: <https://eere-exchange.energy.gov>. **Please note that you must first select this specific FOA Number in order to view the questions and answers specific to this FOA.** EERE will attempt to respond to a question within 3 business days, unless a similar question and answer has already been posted on the website.

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Questions related to the registration process and use of the EERE Exchange website should be submitted to: [EERE-ExchangeSupport@hq.doe.gov](mailto:EERE-ExchangeSupport@hq.doe.gov).

## **VIII. OTHER INFORMATION**

### **A. FOA MODIFICATIONS**

Amendments to this FOA will be posted on the EERE Exchange website and the Grants.gov system.

However, you will only receive an email when an amendment or a FOA is posted on these sites if you register for email notifications for this FOA in EERE Exchange and/or Grants.gov. EERE recommends that you register as soon after the release of the FOA as possible to ensure you receive timely notice of any amendments or other FOAs.

### **B. INFORMATIONAL WEBINARS**

EERE will conduct two informational webinars during the FOA process. Both will be held after the initial FOA release but before the due date for the Full Application.

The purpose of these webinars is to give applicants a chance to ask general questions about the FOA process. Attendance is not mandatory and will not positively or negatively impact the overall review of any Applicant submissions. As the webinar will be open to all Applicants who wish to participate, Applicants should refrain from asking questions or communicating information that would reveal confidential and/or proprietary information specific to their project. Specific dates for the webinar can be found on the cover page of the FOA.

### **C. GOVERNMENT RIGHT TO REJECT OR NEGOTIATE**

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

### **D. COMMITMENT OF PUBLIC FUNDS**

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

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## **E. TREATMENT OF APPLICATION INFORMATION**

In general, EERE will use data and other information contained in applications for evaluation purposes only unless such information is generally available to the public or is already the property of the Government.

Applicants should not include trade secrets or commercial or financial information that is privileged or confidential in their application unless such information is necessary to convey an understanding of the proposed project or to comply with a requirement in the FOA.

Applications containing trade secrets or commercial or financial information that is privileged or confidential, which the applicant does not want disclosed to the public or used by the Government for any purpose other than application evaluation, must be marked as described in this section.

The cover sheet of the application must be marked as follows and identify the specific pages containing trade secrets or commercial or financial information that is privileged or confidential:

Notice of Restriction on Disclosure and Use of Data:

Pages [list applicable pages] of this document may 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 financial assistance or loan 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.  
[End of Notice]

The header and footer of every page that contains trade secrets or commercial or financial information that is privileged or must be marked as follows: "May contain trade secrets or commercial or financial information that is privileged or confidential and exempt from public disclosure."

In addition, each line or paragraph containing trade secrets or commercial or financial information that is privileged or confidential must be enclosed in brackets.

The above markings enable EERE to follow the provisions of 10 CFR 1004.11(d) in the event a Freedom of Information Act (FOIA) request is received for information submitted with an

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application. Failure to comply with these marking requirements may result in the disclosure of the unmarked information under a FOIA request or otherwise. The U.S. Government is not liable for the disclosure or use of unmarked information, and may use or disclose such information for any purpose.

Subject to the specific FOIA exemptions identified in 5 U.S.C. 552(b), all information submitted to EERE by a FOA applicant is subject to public release under the Freedom of Information Act, 5 U.S.C. §552, as amended by the OPEN Government Act of 2007, Pub. L. No. 110-175. It is the applicant's responsibility to review FOIA and its exemptions to understand (1) what information may be subject to public disclosure and (2) what information applicants submit to the Government that are protected by law.

In some cases, DOE may be unable to make an independent determination regarding which information submitted by an applicant is releasable and which is protected by an exemption. In such cases, DOE will consult with the applicant, in accordance with 10 C.F.R. §1004.11, to solicit the applicant's views on how the information should be treated.

#### **F. EVALUATION AND ADMINISTRATION BY NON-FEDERAL PERSONNEL**

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

#### **G. NOTICE REGARDING ELIGIBLE/INELIGIBLE ACTIVITIES**

Eligible activities under this Technology Office include those which describe and promote the understanding of scientific and technical aspects of specific energy technologies, but not those which encourage or support political activities such as the collection and dissemination of information related to potential, planned or pending legislation.

#### **H. NOTICE OF RIGHT TO CONDUCT A REVIEW OF FINANCIAL CAPABILITY**

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

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## **I. NOTICE OF POTENTIAL DISCLOSURE UNDER FREEDOM OF INFORMATION ACT**

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

## **J. REQUIREMENT FOR FULL AND COMPLETE DISCLOSURE**

Applicants are required to make a full and complete disclosure of all information requested. Any failure to make a full and complete disclosure of the requested information may result in:

- The rejection of a the Full Application;
- The termination of award negotiations;
- The modification, suspension, and/or termination of a funding agreement;
- The initiation of debarment proceedings, debarment, and/or a declaration of ineligibility for receipt of Federal contracts, subcontracts, and financial assistance and benefits; and
- Civil and/or criminal penalties.

## **K. RETENTION OF SUBMISSIONS**

EERE expects to retain copies of all Full Applications and other submissions. No submissions will be returned. By applying to EERE for funding, Applicants consent to EERE's retention of their submissions.

## **L. TITLE TO SUBJECT INVENTIONS**

Ownership of subject inventions is governed pursuant to the authorities listed below.

- Domestic Small Businesses, Educational Institutions, and Nonprofits: Under the Bayh-Dole Act (35 U.S.C. § 200 et seq.), domestic small businesses, educational institutions, and nonprofits may elect to retain title to their subject inventions.
- All other parties: The Federal Non-Nuclear Energy Act of 1974, 42. U.S.C. 5908 provides that the Government obtains title to new inventions unless a waiver is granted (see below).
- Class Patent Waiver: Under 42 U.S.C. § 5908, title to subject inventions vests in the U.S. Government and large businesses and foreign entities do not have the automatic right to elect to retain title to subject inventions. However, EERE may issue "class patent

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waivers” under which large businesses and foreign entities that meet certain stated requirements may elect to retain title to their subject inventions.

- **Advance and Identified Waivers:** Applicants may request a patent waiver that will cover subject inventions that may be invented under the award, in advance of or within 30 days after the effective date of the award. Even if an advance waiver is not requested or the request is denied, the recipient will have a continuing right under the award to request a waiver for identified inventions, i.e., individual subject inventions that are disclosed to EERE within the timeframes set forth in the award’s intellectual property terms and conditions. Any patent waiver that may be granted is subject to certain terms and conditions in 10 CFR 784.

## **M. GOVERNMENT RIGHTS IN SUBJECT INVENTIONS**

Where Recipients and Sub-recipients retain title to subject inventions, the U.S. Government retains certain rights.

### **1. GOVERNMENT USE LICENSE**

The U.S. Government retains a nonexclusive, nontransferable, irrevocable, paid-up license to practice or have practiced for or on behalf of the United States any subject invention throughout the world. This license extends to contractors doing work on behalf of the Government.

### **2. MARCH-IN RIGHTS**

The U.S. Government retains march-in rights with respect to all subject inventions. Through “march-in rights,” the Government may require a Prime Recipient or Sub-recipient who has elected to retain title to a subject invention (or their assignees or exclusive licensees), to grant a license for use of the invention to a third party. In addition, the Government may grant licenses for use of the subject invention when a Prime Recipient, Sub-recipient, or their assignees and exclusive licensees refuse to do so.

DOE may exercise its march-in rights only if it determines that such action is necessary under any of the four following conditions:

- 1) The owner or licensee has not taken or is not expected to take effective steps to achieve practical application of the invention within a reasonable time;
- 2) The owner or licensee has not taken action to alleviate health or safety needs in a reasonably satisfied manner;

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- 3) The owner has not met public use requirements specified by Federal statutes in a reasonably satisfied manner; or
- 4) The U.S. Manufacturing requirement has not been met.

Any determination that march-in rights are warranted must follow a fact-finding process in which the recipient has certain rights to present evidence and witnesses, confront witnesses and appear with counsel and appeal any adverse decision. To date, DOE has never exercised its march-in rights to any subject inventions.

## **N. RIGHTS IN TECHNICAL DATA**

Data rights differ based on whether data is first produced under an award or instead was developed at private expense outside the award.

“Limited Rights Data”: The U.S. Government will not normally require delivery of confidential or trade secret-type technical data developed solely at private expense prior to issuance of an award, except as necessary to monitor technical progress and evaluate the potential of proposed technologies to reach specific technical and cost metrics.

Government Rights in Technical Data Produced Under Awards: The U.S. Government retains unlimited rights in technical data produced under Government financial assistance awards, including the right to distribute to the public. One exception to the foregoing is that invention disclosures may be protected from public disclosure for a reasonable time in order to allow for filing a patent application.

## **O. COPYRIGHT**

The Prime Recipient and Sub-recipients may assert copyright in copyrightable data, such as software, first produced under the award without EERE approval. When copyright is asserted, the Government retains a paid-up nonexclusive, irrevocable worldwide license to reproduce, prepare derivative works, distribute copies to the public, and to perform publicly and display publicly the copyrighted work. This license extends to contractors and others doing work on behalf of the Government.

## **P. PROTECTED PERSONALLY IDENTIFIABLE INFORMATION**

In responding to this FOA, Applicants must ensure that Protected Personally Identifiable Information (PII) is not included in the following documents: Project Abstract, Project Narrative,

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Biographical Sketches, Budget or Budget Justification. These documents will be used by the Merit Review Committee in the review process to evaluate each application. PII is defined by the Office of Management and Budget (OMB) and EERE as:

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

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

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

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

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

- Social Security Numbers in any form
- Place of Birth associated with an individual
- Date of Birth associated with an individual
- Mother's maiden name associated with an individual
- Biometric record associated with an individual
- Fingerprint
- Iris scan
- DNA
- Medical history information associated with an individual
- Medical conditions, including history of disease
- Metric information, e.g. weight, height, blood pressure
- Criminal history associated with an individual
- Employment history and other employment information associated with an individual
- Ratings
- Disciplinary actions

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- Performance elements and standards (or work expectations) are PII when they are so intertwined with performance appraisals that their disclosure would reveal an individual's performance appraisal
- Financial information associated with an individual
- Credit card numbers
- Bank account numbers
- Security clearance history or related information (not including actual clearances held)

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

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

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## **Q. ANNUAL COMPLIANCE AUDITS**

If an educational institution, non-profit organization, or State/local government is a Prime Recipient or Sub-recipient and has expended greater than \$750K of Federal funds in a respective fiscal year, then an A-133 audit is required. For additional information, please refer to OMB Circular A-133 through the link below.

<http://www.whitehouse.gov/sites/default/files/omb/assets/omb/circulars/a133/a133.pdf>.

Applicants and Sub-recipients (if applicable) should propose sufficient costs in the project budget to cover the costs associated with the audit. EERE will share in the cost of the audit at its applicable cost match ratio.

## **APPENDIX A – DEFINITIONS**

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

"**Application**" means the documentation submitted in response to a FOA.

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

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

"**Budget**" means the cost expenditure plan submitted in the Application, including both the EERE contribution and the Applicant cost match.

"**Compliance**" is an eligibility determination that refers to the non-technical requirements outlined in a FOA (e.g., formatting, timeliness of submission, or satisfaction of prerequisites).

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

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

"**Cooperative Agreement**" means a Financial Assistance instrument used by EERE to transfer money or property when the principal purpose of the transaction is to accomplish a public purpose of support or stimulation authorized by Federal statute, and Substantial Involvement (see definition below) is anticipated between EERE and the Applicant during the performance of the contemplated activity. Refer to 2 CFR 200 for additional information regarding cooperative agreements.

"**Cost Sharing**" means that portion of the project or program's costs not borne by the Federal Government. The percentage of Applicant Cost Match is to be applied to the Total Project Cost (i.e., the sum of Applicant plus EERE Cost Match) rather than to the EERE contribution alone. Cost sharing information can be found in the Code of Federal Regulations at 2 CFR 200.

**“Data Universal Numbering System (DUNS) Number”** is a unique nine-character identification number issued by Dun and Bradstreet (D&B). Organizations must have a DUNS number prior to registering in the SAM. Call 1-866-705-5711 to receive one free of charge.

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

**“EERE Exchange”** is the Department of Energy, Energy Efficiency and Renewable Energy’s web system for posting Federal FOAs and receiving applications. EERE Exchange may be found at <https://eere-exchange.energy.gov>.

**E-Find”** is a Grants.gov webpage where you can search for Federal Funding Opportunities in FedGrants. It can be found at [www.grants.gov/web/grants/search-grants.html](http://www.grants.gov/web/grants/search-grants.html).

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

**“FedConnect”** is where federal agencies make awards via the web. It can be found at <https://www.fedconnect.net/FedConnect/>.

**“Federally Funded Research and Development Center (FFRDC)”** means a government-sponsored operation that exists for the purpose of carrying out various functions related to both basic and applied research and development on behalf of the Government. Typically, most or all of the facilities utilized in an FFRDC are owned by the Government, but the operations are not always managed by the Government; an FFRDC may be managed by a University or consortium of Universities, other not-for-profit or nonprofit organization, or a for-profit organization, with the Government performing an oversight function.

**“Funding Opportunity Announcement (FOA)”** is a publicly available document by which a Federal agency makes known its intentions to award discretionary grants or cooperative agreements, usually as a result of competition for funds. FOAs may be known as FOAs, notices of funding availability, solicitations, or other names depending on the agency and type of program. See 2 CFR 200 for more information.

**"Grant"** means a Financial Assistance instrument used by EERE to transfer money or property when the principal purpose of the transaction is to accomplish a public purpose of support or

stimulation authorized by Federal statute, and no Substantial Involvement is anticipated between EERE and the Applicant during the performance of the contemplated activity.

**“Grants.gov”** is the “storefront” web portal which allows organizations to electronically find grant opportunities from all Federal grant-making agencies. Grants.gov is THE single access point for over 900 grant programs offered by the 26 Federal grant-making agencies. It can be accessed at <http://www.grants.gov>.

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

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

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

**“Modification”** means a revision to a FOA.

**"Participant"** for purposes of this FOA only, means any entity, except the Applicant substantially involved in a Consortium, or other business arrangement (including all parties to the Application at any tier), responding to the FOA.

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

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

**“Project Team”** means the team which consists of the Prime Recipient, Sub-recipients, and others performing or otherwise supporting work under an EERE funding agreement.

**“Proposal”** is the term used to describe the documentation submitted in response to a FOA. Also see Application.

**“Prime Recipient”** means the organization, individual, or other entity that receives a Financial Assistance Award from EERE (i.e., is the signatory on the award), is financially accountable for the use of any EERE funds or property provided for the performance of the Project, and is legally responsible for carrying out the terms and condition of the award.

**“Responsiveness”** is an eligibility determination that refers to the objective technical requirements (not goals or targets) outlined in a FOA, such as a technology type or technical parameters. For example, submission of a photovoltaic solar panel design in response to a FOA calling for innovative geothermal drilling technologies should be found nonresponsive. Likewise, an application with a design that incorporates rare earth materials to a FOA that prohibits the use of rare earth materials should be found nonresponsive. Conversely, the belief that a technology will not achieve the technical targets of the FOA will never be used as a proper basis for a rejection as nonresponsive.

**“System for Award Management (SAM)”** is the primary database which collects, validates, stores and disseminates data in support of agency missions. It can be accessed at <https://www.sam.gov>.

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

**"Selection Official"** means the EERE official designated to select Applications for negotiation toward Award under a subject FOA.

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

**"Total Project Cost"** means all the funds to complete the effort proposed by the Applicant, including EERE funds plus all other funds that will be committed by the Applicant as Cost Match.

**“Tribal Energy Resource Development Organization or Group”** means an “organization” of two or more entities, at least one of which is an Indian Tribe (see “Indian Tribe” above) that has the written consent of the governing bodies of all Indian Tribes participating in the organization to apply for a grant or loan, or other assistance under 25 U.S.C. § 3503.

## **APPENDIX B – COST MATCH INFORMATION**

### **Cost Sharing or Cost Matching**

The terms “cost sharing” and “cost matching” are often used synonymously. Even the DOE Financial Assistance Regulations, 2 CFR 200, use both of the terms in the titles specific to regulations applicable to cost sharing. EERE almost always uses the term “cost sharing,” as it conveys the concept that non-federal share is calculated as a percentage of the Total Project Cost. An exception is the State Energy Program Regulation (SEP), 10 CFR 420.34, State Matching Contribution. Here “cost matching” for the non-federal share is calculated as a percentage of the Federal funds only, rather than the Total Project Cost.

### **How Cost Matching Is Calculated**

As Stated above, cost match is calculated as a percentage of the Federal dollars requested. The following is an example of how to calculate cost match amounts for a project with \$1,000,000 in federal funds with a minimum 20% non-federal cost match requirement:

Formula: Federal share requested (\$) multiplied by cost match (%) = Non Federal Share (\$)

Example: \$1,000,000 multiplied by 20% (.2) = \$200,000 or Amount of Cost Match Required

### **What Qualifies For Cost Matching**

While it is not possible to explain what specifically qualifies for cost matching in one or even a couple of sentences, in general, if a cost is allowable under the cost principles applicable to the organization incurring the cost and is eligible for reimbursement under an EERE grant or cooperative agreement, then it is allowable as cost match. Conversely, if the cost is not allowable under the cost principles and not eligible for reimbursement, then it is not allowable as cost match. In addition, costs may not be counted as cost match if they are paid by the Federal Government under another award unless authorized by Federal statute to be used for cost matching.

The rules associated with what is allowable as cost match are specific to the type of organization that is receiving funds under the grant or cooperative agreement, though are generally the same for all types of entities. Refer to the following applicable 2 CFR 200 Federal cost principles as amended by 2 CFR 910 for the applicable Federal cost principles.

In addition to the regulations referenced above, other factors may also come into play such as timing of donations and length of the project period. For example, the value of ten years of

donated maintenance on a project that has a project period of five years would not be fully allowable as cost match. Only the value for the five years of donated maintenance that corresponds to the project period is allowable and may be counted as cost match.

Additionally, EERE generally does not allow pre-award costs for either cost match or reimbursement when these costs precede the signing of the appropriation bill that funds the award. In the case of a competitive award, EERE generally does not allow pre-award costs prior to the signing of the Selection Statement by the EERE Selection Official.

DOE Financial Assistance Rules (2 CFR 200 as amended by 2 CFR part 910)

As Stated above, the rules associated with what is allowable cost match are generally the same for all types of organizations. Following are the rules found to be common, but again, the specifics are contained in the regulations and cost principles specific to the type of entity:

(A) Acceptable contributions. All contributions, including cash contributions and third party in-kind contributions, must be accepted as part of the Prime Recipient's cost matching if such contributions meet all of the following criteria:

- (1) They are verifiable from the recipient's records.
- (2) They are not included as contributions for any other federally-assisted project or program.
- (3) They are necessary and reasonable for proper and efficient accomplishment of project or program objectives.
- (4) They are allowable under the cost principles applicable to the type of entity incurring the cost as follows: refer to 2 CFR 200 as amended by 2CFR910
- (5) They are not paid by the Federal Government under another award unless authorized by Federal statute to be used for cost sharing or matching.
- (6) They are provided for in the approved budget.

(B) Valuing and documenting contributions

- Valuing recipient's property or services of recipient's employees. Values are established in accordance with the applicable cost principles, which mean that amounts chargeable to the project are determined on the basis of costs incurred. For real property or equipment used on the project, the cost principles authorize depreciation or use charges.

- The full value of the item may be applied when the item will be consumed in the performance of the award or fully depreciated by the end of the award. In cases where the full value of a donated capital asset is to be applied as cost sharing or matching, that full value must be the lesser or the following:
  - a. The certified value of the remaining life of the property recorded in the recipient's accounting records at the time of donation; or
  - b. The current fair market value. If there is sufficient justification, the Contracting Officer may approve the use of the current fair market value of the donated property, even if it exceeds the certified value at the time of donation to the project. The Contracting Officer may accept the use of any reasonable basis for determining the fair market value of the property.
  
- Valuing services of others' employees. If an employer other than the recipient furnishes the services of an employee, those services are valued at the employee's regular rate of pay, provided these services are for the same skill level for which the employee is normally paid.
  
- Valuing volunteer services. Volunteer services furnished by professional and technical personnel, consultants, and other skilled and unskilled labor may be counted as cost sharing or matching if the service is an integral and necessary part of an approved project or program. Rates for volunteer services must be consistent with those paid for similar work in the recipient's organization. In those markets in which the required skills are not found in the recipient organization, rates must be consistent with those paid for similar work in the labor market in which the recipient competes for the kind of services involved. In either case, paid fringe benefits that are reasonable, allowable, and allocable may be included in the valuation.
  
- Valuing property donated by third parties.
  - a. Donated supplies may include such items as office supplies or laboratory supplies. Value assessed to donated supplies included in the cost sharing or matching must be reasonable and must not exceed the fair market value of the property at the time of the donation.
  - b. Normally only depreciation or use charges for equipment and buildings may be applied. However, the fair rental charges for land and the full value of equipment or other capital assets may be allowed, when they will be consumed in the performance of the award or fully depreciated by the end of the award, provided that the Contracting Officer has approved the charges.
  - c. When use charges are applied, values must be determined in accordance with the usual accounting policies of the recipient, with the following qualifications:

- i. The value of donated space must not exceed the fair rental value of comparable space as established by an independent appraisal of comparable space and facilities in a privately-owned building in the same locality.
  - ii. The value of loaned equipment must not exceed its fair rental value.
- Documentation. The following requirements pertain to the recipient's supporting records for in-kind contributions from third parties:
  - a. Volunteer services must be documented and, to the extent feasible, supported by the same methods used by the recipient for its own employees.
  - b. The basis for determining the valuation for personal services and property must be documented

## **APPENDIX C - BUDGET JUSTIFICATION**

Using the “Object Class Categories” in the SF-424A Budget form and the EERE 159 Justification form, justify the costs in each category for each budget period of the project.

The SF424A Budget form and the EERE 159 Budget Justification forms must include both Federal (DOE), and Non-Federal (cost match) funds, thereby reflecting TOTAL PROJECT COSTS proposed. Below is further detail that may help applicants in completing these forms.

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

All costs incurred by the Applicant’s Sub-recipients , vendors, contractors, and consultants should be entered only in section 6, Contractual. All other sections are for the costs of the Applicant only.

### **PERSONNEL**

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

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

**FRINGE**

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

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

**TRAVEL**

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

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

**EQUIPMENT**

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

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

**SUPPLIES**

Supplies are generally defined as an item with an acquisition cost of \$5,000 or less and a useful life expectancy of less than one year. Supplies are generally consumed during the project performance. Further definitions can be found in 10 CFR 600.

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

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

**CONTRACTUAL**

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

**Sub-recipients (partners, sub-awardees):**

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

**Vendors (includes contractors and consultants):**

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

Sub-Recipient Name/Organization	Purpose/Tasks in SOPO	Budget Period 1 Costs	Budget Period 2 Costs	Budget Period 3 Costs	Project Total
EXAMPLE ONLY!!! XYZ Corp.	Partner to develop optimal fresnel lens for Gen 2 product - Task 2.4	\$48,000	\$32,000	\$16,000	\$96,000
	Sub-total	\$48,000	\$32,000	\$16,000	\$96,000
Vendor Name/Organization	Product or Service, Purpose/Need and Basis of Cost (Provide additional support at bottom of page as needed)	Budget Period 1 Costs	Budget Period 2 Costs	Budget Period 3 Costs	Project Total
EXAMPLE ONLY!!! ABC Corp.	Vendor for developing custom robotics to perform lens inspection, alignment, and placement (Task 4 ). Required for expanding CPV module mfg. capacity. Cost is from competitive quotes.	\$32,900	\$86,500		\$119,400
	Sub-total	\$32,900	\$86,500	\$0	\$119,400
Total Contractual		\$80,900	\$118,500	\$16,000	\$215,400

**CONSTRUCTION**

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

Identify all proposed construction, providing a basis of cost such as engineering estimates, prior construction, etc., and briefly justify its need as it applies to the Statement of Project Objectives.

For major endeavors, a copy of the engineering estimate or quote should also be provided. See example below.

Overall description of construction activities:
Example Only!!! - Build wind turbine platform

General Description	Cost	Basis of Cost	Justification of need
Budget Period 1			
Three days of excavation for platform site EXAMPLE ONLY!!!	\$28,000	Engineering estimate	Site must be prepared for construction of platform.
Budget Period 1 Total	\$28,000		
(Repeat as necessary for each Budget Period)			

### ***OTHER DIRECT COSTS***

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

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

### ***INDIRECT COSTS***

A federally approved indirect rate agreement, or rate proposed supported and agreed upon by DOE for estimating purposes is required if reimbursement of indirect benefits is requested. If there is a federally approved indirect rate agreement, a copy must be provided with this application and if selected, must be provided electronically to the Contracting Officer for this project. If there is no current, federally approved indirect rate agreement or if the federally approved indirect rate agreement has been changed or updated, a rate proposal must be included with the application. If selected, the rate agreement will be finalized during award negotiations. Calculate the indirect rate dollars and enter the total in the Section B., line 6.j. (Indirect Charges) of form SF 424A.

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

### ***COST MATCH***

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

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

**Funds from other Federal sources MAY NOT be counted as cost match.** Non-Federal sources include private, State or local Government, or any source not originally derived from Federal funds.

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

## **APPENDIX D - ROAD MAPPING: AREA OF INTEREST 1**

Applicants awarded under Area of Interest 1 will be required to develop ‘Road Maps’ as a key post-award deliverable. Applicants should consider using the Road Map guidance here as a framework for which to create the ‘Technical Scope Summary’ portion of the ‘Workplan’ section of the Technical Volume. The ‘Road Map’ will serve as a guide for project implementation where strategies outlined in the proposal have achievable targets set for 2020 and 2025. DOE is not requiring the utilization of any particular roadmapping methodology. However, the roadmap must specify, and describe in detail, an approach to be employed over a two-year award period. Regardless of specific approach, nearly all roadmaps incorporate:

- Baselineing;
- Time-Horizons and Regional Development Goals; and
- Action/Implementation Plans.

### **Baselineing**

A critical first step to road mapping is a rigorous baselineing of the current landscape of the State or regional energy space and factors that affect it - including federal and State environmental regulations, energy efficiency and renewable energy policies at the federal, State and local level, transmission and grid constraints, fuel supply issues and economic development efforts. This allows participants to brainstorm a State or regional future that acknowledges and addresses existing structural weaknesses or expands upon successes.

### **Time-Horizon and Regional Development Goals**

After baselineing is complete, the next step in roadmapping is to identify tangible goals as well as a specific time-horizon – in this case 2020 and 2025.

### **Action/Implementation Plans**

The real measure of a roadmap is how well it serves to connect a present baseline with future goals. Bridging the gap requires analysis to forecast broad market trends and evaluate the State or region’s capacity to adapt to and capitalize on broader movements. The roadmap should identify preferred outcomes, actions to achieve those outcomes, and potential risks that may impede achievement of the outcomes. With respect to the latter, the roadmap should also identify other actions or paths that can be taken to overcome these obstacles.

## Resources

Please note that these are examples of roadmaps that are not related to the subject matter of the roadmaps Area of Interest 1 States will be expected to prepare as a deliverable. They are not endorsed by the Department of Energy, but are provided here merely as a resource for States.

- Council on Competitiveness: A Guide to Assessing Regional Development Resources: ([http://www.careeronestop.org/RED/Illuminate\\_regional\\_Aug2007.pdf](http://www.careeronestop.org/RED/Illuminate_regional_Aug2007.pdf))
- Building Bridges to Growth: A Roadmap for Advanced Manufacturing in Massachusetts: <http://www.mass.gov/hed/docs/eohed/building-bridges-to-growth.pdf>
- Iowa's Advanced Manufacturing Strategic Roadmap: [http://www.iowainnovationcouncil.com/documents/filelibrary/publication\\_reports/low\\_aadvmfgroadmap\\_F39A3B8117950.pdf](http://www.iowainnovationcouncil.com/documents/filelibrary/publication_reports/low_aadvmfgroadmap_F39A3B8117950.pdf)
- Roadmap to Zero Net Energy Public Building: [http://www.neep.org/sites/default/files/resources/Report\\_zne-public-buildings-neep-2012.pdf](http://www.neep.org/sites/default/files/resources/Report_zne-public-buildings-neep-2012.pdf)

## **APPENDIX E – IMPLEMENTATION MODEL “PLAN”**

### **Area of Interest 2**

Applicants in Area of Interest 2 may elect to submit an Implementation Model “**Plan**” with their Full Application. The Implementation Model “**Plan**” will identify the measurable actions the State will take to develop the Implementation Model (for example, how the strategy will measure success so that lessons learned and best practices can be identified in the Implementation Model).

If selected for award under Area of Interest 2, States will be required to create an Implementation Model ranging approximately 6-8 pages in length to explain the development of or changes to policies, processes, outreach efforts, tools, resources, etc. DOE guidance on Implementation Model Development is located at:

<http://energy.gov/eere/wipo/downloads/state-energy-program-notice-14-2-implementation-model-guidance>.

## **APPENDIX F - GUIDANCE FOR ADDRESSING TRANSFORMATIVE CATEGORY TOPIC AREAS: AREA OF INTEREST 2**

DOE is seeking proposals from States that will advance residential, commercial and/or industrial markets for energy efficiency and renewable energy by means of policy and regulatory actions chosen from a portfolio of three possible transformative categories. For each application (states are limited to 2 applications total) States will select one of the three Transformative Categories listed below to serve as the framework for a proposal. States should indicate how they plan to move from a “No” answer to a “Yes” answer for one or more of the questions, and/or by expanding the scope of an existing regulation or policy addressed in the assessment. States can choose to address a single question/topic under a given Transformative Category but are also encouraged to develop cross-cutting approaches that integrate more than one topic within the selected Transformative Category. States must indicate which category and which topic(s)/question(s) they are addressing in their proposal. Below is a detailed description of DOE’s interpretation of categories and topics/questions.

### **Transformative Category 1: Development or Expansion of Utility-Related Programs**

*Topics/questions that may be addressed:*

- 1) Utility Requirements to meet Statewide Energy Efficiency & Renewable Energy Goals
- 2) Distributed Energy Resources and Interconnection Standards
- 3) Scope of Utility or Third-Party Administered Energy Efficiency Programs
- 4) Evaluation, Measurement & Verification for Ratepayer-Funded Energy Efficiency Programs
- 5) Access to Whole Building Data
- 6) Customer Access to Usage Data in Standardized Format

### **Transformative Category 2: Working with Local Governments**

*Topics/questions that may be addressed:*

- 1) Working with Local Governments
- 2) Working with Local Governments to Address Underserved Sectors

**Transformative Category 3: Developing or Designing Financing Programs, EM&V Strategies, or Benchmarking & Disclosure Programs**

*Topics/questions that may be addressed:*

- 1) Designing or Developing Financing Programs for Public Facility Retrofits
- 2) Designing or Developing Financing or Incentive Programs for Clean Energy Investment
- 3) Building Energy Performance Benchmarking and Disclosure
- 4) Evaluation, Measurement and Verification for Non-Utility Programs

**Transformative Category 1: Development or Expansion of Utility Related Programs**

Topic #1: Utility Requirements to meet Statewide Energy Efficiency & Renewable Energy Goals

- a. Does your State have targets / goals that require utilities<sup>1</sup> to achieve energy savings (including EERS, target as part of an IRP, part of an RPS, or portfolio of programs that will provide defined savings)?
- Yes, 0.5%-1% savings (relative to annual retail sales)
  - Yes, 1-1.5% savings (relative to annual retail sales)
  - Yes, 1.5-2%% savings (relative to annual retail sales)
  - Yes, 2% or higher (relative to annual retail sales)
  - No, but a Statewide savings target/goal is under consideration within a regulatory process
  - No
- b. Are the utilities in your State currently achieving<sup>2</sup> the required energy savings targets / goals? (Select all that apply)
- Yes
  - No
  - The date for meeting the required target / goal has not yet occurred.
- c. Does your State have targets / goals that require utilities to provide a certain portion of electricity sales through renewable energy?
- Yes
  - No

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<sup>1</sup> The term utility is used broadly to include public and private organizations that may be responsible for administering organized energy efficiency programs within the State.

<sup>2</sup> Achieving for this question is defined as the utilities have met interim savings targets; or the utilities have met the savings targets; or the utilities' reported savings are on track to achieving the savings target (as measured by the utilities being in good standing relative to any penalties for not meeting these targets).

DOE recognizes the importance of setting targets, both for energy savings and renewable energy generation. The benefits of these policy approaches are well documented.<sup>3</sup> In previous years, DOE has made awards to States to establish or increase Statewide energy savings goal, including developing a suite of results-based policies and programs projected to decrease Statewide electricity consumption by one percent or more per year. Savings targets encourage utilities to minimize costs per unit of energy saved. Renewable energy targets can encourage energy resource diversity and help meet sustainability goals. Policy approaches for efficiency and renewable targets include: energy efficiency resource standards (EERS), renewable portfolio standards (RPS), clean energy portfolio standards (CEPS), as well as incorporating specific amounts of efficiency and renewables into utility integrated resource plans (IRP). IRPs typically consider energy demand and the mix of resources (efficiency, existing plants, plant improvements, and new plants) that can best meet energy needs at low cost and risk to consumers.<sup>4</sup> In some States, IRPs and/or requirements for utilities to capture “all cost-effective efficiency opportunities” are used to establish targets.<sup>5</sup>

Targets and goals may be specified in various ways. Probably the most common is to express these targets as a percentage of annual electricity or natural gas sales. Thus, utilities might be required to demonstrate that they have operated programs to provide savings of 0.5% or 1.0% in a year, as a percentage of the energy that would have been delivered in the absence of such programs. Such goals can also be specified in terms of cumulative impacts, including savings achieved by energy efficiency measures installed in earlier years that are still in place. In this construction, a goal might specify 0.25% savings in the first year, 0.75% savings in the second year (including the 0.25% from the first year), etc. Other metrics that have been used are to specify targets in terms of annual kilowatt hours (kWh) of electricity saved, million British thermal units (Btu) of natural gas saved, or kilowatt (kW) of peak demand savings.

As of August 2014, 24 States have fully-funded policies in place that establish specific energy savings targets that utilities or non-utility program administrators must meet through customer energy efficiency programs. The strongest EERS requirements are in Massachusetts, Rhode Island, and Vermont, which require almost 2.5% savings annually.<sup>6</sup>

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<sup>3</sup> <http://www.aceee.org/topics/eers>, <http://emp.lbl.gov/publications/benefits-and-costs-aggressive-energy-efficiency-programs-and-impacts-alternative-source>, <http://www.rff.org/RFF/Documents/RFF-DP-12-10.pdf>, [http://www1.eere.energy.gov/seeaction/pdfs/ratepayer\\_efficiency\\_targets.pdf](http://www1.eere.energy.gov/seeaction/pdfs/ratepayer_efficiency_targets.pdf)

<sup>4</sup> [http://www1.eere.energy.gov/seeaction/pdfs/ratepayer\\_efficiency\\_targets.pdf](http://www1.eere.energy.gov/seeaction/pdfs/ratepayer_efficiency_targets.pdf), [http://www1.eere.energy.gov/seeaction/pdfs/ratepayer\\_efficiency\\_irrportfolio management.pdf](http://www1.eere.energy.gov/seeaction/pdfs/ratepayer_efficiency_irrportfolio management.pdf), [http://www.epa.gov/cleanenergy/documents/suca/resource\\_planning.pdf](http://www.epa.gov/cleanenergy/documents/suca/resource_planning.pdf)

<sup>5</sup> [http://www1.eere.energy.gov/seeaction/ratepayer\\_efficiency.html](http://www1.eere.energy.gov/seeaction/ratepayer_efficiency.html)

<sup>6</sup> <http://www.aceee.org/topics/eers>

## **Transformative Category 1: Development or Expansion of Utility Related Programs**

### **Topic #2: Distributed Energy Resources (DER) and Interconnection Standards**

Are there standardized interconnection rules across your State's utilities' for distributed resources regardless of fuel? (Select all that apply)

- Yes, up to 10 kW
- Yes, up to 100 kW
- Yes, up to 20MW
- Yes, up to a defined capacity larger than 20 MW
- No, there are not standardized interconnection rules for distributed resources regardless of fuel.

DOE recognizes that a key element to the market success of distributed energy resources (DER) is the ability to safely, reliably, and economically interconnect with the existing utility grid system. However, uncertainty in the cost, timing, and technical requirements of the grid interconnection process can be a barrier to increased deployment of DER. Standardized interconnection rules typically address the technical requirements and the application process for DER systems, including solar and combined heat and power (CHP), to connect to the electric grid. Most DER systems are sized to provide a portion of the site's electrical needs, and the site continues to remain connected to the utility grid system for supplemental, standby, and backup power services, and, in select cases, for selling excess power. In previous years, DOE has made awards to States for the development of programs and strategies that support the productivity and competitiveness of the States' industrial sectors by providing support for industrial efficiency and CHP. DOE identified specific activities of interest in these previous awards by including convening State and local policy makers, utilities, industrial users, and other key actors to address existing policy, regulatory and program barriers to industrial energy efficiency and CHP, including interconnection standards.

Standardized interconnection rules can support the development of DER by providing clear and reasonable rules for connecting clean energy systems to the electric utility grid. Standard interconnection rules can help reduce uncertainty and prevent excessive time delays and costs that DER systems may encounter when obtaining approval for grid connection.

The benefits of increasing the number of clean distributed generation (DG) projects include: enhancing economic development in the State, reducing peak electrical demand, reducing electric grid constraints, reducing the environmental impact of power generation, and helping States achieve success with other clean energy initiatives. The application of DG in targeted load pockets can reduce grid congestion, potentially deferring or displacing more expensive transmission and distribution infrastructure investments.

The State and Local Energy Efficiency Action Network<sup>7</sup> identified effective State standardized interconnection rules for DER systems with no electricity export as often having the following characteristics:

- Interconnection fees commensurate with system complexity;
- Streamlined procedures with simple decision-tree screens (allowing faster application processing for smaller systems and those unlikely to produce significant system impacts);
- Practical and predictable technical requirements often based on existing technical standards Institute of Electrical and Electronics Engineers (IEEE) 1547 and Underwriters Laboratories (UL) 1741;
- Standardized, simplified interconnection agreements;
- Dispute resolution procedures to resolve disagreements;
- The ability for larger DER systems, and those not captured under net metering rules, to qualify under the standards; and
- The ability for DER to interconnect to both radial and network grids.

### **Transformative Category 1: Development or Expansion of Utility Related Programs**

Topic #3: Scope of utility or third party administered energy efficiency programs

- a. Are energy customers in your State across **ALL** customer classes including residential, commercial and industrial offered **electricity** ratepayer-funded energy efficiency programs? (Select all that apply)
- Yes, by investor-owned utilities
  - Yes, by municipally-owned utilities
  - Yes, by cooperatively-owned utilities
  - Yes, by other energy efficiency program administrator
  - No, utilities do not offer electricity ratepayer-funded programs across all customer classes, but do offer programs at least in one customer class<sup>8</sup>
  - No, utilities do not offer electricity ratepayer-funded energy efficiency programs in my State
- b. Are energy customers in your State across **ALL** customer classes including residential, commercial and industrial offered **natural gas** ratepayer-funded energy efficiency programs? (Select all that apply)
- Yes, by investor-owned utilities
  - Yes, by municipally-owned utilities
  - Yes, by cooperatively-owned utilities

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<sup>7</sup> <http://www1.eere.energy.gov/seeaction>

<sup>8</sup> Example customer classes include residential, commercial, and industrial customer classes as well as important parts of these classes such as multifamily, small/medium industrial, and small/medium commercial.

- Yes, by other energy efficiency program administrator
  - No, utilities do not offer gas ratepayer-funded energy efficiency programs across all customer classes, but do offer programs at least in one customer class
  - No, utilities do not offer gas ratepayer-funded energy efficiency programs in my State
- c. Are energy customers in your State across customer classes including residential, commercial and/or industrial customer classes offered **other fuel (e.g. heating oil)** ratepayer-funded energy efficiency programs? (Select all that apply)
- Yes, by investor-owned utilities
  - Yes, by municipally-owned utilities
  - Yes, by cooperatively-owned utilities
  - Yes, by other energy efficiency program administrator
  - No, other fuels are not significant in my State
  - No, utilities do not offer other fuel ratepayer-funded programs in my State
- d. Does your State evaluate ratepayer-funded programs **using more than one** cost-effectiveness test<sup>9</sup> to reflect the long-term resource value of energy efficiency? (Select all that apply)?
- Participant Cost Test
  - Utility/Program Administrator Cost Test
  - Ratepayer Impact Measure Cost Test
  - Total Resource Cost Test without non-energy benefits
  - Total Resource Cost Test with non-energy benefits (e.g., emissions reductions)
  - Societal Cost Test.
  - No, my State uses just one test to evaluate energy efficiency programs as selected above
  - No, my State does not use cost-effectiveness tests to reflect the long-term resource value of energy efficiency

Energy efficiency is the lowest-cost energy resource. A 2014 report from Lawrence Berkeley National Lab finds that electric utility customer-funded efficiency programs that reported results during 2009-2011 delivered energy savings at a cost of roughly 2 cents per kilowatt-hour (kWh) saved over the lifetime of the investment. Ensuring all customer classes have access to cost-effective electric and natural gas energy efficiency programs is important to fully utilizing efficiency as an energy resource.

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<sup>9</sup> National Action Plan for Energy Efficiency (2008). *Understanding Cost-Effectiveness of Energy Efficiency Programs: Best Practices, Technical Methods, and Emerging Issues for Policy-Makers*. Energy and Environmental Economics, Inc. and Regulatory Assistance Project. <http://www.epa.gov/cleanenergy/documents/suca/cost-effectiveness.pdf>

Energy efficiency cost-effectiveness is measured by comparing the benefits of an investment with the costs. Five key cost-effectiveness tests have, with minor updates, been used for over 20 years as the primary approaches for energy efficiency program evaluation. These five cost-effectiveness tests are the participant cost test (PCT), the utility/program administrator cost test (PACT), the ratepayer impact measure test (RIM), the total resource cost test (TRC), and the societal cost test (SCT). There is no single best test for evaluating the cost-effectiveness of energy efficiency. Each of the cost-effectiveness tests provides different information about the impacts of energy efficiency programs from distinct vantage points in the energy system. Together, multiple tests provide a comprehensive approach. States seeking to increase efficiency implementation may choose to emphasize the PACT, which compares energy efficiency as a utility investment on a par with other resources.

### **Transformative Category 1: Development or Expansion of Utility Related Programs**

#### **Topic #4: Evaluation, Measurement & Verification of Ratepayer-Funded Energy Efficiency Programs**

Does your State use an EM&V framework or plan that uses commonly accepted protocols or methodologies and is transparent in order to determine energy and emissions reductions from ratepayer-funded efficiency programs? (Select all that apply)

- Yes, our State uses an independent, third-party Statewide evaluator
- Yes, our State uses the Uniform Methods Project M&V protocols for relevant programs
- Yes, our State is part of a regional group that works together to determine savings
- No

A good EM&V framework is a key component of a successful efficiency portfolio. An EM&V framework is simply some type of document that discusses how EM&V will be conducted for the implemented efficiency programs. In some States, like Connecticut<sup>10</sup>, this is called an “evaluation plan.” There are certain advantages to EM&V frameworks that utilize the three options listed above. A Statewide evaluator uses the same evaluators for all (or multiple) efficiency programs regardless of the utility/program administrator. One of the main benefits of this choice is that different programs are evaluated the same way. When two different evaluators are evaluating the same program for two different utilities, the evaluators may not use the same assumptions or methods. Regional groups that address EM&V have some of the same benefits as the Statewide evaluator but on an even larger scale. Regional groups involve multiple States that address evaluation issues together. The Northwest Power and

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<sup>10</sup> <http://www.energizect.com/government-municipalities/2014-16-eeb-evaluation-plan-final-attachments-b>

Conservation Council’s Regional Technical Forum<sup>11</sup> and the Mid-Atlantic Technical Reference Manual<sup>12</sup> are two examples.

The Uniform Methods Project provides a single protocol for measuring energy savings for a particular program. Each protocol has been collaboratively developed and vetted by professional evaluators. Utilizing the Uniform Methods Project<sup>13</sup> measurement and verification protocols is another way to address the potential issue of differing assumptions and methodologies by specifying a single protocol for how evaluators measure the energy savings. Each of the options listed are examples of an evaluation process that improve the consistency of how energy savings are determined.

For more information on elements to consider when developing a plan, refer to SEEACTION’s “Energy Efficiency Program Impact Evaluation Guide<sup>14</sup>.”

### **Transformative Category 1: Development or Expansion of Utility Related Programs**

#### **Topic #5: Access to Whole Building Data**

- a. Do one or more investor-owned utilities provide aggregated whole-building energy usage data to building owners for purposes of benchmarking and energy management in cases where individual tenants in a building have separate utility meters and accounts?  
  
 Yes  
 No
  
- b. Does one or more of your investor-owned utilities provide direct data exchange with benchmarking tools such as ENERGY STAR Portfolio Manager (automated benchmarking services)?
  
- c. Has your state utility regulator established a rule describing what constitutes sufficiently aggregated customer energy usage data that can be given to building owners while addressing privacy concerns?  
  
 Yes  
 Rules are under consideration or pending  
 No

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<sup>11</sup> <http://rtf.nwcouncil.org/>

<sup>12</sup> [http://www.neep.org/Assets/uploads/files/emv/emv-products/A5\\_Mid\\_Atlantic\\_TRM\\_V2\\_FINAL.pdf](http://www.neep.org/Assets/uploads/files/emv/emv-products/A5_Mid_Atlantic_TRM_V2_FINAL.pdf)

<sup>13</sup> <http://energy.gov/eere/about-us/initiatives-and-projects/uniform-methods-project-determining-energy-efficiency-program-savings>

<sup>14</sup> [http://www1.eere.energy.gov/seeaction/pdfs/emv\\_ee\\_program\\_impact\\_guide.pdf](http://www1.eere.energy.gov/seeaction/pdfs/emv_ee_program_impact_guide.pdf)

One of the main issues that commercial and multifamily building owners face with respect to benchmarking their buildings is gaining access to whole-building energy usage data in cases where there are multiple tenants or meters associated with the building. Utilities or energy supplier data systems are generally designed to track energy consumption by individual meter or account and their systems do not recognize buildings as a unit of measurement. To that end, there are both technical and policy issues associated with providing a building owner with the energy consumption data associated with the entire building. On the technical end, utilities can establish systems to aggregate energy consumption data by associating the correct meters with the correct buildings. However, in addition to the technical hurdles, there are also concerns about protecting individual tenant privacy in providing the building owner with whole-building data access. Various solutions exist to protect privacy of individual tenants in these cases and the two main options that have emerged are to: (1) ask for consent from each individual tenant or (2) set a minimum threshold level of tenants that need to be aggregated without requiring individual consent from each tenant. Requiring consent from each tenant has posed a significant barrier for some building owners interested in benchmarking their buildings.

DOE is working to accelerate whole-building data access through the Better Buildings Energy Data Accelerator program, which was launched with twenty city-utility pairs in December 2013. Signatories to this Accelerator are utilities and local governments who have committed to providing at least 20% of commercial and/or multifamily building owners within the local jurisdiction with access to whole-building data to building owners for benchmarking. Accelerator Partners will collaborate with DOE to demonstrate streamlined, best practice approaches for building owners to access whole-building energy usage data – with a specific focus on providing building owners with aggregated energy usage information across multiple tenants.

### **Transformative Category 1: Development or Expansion of Utility Related Programs**

#### **Topic #6: Customer Access to Standardized Usage Data**

- a. Does one or more of your investor-owned utilities allow customers to access their energy usage data in a standardized format (e.g. Green Button)?
  - Yes
  - Utilities have committed to this but are still implementing
  - No
  
- b. Does one or more of your investor-owned utilities allow customers to designate one or more service providers who can access their energy usage data in a standardized format (e.g. Green Button)?
  - Yes

- Utilities have committed to this, but are still implementing
  - No
- c. Does your State have guidelines or rules regarding third party access to customer energy usage data?
- Yes
  - Rules are under consideration or pending
  - No

Having the right data is often the first step in the process of making an investment in energy efficiency. Accessing energy consumption data is not always as simple as it sounds. Furthermore, even when the data is available, it is not always in a format that is easy to use. Many utilities are using the Green Button data standard to share data with their customers. This allows the data to be used in any number of tools and applications that have been developed to work with Green Button. Some utilities allow customers to designate a third party to receive data directly from the utility, making it easier to get the data into the hands of the people who are analyzing the data. Some entities would like access to customer meter data without the consent of the customer. Companies use the data for a myriad of reasons, including to better target customers who might benefit from their services. In these cases, developing rules about what can be shared with these companies is important to protect customer privacy while also maximizing the benefit of the data collected by smart meters.

## **Transformative Category 2: Working with Local Governments**

### **Topic #1: Working with Local Governments on Advanced Policies and/or Programs**

Does your State have a program that supports your local governments in their efforts toward an energy efficiency target?

- Yes, a defined suite of support services and/or partnership opportunities for local governments including financial support is offered.
- Yes, a defined suite of support services to local governments, without financial support.
- No, local governments are eligible to access our technical assistance, but we do not have a formal program.

Local governments (including municipalities, counties, and school districts) represent potentially significant components of meeting State energy efficiency plans/goals/targets. Energy efficiency opportunities exist in administrative buildings; cultural and recreational facilities; street lights; schools; and municipal hospitals. Energy efficiency solutions can entail improvements to building envelopes; HVAC systems and controls; lighting; pumps; motors; variable speed drives; and in certain instances combined heat and power (CHP) and renewable energy. Local governments can also promote energy efficiency

in other sectors through effective building code enforcement, and can encourage construction exceeding code requirements through considerations on zoning, utility hook-ups, and other local regulatory measures.

Opportunities for partnerships with local governments can include the following features:

- Providing guidance and/or templates on conducting local government energy efficiency and/or carbon reduction plans and target-setting to indicate potential savings and prioritize opportunities;
- Providing examples of typical energy efficiency improvements and performance in representative applications (e.g., administrative buildings, schools, street lights);
- Providing assistance in designing and implementing activities;
- Providing model program designs to encourage consistency in approaches based on effective examples;
- Providing guidance in implementing State laws and regulations relating to Energy Saving Performance Contracts (ESPCs) and Commercial PACE;
- Bundling multiple local governments' procurement of energy efficiency products to obtain high-volume cost reductions;
- Providing specifications for green procurement of office equipment;
- Establishing financing facilities to provide favorable terms for local governments, allowing local governments to use similar State financing facilities, and/or helping local governments prepare bankable applications for financing from State or commercial financing sources;
- Assisting local governments in applying for available utility incentives; and
- Encouraging low carbon vehicles in local government fleets and mass transit, and/or electric vehicle (EV) charging stations and low carbon refueling stations for fleets and private vehicles.

## **Transformative Category 2: Working with Local Governments**

### **Topic #2: Working with Local Governments to Address Underserved Sectors**

Does your State have a program that supports your local governments in targeting underserved sectors (such as water or wastewater utilities, public housing, multifamily housing, small businesses, hospital or healthcare facilities, or community buildings such as recreation facilities or community centers) for energy efficiency improvements?

- Yes, a defined suite of support services and/or partnership opportunities for local governments including financial support is offered for efforts to target underserved sectors.
- Yes, a defined suite of support services to local governments, without financial support, is offered for efforts to target underserved sectors.

- Yes, a collection of discrete services and programs not managed as a defined suite.
- No, we do not have a formal program.

This year DOE has included a focus on underserved sectors including multifamily, small business, low-income, and other sectors that have typically presented significant barriers to clean energy adoption. Local governments (including municipalities, counties, and school districts) represent potentially significant partners to enable transformation in these market areas.

Opportunities for partnerships with local governments can include the following features:

- Providing assistance in designing and implementing activities;
- Providing model program designs to encourage consistency in approaches based on effective examples; and
- Providing guidance in implementing State laws and regulations relating to Energy Saving Performance Contracts (ESPCs) and Commercial PACE.

## **Transformative Category 2: Working with Local Governments**

### **Topic #3: Working with Local Governments to Address Wastewater Facilities**

This year DOE has included a focus on underserved sectors, and the Department is particularly interested in proposals related to water and wastewater utilities. Water and wastewater utilities are critical to the success of community's efforts to improve energy efficiency and address climate-related issues. These utilities are usually the largest consumers of energy in communities—often comprising 30-40% of a community's overall energy consumption.

DOE and the U.S. Environmental Protection Agency (EPA), working closely with the State Energy Offices (SEO), have a common interest in promoting greater energy efficiency with these utilities. Over the past several years EPA's Office of Water has worked closely with a number of utilities around the country to provide training and limited technical assistance. The results of these efforts have shown that most utilities can significantly reduce their energy consumption through a systematic assessment of current energy consumption, performing energy audits, implementing projects based on audit results, and communicating the benefits of greater energy efficiency to customers and local officials. DOE has assisted States in promoting energy efficiency in a number of sectors, and is interested in working even more closely with the SEOs to improve the efficiency of water and wastewater utilities.

States interested in implementing a strategy related to water or wastewater utilities are asked to submit a proposal that focuses on providing energy efficiency training and technical assistance to public entities that provide water and/or wastewater services. These entities could include county, city, or separate utilities providing these services.

### **Transformative Category 3: Developing Financing Programs, EM&V Strategies, or Benchmarking & Disclosure Programs**

#### **Topic #1: Developing Financing Mechanisms for Public Sector Clean Energy Investment**

- a. Does your State use or have mechanisms beyond annual appropriations for energy efficiency and other clean energy or low carbon investments? (Select all that apply).
- Yes, energy savings performance contracts (ESPC).
  - Yes, revolving loan funds.
  - Yes, a loan loss reserve fund.
  - Yes, QECBs, or other bonds that can be allocated to retrofit investments.
  - Yes, lease purchase agreements.
  - Yes, an established green/infrastructure bank that can be used for retrofit investments.
  - No, my State depends on annual appropriations for energy efficiency investments.
- b. Does your State have a self-sustaining ESPC program? (Select all that apply).
- Yes, enabling legislation that authorizes the use of ESPC for public buildings.
  - Yes, a centralized ESPC program exists at the State level that provides guidance for all State ESPC projects.
  - Yes, a centralized ESPC program exists that requires the use of standardized contracts and procedures.
  - Yes, a fee-based centralized ESPC program.
  - No, my State does not use ESPCs on public retrofit projects.

DOE recognizes that financing remains a significant barrier to implementing energy efficiency and renewable energy measures in public buildings and advancing State Lead by Example programs. In previous years, DOE has made awards to States focused on developing and refining standardized contracts and procurement provisions associated with funding mechanisms, designing technical assistance approaches, working on other elements to streamline access to and use of financing structures for public sector retrofits, and working to increase uptake of energy efficiency financing mechanisms in three key market sectors of interest: (1) local government facilities; (2) public housing; and (3) State facilities.

Financing mechanisms available to States include:

- Energy savings performance contracts (ESPCs): ESPCs are used with a variety of financing options to ensure States achieve a specified level of energy savings. An ESPC is an agreement between a building owner and an energy services company (ESCO) that identifies, designs, and installs energy-related improvements and guarantees their performance. ESPCs are often structured so that guaranteed energy cost savings are large enough to cover principal and interest payments for financing. If actual savings from a project under-perform the guaranteed savings level, the ESCO pays for the difference between the actual and guaranteed savings. A

performance contract often includes continuing operations and maintenance services. States can implement one-off ESPCs, as well as establish long-term ESPC programs (see Question 2b) to promote and support the use of ESPCs across all public sector entities in their jurisdiction (e.g., State agencies, local governments, public housing, schools). A successful example is Utah, which has completed over \$165 million in ESPC projects in State and local governments.

- **Qualified Energy Conservation Bonds (QECBs) or other public bonds:** Bonds are one of the most common forms of financing used by States, because they are a low-cost source of capital available to most entities. States may consider using bonds for a variety of clean energy purposes, including: financing a specific set of energy upgrades in their own facilities (can be combined with an ESPC) and/or capitalizing finance programs for public sector energy upgrades (e.g., revolving loan funds – see below). A variety of bonds are available to States for clean energy initiatives. Municipal/public bonds are the most traditional, and there is also a federally-subsidized option debt product specifically aimed at supporting clean energy – Qualified Energy Conservation Bonds (QECBs). States may also wish to partner with State-chartered bond authorities, such as housing finance authorities, who can provide tax-exempt bond financing to non-profits and industry. A successful example is Massachusetts’ first of its kind “green bond” issuance, to capitalize its Clean Energy Investment Program.
- **Leasing arrangements:** Leasing energy-related improvements, especially the use of tax exempt lease-purchase agreements for energy efficiency equipment, is a common and cost effective way for States to finance retrofits and then use the energy savings to pay for the financing cost. Leases are contracts that allow an entity to obtain the use of (or purchase of) equipment or real estate. They are similar to long term rental agreements where the lessee gets to use the equipment for a period of time in return for regular payments to a third party (lessor). Leases come with a purchase option that can be exercised at the end of the lease period. Leases often have slightly higher rates than bond financing; however, they can be a faster and more flexible tool. States can also establish programs to aggregate lease-purchase financing demand from public entities across the State and issue Certificates of Participation (COPs) to fund these projects. This can enable participants to get more attractive rates than they would otherwise have access to and avoid the time and effort required to set up their own individual financing options. A successful example is Washington’s Local Option Capital Asset Lending (LOCAL) program.<sup>15</sup>
- **Revolving loan funds (RLFs):** RLFs are pools of capital from which loans can be made for clean energy projects – as loans are repaid, the capital is then re-lent for another project. Assuming that defaults remain low, RLFs can be "evergreen" sources of capital that are recycled over and over again to fund projects well into the future. States can establish RLFs to support their own

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<sup>15</sup> See <http://www.tre.wa.gov/LOCAL/index.shtml>

energy upgrades and/or throughout the public sector (e.g., local governments, schools). A successful example is the Texas LoanSTAR Program.<sup>16</sup>

- Loan loss reserves (LLRs): LLRs (and other forms of credit enhancement) complement the finance mechanisms discussed above because they are used to improve the chances that financing will be repaid. Specifically, an LLR is a pool of funding that provides partial risk coverage to lenders—meaning that in the event of loan defaults, the reserve will cover a pre-specified amount of the losses. For example, a State may set aside a LLR to cover a private lender's losses up to 10% of the total principal of a loan portfolio. The financial institution working with the State can then draw on the LLR to cover losses on defaulted loans according to the terms of the agreement between the lender and the State. Although LLRs and other credit enhancements can be used to support public finance mechanisms (e.g., bond issuances, revolving loan funds, property-assessed clean energy financing (PACE), and on-bill financing), typically States do not need to use them for public facility retrofits, because most have relatively easy access to low-cost financing without them. This is because the MUSH market is familiar to financiers and credit profiles for public entities have traditionally been high.
- Green/infrastructure banks: A “green bank” – also sometimes referred to as an energy investment partnerships (EIP) – is an emerging term and the models that exist are varied, but generally the purpose of establishing this kind of a structure is to align clean energy financing efforts and give States the authority to leverage scarce public dollars with private capital, ultimately providing low-cost financing for a range of clean energy programs/projects, including for the public sector. These entities can engage in a range of activities, from raising and leveraging funds from private sources (e.g., through bond issuances) to administering financing programs. Some States have used the model of consolidating/coordinating a State’s existing and/or future clean energy finance programs under one State or quasi-State entity. In others, States are tasking existing entities (e.g., those with bonding authority) with this work or in some cases providing them with new authorities. A green/infrastructure bank may utilize many or all of the finance mechanisms described above. Early examples of green banks include the New York Green Bank<sup>17</sup> and Connecticut’s Clean Energy Finance & Investment Authority.<sup>18</sup>

Please note, States can also use many of the above financing mechanisms to support retrofits beyond the public sector (e.g., residential and commercial markets), but the focus of this question is financing for retrofits in public facilities. Also, DOE acknowledges that the above is not an exhaustive list of financing mechanisms available for public retrofits. Please see Question 2 below for a focus on mechanisms in the context of facilitating private investments.

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<sup>16</sup> See <http://www.seco.cpa.State.tx.us/lr/>

<sup>17</sup> See <http://greenbank.ny.gov/>

<sup>18</sup> See <http://www.ctcleanenergy.com/>.

All of these financing mechanisms can advance energy efficiency and renewable energy by helping States overcome one of the fundamental barriers to clean energy initiatives – limited sources of up-front capital. In particular, these mechanisms are used most effectively when they create sustainable sources of funding.

For more details on all of these mechanisms and their relative advantages and disadvantages, please visit the DOE State and Local Solution Center Finance Solutions webpage at <http://www1.eere.energy.gov/wip/solutioncenter/financing.html>

### **Transformative Category 3: Developing Financing Programs, EM&V Strategies, or Benchmarking & Disclosure Programs**

#### **Topic #2: Developing Financing Mechanisms for Private Sector Clean Energy Investment**

Has your State helped provide financing options or incentives for clean energy investments? (Select all that apply)

- Yes, the State has passed legislation in support of commercial PACE
- Yes, the State has established a clean energy fund to support loans for energy efficiency and renewable energy<sup>19</sup>
- Yes, the State has established one or more incentives in support of energy efficiency and renewable energy<sup>20</sup>
- No, the State has not established legislation or financing options

**Commercial PACE:** The property-assessed clean energy (PACE) model is an innovative mechanism for financing energy efficiency and renewable energy improvements on private property. PACE programs allow local governments, State governments, or other inter-jurisdictional authorities, when authorized by State law, to fund the up-front cost of energy improvements on commercial and residential properties, which are paid back over time by the property owners.

PACE financing for clean energy projects is generally based on an existing structure known as a "land-secured financing district," often referred to as an assessment district, a local improvement district, or other similar phrase. In a typical assessment district, the local government issues bonds to fund projects with a public purpose such as streetlights, sewer systems, or underground utility lines.

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<sup>19</sup> A "yes" answer indicates these clean energy loans are administered by the State and does not include ratepayer-funded financing programs.

<sup>20</sup> A "yes" answer indicates these energy efficiency and renewable energy incentives are administered by the State and does not include ratepayer-funded financing programs.

The recent extension of this financing model to energy efficiency (EE) and renewable energy (RE) allows a property owner to implement improvements without a large up-front cash payment. Property owners voluntarily choose to participate in a PACE program repay their improvement costs over a set time period—typically 10 to 20 years—through property assessments, which are secured by the property itself and paid as an addition to the owners' property tax bills. Nonpayment generally results in the same set of repercussions as the failure to pay any other portion of a property tax bill.

A PACE assessment is a debt of property, meaning the debt is tied to the property as opposed to the property owner(s), so the repayment obligation may transfer with property ownership depending upon State legislation.

This eliminates a key disincentive to investing in energy improvements, since many property owners are hesitant to make property improvements if they think they may not stay in the property long enough for the resulting savings to cover the upfront costs.

**Green/infrastructure banks:** A “green bank” – also sometimes referred to as an energy investment partnerships (EIP) – is an emerging term and the models that exist are varied, but generally the purpose of establishing this kind of a structure is to align clean energy financing efforts and give States the authority to leverage scarce public dollars with private capital, ultimately providing low-cost financing for a range of clean energy programs/projects, including for the public sector. These entities can engage in a range of activities, from raising and leveraging funds from private sources (e.g., through bond issuances) to administering financing programs. Some States have used the model of consolidating/coordinating a State’s existing and/or future clean energy finance programs under one State or quasi-State entity. In others, States are tasking existing entities (e.g., those with bonding authority) with this work or in some cases providing them with new authorities. A green/infrastructure bank may utilize many or all of the finance mechanisms described above. Early examples of green banks include the New York Green Bank<sup>21</sup> and Connecticut’s Clean Energy Finance & Investment Authority.<sup>22</sup> For purposes of this question, the green bank would be designed to support investments outside the public sector.

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<sup>21</sup> See <http://greenbank.ny.gov/>

<sup>22</sup> See <http://www.ctcleanenergy.com/>

### **Transformative Category 3: Developing Financing Programs, EM&V Strategies, or Benchmarking & Disclosure Programs**

#### Topic #3: Energy Performance Benchmarking & Disclosure

Does your State or communities within your State have a law or regulation that requires benchmarking or disclosure of energy use for **non-public** buildings?

- Yes, **all** commercial buildings of a certain size in the State must be benchmarked regularly and results disclosed publicly
- Yes, homeowners must disclose energy performance data on their homes at some frequency or at key transaction points (e.g. time of sale).
- No, State-level benchmarking and disclosure laws have not been passed, but one or more local government has passed a local ordinance.
- No, State-level benchmarking and disclosure laws have not been passed, but one or more local government is engaged in a voluntary program.
- No, State- or local-level benchmarking and disclosure laws have not been passed for non-public buildings.

A number of States and/or local governments are pursuing benchmarking and disclosure policies since they provide increased transparency around building energy performance as a means to facilitate market-based approaches for improving the efficiency of buildings. Since 2007, more than ten State and local governments have adopted policies requiring that the energy efficiency of buildings be measured using a recognized “benchmarking” tool such as ENERGY STAR Portfolio Manager. The intent of these policies is to advance energy efficiency through increased access to building performance information by building owners, buyers, renters, and other decision makers.

Existing benchmarking and disclosure policies vary in multiple details, most notably the requirements regarding what building types are covered, the minimum building size that is covered, and disclosure requirements. These policies also typically require disclosure of the resulting energy performance information to the public, or to parties involved in a real State transaction with the building, such as prospective tenants or investors. The extent to which benchmarking information is shared can range from widespread public disclosure (Philadelphia, New York, Boston, Minneapolis, and San Francisco) or more limited disclosure (Austin and Seattle) of the efficiency status of the buildings. Other jurisdictions sponsor voluntary benchmarking programs as a way to increase the capacity of building owners and operators to track and manage their energy use and to provide owners who elect to participate with a mechanism to share more transparent information on their building’s performance.

In a recent study of 35,000 buildings, the U.S. Environmental Protection Agency found that buildings that were benchmarked saved an average of 2.4 percent of energy per year, for a total savings of 7 percent between 2008 and 2011.<sup>23</sup> Often these programs are tied to broader community-wide efficiency goals and are leveraged to recognize top performing buildings and their contributions toward these goals.

From a recent publication by the State and Local Energy Efficiency Action Network (SEEACTION):

*Building owners who want to manage energy costs must be able to measure their building's performance. State and local governments can encourage building owners to improve the efficiency of their buildings by making energy performance visible, which can drive new investment and create an estimated 5 to 15 green jobs per \$1 million invested.<sup>24</sup> For example, a recent study found that energy performance benchmarking prompted energy efficiency investment through improved energy management processes (62% of those who participated in a benchmarking program) or building upgrades and behavioral efficiency projects (84% of benchmarking participants).<sup>25</sup>*

Additional resources on related successful practices are listed below:

- SEE Action, Benchmarking and Disclosure: State and Local Policy Design Guide and Sample Policy Language. May 2012.  
[http://www1.eere.energy.gov/seeaction/pdfs/commercialbuildings\\_benchmarking\\_policy.pdf](http://www1.eere.energy.gov/seeaction/pdfs/commercialbuildings_benchmarking_policy.pdf)
- SEE Action, Energy Benchmarking, Rating, and Disclosure for State Governments. May 2012.  
[http://www1.eere.energy.gov/seeaction/pdfs/commercialbuildings\\_factsheet\\_benchmarking\\_Stategovt.pdf](http://www1.eere.energy.gov/seeaction/pdfs/commercialbuildings_factsheet_benchmarking_Stategovt.pdf)
- Institute for Market Transformation, Building Energy Transparency: A Framework for Implementing U.S. Commercial Energy Rating & Disclosure Policy. July 2011.  
[http://www.buildingrating.org/sites/default/files/documents/IMT-Building\\_Energy\\_Transparency\\_Report.pdf](http://www.buildingrating.org/sites/default/files/documents/IMT-Building_Energy_Transparency_Report.pdf)

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<sup>23</sup> U.S. Environmental Protection Agency, Data Trends: Benchmarking and Energy Savings.

[http://www.energystar.gov/ia/business/downloads/datatrends/DataTrends\\_Savings\\_20121002.pdf?3d9b-91a5](http://www.energystar.gov/ia/business/downloads/datatrends/DataTrends_Savings_20121002.pdf?3d9b-91a5). October 2012

<sup>24</sup> U.S. Environmental Protection Agency, *Rapid Deployment Energy Efficiency (RDEE) Toolkit: Planning & Implementation Guides*.  
[www.epa.gov/cleanenergy/documents/suca/rdee\\_toolkit.pdf](http://www.epa.gov/cleanenergy/documents/suca/rdee_toolkit.pdf). December 9, 2009

<sup>25</sup> NMR Group, Inc. and Optimal Energy, Inc., *Statewide Benchmarking Process Evaluation, Volume 1: Report*, April 2012.  
[www.energydataweb.com/cpucFiles/pdaDocs/837/Benchmarking%20Report%20%28Volume%201%29%20w%20CPUC%20Letter%204-11-12.pdf](http://www.energydataweb.com/cpucFiles/pdaDocs/837/Benchmarking%20Report%20%28Volume%201%29%20w%20CPUC%20Letter%204-11-12.pdf)

**Transformative Category 3: Developing Financing Programs, EM&V Strategies, or Benchmarking & Disclosure Programs**

Topic #4: Evaluation, Measurement & Verification of non-Utility Programs

Does your State use an EM&V framework or plan that uses commonly accepted protocols or methodologies and is transparent in order to determine energy and emissions reductions from NON-ratepayer-funded efficiency programs? (Select all that apply)

- Yes, our State uses an independent, third-party Statewide evaluator
- Yes, our State uses the Uniform Methods Project M&V protocols for relevant programs
- Yes, our State is part of a regional group that works together to determine savings
- No

A good EM&V framework is a key component of a successful efficiency portfolio. An EM&V framework is simply some type of document that discusses how EM&V will be conducted for the implemented efficiency programs. See the fuller discussion found in Topic #3: Energy Performance Benchmarking & Disclosure above.

Some States are exploring the development of EM&V frameworks for non-ratepayer-funded programs, such as for ESPC projects. Virginia received a SEP Competitive award in FY14, working with Kentucky and Georgia, to develop a consensus EM&V approach for ESPC projects. DOE is interested in receiving similar EM&V proposals for non-ratepayer-funded efficiency programs.

## **APPENDIX G. WORK BREAKDOWN STRUCTURE**

Technical Summary: Provide a high-level overview of the final result of this project. Explain the final objective, outcome, milestone and/or deliverable that are to be produced and the rationale for why the applicant has organized the tasks in the way they have.

Technical Details (Optional): Describe the relevant management, engineering, design, process, scientific or other principles and aspects of the project that warrant discussion.

Task 1: Distinctive Title, Date range of the task in months (Month 1-Month 4)

Task Summary: Task summaries shall explicitly describe what work is to be accomplished, identify the project objectives/outcomes being addressed and provide a concise Statement of the objectives of that task. In addition, the description should indicate the project deliverables that this task will help achieve (D1, D2, D5 etc. note that deliverables may be applicable to multiple or all tasks.)

Task Details: Within this section, the barriers and risks should be identified, as well as the approaches for overcoming those barriers and risks. Where appropriate, multiple pathways early in the effort can be outlined for risk reduction.

Milestone 1.1 (if applicable) (Quarter 1; note that each milestone should be assigned a Quarter(s)

Milestone 1.2 (if applicable)

Subtask 1.1: Date range (Month 1-Month 2)

Subtask Summary: Describe the specific and detailed work efforts that go into achieving the higher-level tasks.

Subtask Details: Describe the evaluation techniques that will be used and the expected result that will be generated from the effort.

Milestone 1.1.1 (if applicable)

Milestone 1.1.2 (if applicable)

Subtask 1.2:

(Continue until all Task 1 subtasks are listed)

Task 2: (continue in the format above until all tasks and subtasks are listed)

Subtask 2.1: Description and Discussion

Subtask 2.2: Description and Discussion