

**FINANCIAL ASSISTANCE
FUNDING OPPORTUNITY ANNOUNCEMENT**



**U.S. Department of Energy
Golden Field Office**

**First Steps Toward Developing Renewable
Energy and Energy Efficiency on Tribal Lands**

Topic Area 1: Strategic Energy Planning

Topic Area 2: Energy Options Analysis

Topic Area 3: Energy Organization Development

Topic Area 4: Human Capacity Building

Funding Opportunity Announcement Number: DE-FOA-0000422

Announcement Type: Initial

CFDA Number: 81.087

Issue Date: January 18, 2011

Application Due Date: Date March 3, 2011, 11:59 PM Eastern Time



Department of Energy
Golden Field Office
1617 Cole Boulevard
Golden, Colorado 80401-3393

DE-FOA-EE0000422
Amendment No. 001

DATE: February 11, 2011
FROM: Kelvin Delaney, Contracting Officer
TO: All Prospective Applicants

SUBJECT: Amendment No. 001 to Announcement DE-FOA-0000422,
"First Steps Toward Developing Renewable Energy and Energy Efficiency on
Tribal Lands"

The Announcement is amended as follows:

- 1) The definition of "Tribal Lands" is clarified to include land that was conveyed to a Native Corporation pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. § 1601 et seq.) and subsequently conveyed to another entity, provided that entity is either a Native village or tribal governmental entity or that the land is held, invested, and/or managed for and on behalf of a Native village or tribal governmental entity.
 - a. Under Part III, Eligibility Information on page 7, add 4(f) to read, "land that was conveyed to a Native Corporation pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. § 1601 et seq.) and subsequently conveyed to another entity, provided that entity is either a Native village or tribal governmental entity or the land is held, invested, and/or managed for and on behalf of a Native village or tribal governmental entity."
 - b. In Appendix A, page A-5, revise the definition of "Tribal Lands" to read:
"Tribal Lands" for purposes of this Announcement, is defined as:
 - (a) any land located within the boundaries of an "Indian reservation", pueblo, or rancharia;
 - (b) any land not located within boundaries of an Indian reservation, pueblo, or rancharia, the title to which is held –
 - (i) in trust by the United States for the benefit of an Indian tribe or an individual Indian;
 - (ii) by an Indian tribe or an individual Indian, subject to restriction against alienation under laws of the United States; or

- (iii) by a dependent Indian community;
 - (c) land that is owned by an Indian tribe and was conveyed by the United States to a Native Corporation pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. § 1601 et seq.), or that was conveyed by the United States to a Native Corporation in exchange for such land;
 - (d) lands held in fee simple (purchased or owned);
 - (e) lands under a long-term Federal land lease; or
 - (f) land that was conveyed to a Native Corporation pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. § 1601 et seq.) and subsequently conveyed to another entity, provided that entity is either a Native village or tribal governmental entity or the land is held, invested, and/or managed for and on behalf of a Native village or tribal governmental entity.
- 2) The second paragraph under Statements of Commitment and Cost Sharing File on page 11, is amended as follows:

From:

“The Tribal Council Resolution(s) and declaration(s) must not only authorize the submittal of the application, but also document approval for the proposed project. The Tribal Council Resolution(s) must: 1) include a description of the land proposed for use as part of the proposed project; 2) identify whether the land is held in Trust, land held in fee simple by the Tribe, or land under a long-term lease by the Tribe; and 3) provide a commitment for use of that land for the proposed project. The Tribal Council Resolution(s), declarations, and letters of commitments must include a statement of the level and type of cost share commitments to meet the minimum required (if any) under this Funding Opportunity Announcement (See Part III.B, Cost Sharing).”

To:

“The Tribal Council Resolution(s) and declaration(s) must not only authorize the submittal of the application, but also document approval for the proposed project. The Tribal Council Resolution(s) or declaration(s) must: 1) include a description of the land proposed for use as part of the proposed project; 2) identify whether the land is owned, held in Trust, land held in fee simple by the Tribe, or land under a long-term lease by the Tribe; 3) if owned, identify the land owner; and 4) provide a commitment in writing from the land owner authorizing the applicant’s use of that land for the proposed project. The Tribal Council Resolution(s), declarations, and letters of commitments must include a statement of the level and type of cost share commitments to meet the minimum required (if any) under this Funding Opportunity Announcement (See Part III.B, Cost Sharing).”

All other content of the Announcement remains unchanged.

REGISTRATION AND APPLICATION SUBMISSION REQUIREMENTS

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

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

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

Where to Download the Application Package:

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

Where to Submit the Application Package:

APPLICATIONS MUST BE SUBMITTED THROUGH GRANTS.GOV TO BE CONSIDERED FOR AWARD. Follow instructions in the User Guide at <http://www.grants.gov/assets/ApplicantUserGuide.pdf> for application submissions. Applicants are responsible for verifying successful transmission, prior to the Application due date and time.

Where to Ask Questions About the Funding Opportunity Announcement Content:

To ask questions about the Funding Opportunity Announcement, use FedConnect at <https://www.fedconnect.net/>. You must be a registered user in the system and submit questions by sending messages in your FedConnect email box. Part VII of this announcement explains how to submit questions to the Department of Energy (DOE).

Where to Submit Questions About the Registrations or Systems:

DUNS & Bradstreet: govt@dnb.com

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

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

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

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PART I – FUNDING OPPORTUNITY DESCRIPTION

A. General Information

The Department of Energy's (DOE's) Tribal Energy Program under the Office of Energy Efficiency and Renewable Energy is soliciting applications to initiate the First Steps Toward Developing Renewable Energy and Energy Efficiency on Tribal Lands. Through grants, DOE intends to provide financial support under the provisions of the Title V of the Energy Policy Act (EPAAct) of 2005.

DOE's Tribal Energy Program promotes Tribal energy sufficiency and fosters employment and economic development on Tribal Lands through financial and technical assistance to Tribes. It is intended that, through these studies, Tribes will obtain sufficient information to make informed decisions about whether to implement conservation measures and/or develop their renewable energy resources. Information on the Tribal Energy Program and previously funded projects is available on the website at www.eere.energy.gov/tribalenergy.

Under this announcement, DOE is soliciting applications for strategic planning, energy options analysis, energy organization development, and human capacity building related to sustainable energy efficiency implementation and/or renewable energy development.

Applicants may submit multiple applications, but each must be a stand-alone application. Each application must primarily address only one Topic Area; although Human Capacity Building (Topic Area 4) activities may be proposed as a stand-alone application or included under one of the other Topic Areas. All applications must designate the specific Topic Area under which that application is being submitted in the Project Summary/Abstract and on the cover of the Narrative file (see PART IV.C., Content and Form of Application).

DOE will only consider applications from an Indian Tribe, Tribal Energy Resource Development Organization, or Tribal Consortium on whose Indian Lands the project will be located (see PART III, Eligibility Information and Appendix A, for further definition). Applications from a consortium of Tribes will be accepted but must be submitted by a single Tribe representing the consortium.

A Tribal Council Resolution by each participating Indian Tribe, declaration from each Tribal Energy Resource Development Organization entity or Tribal Consortium, and a letter of commitment from all other project participants, are required as a part of the application. See Section IV.C., Content and Form of Application, for requirements.

Selected applicants will be required to document progress in quarterly reports and the results in a final report, as well as present at the annual Tribal Energy Program Review to be held each fall in Denver, Colorado. For planning purposes, applicants should plan and budget for attendance at two reviews (one week each), one at the beginning of the project and one at project completion. Travel costs for participation in this review should be included in the proposed budget.

Performance under this Funding Opportunity Announcement is contingent upon the availability of appropriated funds from which financial assistance awards can be made.

B. Eligible Activities

Eligible activities under this announcement include, but are not limited to the following:

- Strategic Energy Planning (Topic Area 1)
- Energy Options Analysis (Topic Area 2)
- Energy Organization Development (Topic Area 3)
- Human Capacity Building (Topic Area 4)

Following is a summary of the types of activities anticipated under each of the Topic Areas.

1. Strategic Energy Planning

Results of a strategic planning effort should define a comprehensive energy plan that addresses: “where you are” (baseline assessment), “where you want to go” (a vision), and “how you’re going to get there” (an action plan).

Strategic energy plans should address both “supply-side” and “demand-side” options and possible energy sources including conventional and non-conventional sources, but must include renewable energy and energy efficiency options. This effort is intended to result in a long-term sustainable plan for energy sufficiency or energy development on Tribal Lands.

Strategic energy planning activities may include, but are not limited to:

- Developing an energy “vision” including a vision statement, goals and objectives
- Identification of viable energy options based on the long-term strategic plan of the Tribe
- Developing an action plan

For more on developing a strategic energy plan, including “demand-side” and “supply-side” options, see the “Guide to Tribal Energy Development” on the Tribal Energy Program website at www.eere.energy.gov/tribalenergy/guide/index.html.

“Demand-side” options are those that reduce energy consumption and include the following:

- Consumer Energy Efficiency — home weatherization, energy-efficient appliances, lighting, heating and air conditioning, water heating, duct repair, motors, refrigeration, energy-efficient construction, appliance timers and controls, thermal storage, and geothermal heat pumps
- Utility Energy Conservation — load management, high efficiency motors, and reduced transmission and distribution losses
- Rates — time-of-use, interruptible, and revenue decoupling
- Renewables — solar heating and cooling, photovoltaics, passive solar design, EPA-approved wood heating stoves, and daylighting

“Supply-side” options are those that generate energy and may include the following:

- Conventional Power Plants — fossil-fuel, nuclear, extending the life of existing plants, hydro/pumped storage, repowering, and utility battery storage
- Non-Utility-Owned Generation — cogeneration, independent power producers, and distributed generation
- Purchases — requirement transactions, coordination transactions, and competitive bidding
- Renewables — biomass, geothermal, solar thermal, photovoltaics, hydropower, and wind

2. Energy Options Analysis

The analysis of energy options must be consistent with the Tribe’s energy vision. An energy options analysis should result in a thorough understanding of tribal energy resources and conservation, analysis of tribal energy loads (current and future energy consumption), and evaluation of local and commercial energy supply options. The energy options should be measured against tribal screening criteria that provide a framework for ranking the available options. The analysis may consider export of renewable energy resources off Tribal Lands to generate revenue, but should also address energy saving measures and supply to tribal energy loads, thereby addressing energy sufficiency for the tribal community.

The results of this effort are intended to be of sufficient depth that a feasibility study of preferred options and business planning can be initiated, based on the analysis. Applicants may propose literature searches or data gathering, but funds are not intended for measuring a specific resource or purchasing resource monitoring equipment.

An energy options analysis may include, but are not limited to:

- Identification of energy resources (renewable and non-renewable) including conservation (i.e., energy efficiency)
- Assessment of tribal energy needs for local consumption or use (i.e., energy loads analysis)
- Assessment of renewable energy export off Tribal Lands (market analysis), if applicable
- Forecast of future energy needs for local consumption and for export, if applicable
- Identification of commercial energy efficiency and renewable energy technology options
- Screening of energy options relative to the Tribe’s long-term strategic plan and energy vision
- Developing an implementation plan

For more on energy options and energy options analysis, see the “Guide to Tribal Energy Development” on the Tribal Energy Program website at www.eere.energy.gov/tribalenergy/guide/energy_planning.html and www.eere.energy.gov/tribalenergy/guide/assessing_energy_resources.html.

3. Energy Organization Development

This Topic Area is intended for the planning and/or establishment of an energy organization such as a utility, energy office, Energy Service Company (ESCO), tribal committee, or other organizational unit; or the enhancement of an existing organizational unit. This effort is expected to be in response to a specific need or goal of the Tribe, be of limited duration with clear measurable results or end-products, and have identified sources of funding or revenue to sustain the operation beyond DOE funding. Energy Organization Development activities may be proposed in conjunction with other Topic Areas or as part of another Topic Area.

Activities may include, but are not limited to:

- Evaluation of organizational structures as they relate to the Tribe's long-term strategic energy plan and implementation opportunities (i.e., utility, energy office, ESCO, tribal committee, or other organizational unit)
- Establishment of an energy organization or tribal unit for managing tribal energy resources or implementing the tribal strategic energy plan
- Enhancement of an existing tribal energy organizational unit or function for managing tribal energy resources or implementing the tribal strategic energy plan
- Development of energy policies or codes
- Establishment of regional intertribal energy collaboratives

For more on energy organization development, see the "Guide to Tribal Energy Development" on the Tribal Energy Program website at www.eere.energy.gov/tribalenergy/guide/organizational_development.html.

4. Human Capacity Building

Human Capacity Building activities are intended to be associated with increasing capabilities or skills, knowledge base, awareness, or expertise of tribal members for implementation of a tribal strategic energy plan. Applications under this area should provide a correlation between the proposed activities and the strategic plan or energy development activities of the Tribe. This effort is expected to be in response to a specific need or goal of the Tribe and be of limited duration with clear measurable results or end-products. Applications in this Topic Area should clearly define how the new capabilities will be integrated into existing tribal activities.

Human Capacity Building may include such activities as:

- Training (specific course or curriculum offered by an established training organization such as energy auditor or windsmith training)
- Workshops
- Participation in meetings or conferences
- Internship programs
- Community meetings or workshops
- Development of renewable energy or energy efficiency informational materials for the tribal community

Human Capacity Building (Topic Area 4) activities may be proposed as a single application or included under one of the other Topic Areas.

C. Merit Review Criterion Discussion

The Merit Review Criterion Discussion to be included as part of the Project Narrative File should address each of the following as each will be rated per the criteria included under Part V.A.2, Merit Review Criteria. See Part IV.C., Content and Form of Application, for additional instructions on the content and form of the application package.

Criterion I: Project Description

- Provide a concise overview of the goals of the Tribe and objectives of the specific Topic Area you are proposing against, including any relevant background information.
- Describe the plan for achieving the project objectives.
- Provide an overview of the Tribal structure, location, and demographics. Project location maps, photographs or other supplemental data may be included under Data and Maps File (See Part IV.C., Content and Form of Application)
- Describe how the proposed project integrates with the cultural, social, and long-term self-sufficiency or economic goals of the Tribe.

Criterion II: Level of Tribal Commitment

- Describe the Tribal commitment to the project. Supply a Tribal Council Resolution by each participating Tribe, declaration from each Tribal Energy Resource Development Organization entity or Tribal Consortium, and a letter of commitment from all other project participants (see Statement of Commitment and Cost Sharing File under Part IV.C., Content and Form of Application).
- Describe the level of involvement of the Tribe and tribal members in conducting the project.
- Describe how the results of the proposed project will be integrated into future tribal decisions or operations.

Criterion III: Roles, Responsibilities and Capabilities

- Provide a description of the management concept for the proposed project including the names and roles of the applicant and each participating organization involved in the project, as well as business agreements between the applicant and participants, including suppliers, consultants or subcontractors. The descriptions must encompass the following:
 - 1) Management approach for implementing the proposed project, including organizational and individual responsibilities;
 - 2) Capabilities of the applicant and each participant and a brief summary of experience and qualifications. Include individual resumes under Resume File (See Part IV.C, Content and Form of Application.);
 - 3) If consultants or contractors have not been identified, indicate that in the narrative and supply a subcontract plan as an attachment (See Subcontract Plan under Part IV.C., Content and Form of Application).

Criterion IV: Project Activities and Schedule

- Provide a description that includes the following:
 - 1) Overview of the objectives of the proposed project;
 - 2) Summary of the approach for implementing the project;
 - 3) Detailed description of each of the activities or tasks to be performed under the proposed project and the results or milestones associated with each of those activities or tasks; and
 - 4) Schedule of milestones coupled with a timeline of activities or tasks to be conducted included as a Gantt chart or task schedule. Successful applicants will use this project timeline to report progress.

PART II – AWARD INFORMATION

A. Type of Award Instrument

DOE anticipates awarding grants under this funding opportunity announcement.

B. Estimated Funding

The Administration has requested approximately \$500,000 to \$1,500,000 in FY 2011 for this program. The actual level of funding, if any, depends on appropriations for this program.

C. Maximum and Minimum Award Size

Ceiling (i.e., the maximum amount for an individual award made under this announcement): \$200,000.

Floor (i.e., the minimum amount for an individual award made under this announcement): \$50,000.

D. Expected Number of Awards

DOE anticipates making 5 to 20 awards under this announcement depending on the size of the awards.

E. Anticipated Award Size

DOE anticipates that awards will be in the \$50,000 to \$100,000 range for the total project period.

F. Period of Performance

DOE anticipates making awards with terms from one to two years.

G. Type of Application

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

PART III - ELIGIBILITY INFORMATION

A. Eligible Applicants

In accordance with 10 CFR 600.6(b) and consistent with the EAct 2005 authorities, eligibility for award under this Funding Opportunity Announcement is restricted to: 1) an

Indian Tribe; (2) Tribal Energy Resource Development Organization; or (3) Tribal Consortium; and on whose (4) Tribal Lands the project(s) will be located. More specifically,

- 1) “Indian Tribe,” for purposes of this announcement, means any Indian tribe, band, nation or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (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.
- 2) “Tribal Energy Resource Development Organizations,” for purposes of this Announcement and in accordance with EAct 2005, means an “organization” of two or more entities, at least one of which is an Indian Tribe as defined 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. § 3502.

For purposes of this Announcement and as defined under Part 503 of EAct 2005, the term “organization,” means a partnership, joint venture, Limited Liability Company or other unincorporated association or entity that is established to develop Indian energy resources.

- 3) “Tribal Consortium” (plural consortia), for purposes of this announcement, means a group of organizations, at least one of which is an Tribe as defined above, that have chosen to submit a single application. Under this announcement, a Tribal Consortium is eligible to submit an application provided the application is submitted by a single Tribe representing the consortium.
- 4) “Tribal Lands” for purposes of this Announcement, is defined as:
 - (a) any land located within the boundaries of an “Indian reservation”, pueblo, or rancharia;
 - (b) any land not located within boundaries of an Indian reservation, pueblo, or rancharia, the title to which is held –
 - (i) in trust by the United States for the benefit of an Indian tribe or an individual Indian;
 - (ii) by an Indian tribe or an individual Indian, subject to restriction against alienation under laws of the United States; or
 - (iii) by a dependent Indian community;
 - (c) land that is owned by an Indian tribe and was conveyed by the United States to a Native Corporation pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. § 1601 et seq.), or that was conveyed by the United States to a Native Corporation in exchange for such land;
 - (d) lands held in fee simple (purchased or owned); or
 - (e) lands under a long-term Federal land lease.

For purposes of this Announcement and as defined under Part 503 of EAct 2005, the term “Indian Reservation” includes an Indian reservation in existence in any

State or States as of the date of enactment of Title V of EPAct 2005; a public domain Indian allotment; and a dependent Indian community located within the borders of the United States, regardless of whether the community is on original or acquired territory of the community; or within or outside the boundaries of any State or States.

B. Cost Sharing

Cost sharing is encouraged, but not required. If cost sharing is being proposed, see Appendix C for additional Information.

NOTE: BIA Self Governance Compact Funding may be used as non-Federal cost share by Tribes on Federal grants. 25 U.S.C. Section 450j-1(j), "Notwithstanding any other provision of law, a tribal organization may use funds provided under a self-determination contract to meet matching or cost participation requirements under other Federal and non-Federal programs." If the source of funds being proposed as non-Federal cost share against this announcement are Self Governance Compact Funding, specifically identify those funds and that authority as part of the application.

PART IV – APPLICATION AND SUBMISSION INFORMATION

A. Address to Request Application Forms

Application forms and instructions are available at Grants.gov. To access these materials, go to <http://www.grants.gov>, select "Apply for Grants," and then select "Download Application Package." Enter the CFDA and/or the funding opportunity number located on the cover of this announcement and then follow the prompts to download the application package. (Also see Part H of this Part below.) The CFDA for this announcement is 81.087.

B. Letter of Intent and Pre-Application

1. Letters of Intent

Letters of Intent are not required.

2. Pre-application

A pre-application is not required.

C. Content and Form of Application

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

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

1. SF 424 - Application for Federal Assistance

Complete this form first to populate data in other forms. Complete all required fields in accordance with the instructions on the form. To activate the instructions, turn on the “Help Mode” (Icon with the pointer and question mark at the top of the form). The list of certifications and assurances referenced in Field 21 can be found at http://management.energy.gov/business_doe/business_forms.htm, under Certifications and Assurances.

2. Project/Performance Site Location(s)

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

3. Other Attachments Form

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

a. Project Summary/Abstract File

The project summary/abstract must contain a summary of the proposed activity suitable for dissemination to the public. It should be a self-contained document that identifies the name of the applicant, the Technical and Business Contacts for the project (see Narrative Cover Page below for a definition), 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 if an inquiry is made, under the Freedom of Information Act (FOIA). The project summary must not exceed **2 pages** when printed using standard 8.5” by 11” paper with 1” margins (top, bottom, left and right), single spaced, with font not smaller than 11 point. Save this information in a file named “Summary.pdf,” and click on “Add Optional Other Attachment” to attach file.

b. Project Narrative File - Mandatory Other Attachment

The project narrative must not exceed **10 pages**, including cover page, table of contents, charts, graphs, maps, photographs, and other pictorial presentations, when printed using standard 8.5” by 11” paper with 1 inch margins (top, bottom, left, and right), single spaced. **EVALUATORS WILL REVIEW ONLY THE NUMBER OF PAGES SPECIFIED IN THE PRECEDING SENTENCE.** The font must not be smaller than 11 point. Do not include any Internet addresses (URLs) that provide information necessary to review the application, as the information contained in these sites will not be reviewed. See Part VIII.D for instructions on how to mark

proprietary application information. Save the information in a single file named “Project.pdf,” and click on “Add Mandatory Other Attachment” to attach.

The project narrative must include:

- Cover Page
The cover page must indicate the name of the Applicant (Tribe or Tribal Energy Resource Development Organization), project title, project location(s), Funding Opportunity Announcement title and number (DE-FOA-0000422), and both the technical and business points of contact for the applicant, denoting the names, titles, addresses, telephone and facsimile numbers, and electronic mail addresses. The Business Contact is a representative authorized to act on behalf of the applicant to negotiate the agreement. All DOE official correspondence related to this announcement, or agreement if one was awarded, would be addressed to the business point of contact. The designated Technical Contact is a representative authorized to act as project manager on behalf of the applicant and would be the prime point of contact for DOE’s Project Officer during project performance, if an agreement were to be awarded. The cover page should also identify the name and type of organization for each key participant including consultants or contractors, along with the names, titles, addresses, telephone and facsimile, and electronic mail addresses of participant contacts.
- Table of Contents
The narrative shall include a table of contents and page numbers corresponding to the elements outlined in these guidelines.
- Merit Review Criterion Discussion
This part should be formatted to address each of the parts described under Merit Review Criterion Discussion (Part I.B) and the merit review criterion and sub-criterion listed in Part V. A. below. Provide sufficient information so that reviewers will be able to evaluate the application in accordance with these merit review criteria. **DOE WILL EVALUATE AND CONSIDER ONLY THOSE APPLICATIONS THAT ADDRESS SEPARATELY EACH OF THE MERIT REVIEW CRITERION AND SUB-CRITERION.**

The project Narrative must include the following Merit Review Criteria Discussion Parts:

- Criterion I: Project Description
- Criterion II: Level of Tribal Commitment
- Criterion III: Roles, Responsibilities and Capabilities
- Criterion IV: Project Activities and Schedule

All the components of your Project Narrative (listed above) must be within the Narrative page limit specified in paragraph b. above. The Files listed below may be included as Attachments as originally written and verify the same sequence in the table. Please note

that some of the required documents listed below may have their own page limits to which you must adhere.

c. Site and Resource Maps File

Supply any maps, photographs, or other visuals of the project location or buildings to be assessed or retrofitted as defined under Part I.B. Save this information in a single file named “SiteMaps.pdf,” and click on “Add Optional Other Attachment” to attach file.

d. Statements of Commitment and Cost Sharing File

A Tribal Council Resolution by each participating Indian Tribe, declaration from each Tribal Energy Resource Development Organization entity or Tribal Consortium, and a letter of commitment from all other project participants, are required as a part of the application.

The Tribal Council Resolution(s) and declaration(s) must not only authorize the submittal of the application, but also document approval for the proposed project. The Tribal Council Resolution(s) must: 1) include a description of the land proposed for use as part of the proposed project; 2) identify whether the land is held in Trust, land held in fee simple by the Tribe, or land under a long-term lease by the Tribe; and 3) provide a commitment for use of that land for the proposed project. The Tribal Council Resolution(s), declarations, and letters of commitments must include a statement of the level and type of cost share commitments to meet the minimum required (if any) under this Funding Opportunity Announcement (See Part III.B, Cost Sharing).

The statements of commitment should include a detailed estimate of the cash value (basis of and the nature of; e.g., equipment, labor, facilities, cash, etc.) of all contributions to the project by project participants. Note that "Cost Sharing" is not limited to cash investment. In-kind contributions (e.g., contribution of services or property; donated equipment, buildings, or land; donated supplies; or unrecovered indirect costs) incurred as part of the project may be considered as all or part of the Cost Share. The "Cost Sharing" definition is contained in 10 CFR 600.30, 600.101, 600.123, 600.224, and OMB Circular A-110. 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 reasonable, allowable and allocable to the project as determined in accordance with the applicable cost principles prescribed in 10 CFR 600.127 and 10 CFR 600.224 for the respective participants.

Save this information in a single file named “Commitments.pdf,” and click on “Add Optional Other Attachment” to attach file.

e. Subcontract Plan File (If applicable)

A subcontract plan is required if project participants (i.e., subcontractors or consultants) have not been identified. Include a description of the selection process to be employed, statement of work, and criteria for selection. Save this information in a

single file named “SubcontractPlan.pdf,” and click on “Add Optional Other Attachment” to attach file.

f. Resume File

Provide a resume for each key person proposed (Tribal representative or staff, consultant, or contractor) proposed as part of the project. A key person is any individual who contributes in a substantive, measurable way to the execution of the project. Save all resumes in a single file named “resume.pdf” and click on “Add Optional Other Attachment” to attach. This file should be included as an attachment file rather than with the narrative file (these resumes will not count against the page limit).

The biographical information for each resume must not exceed **2 pages** when printed on 8.5” by 11” paper with 1 inch margins (top, bottom, left, and right), single spaced, with font not smaller than 11 point.

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

Use the SF 424 A Excel, “Budget Information – Non Construction Programs” form on the DOE Financial Assistance Forms Page at http://management.energy.gov/business_doe/business_forms.htm.

You may request funds under any of the Object Class Categories (budget categories) as long as the item and amount are necessary to perform the proposed work, meet all the criteria for allowability under the applicable Federal cost principles, and are not prohibited by the funding restrictions in this announcement (see Part IV, G). The budget must reflect the total project budget including both the requested DOE funds and the proposed cost share contributions. Save the information in a single file named “SF424A.xls,” and click on “Add Optional Other Attachment” to attach.

h. Budget Justification File for SF424A Budget

Justify the total project costs (both the requested DOE funds and the proposed cost share contributions proposed) in each Object Class Category/Cost Classification category (e.g., identify key persons and personnel categories and the estimated costs for each person or category; provide a list of equipment and cost of each item; identify proposed subaward/consultant work and cost of each subaward/consultant; describe purpose of proposed travel, number of travelers and number of travel days; list general categories of supplies and amount for each category; and provide any other information you wish to support your budget). The justification should also include the basis for the proposed costs (e.g., estimated based previous actual expenses, quotes, published prices). If indirect costs are being proposed and you have an approved indirect rate agreement, please supply the indirect rate agreement as part of the Budget Justification.

If cost share is required, you must have a letter from each third party contributing cost share (i.e., a party other than the organization submitting the application) stating that the third party is committed to providing a specific minimum dollar amount of cost share. In the budget justification, identify the following information for each third

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

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

See Appendix D for additional information on the level of detail required.

i. Subaward Budget File(s) (If applicable)

A separate budget must be provided for each subawardee that is expected to perform work estimated to be more than \$100,000 or 50 percent of the total work effort (whichever is less). Use the SF 424 A Excel for Non Construction Programs. This form is found on the DOE Financial Assistance Forms Page at http://management.energy.gov/business_doe/business_forms.htm. Save each Subaward budget in a separate file. Use up to 10 letters of the subawardee’s name (plus 424.xls) as the file name (e.g., company424.xls or energyres424.xls). Click on “Add Optional Other Attachment” to attach each file.

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

j. Form PMC 121.1, Financial Assistance Pre-Award Information Sheet

Complete the Financial Assistance Pre-Award Information Sheet (Form PMC 121.1). The form PMC 121.1 may be obtained under “Application Forms” at <https://www.eere-pmc.energy.gov/Forms.aspx>. Save the Financial Assistance Pre-Award Information Sheet as a single file named “PreAwardInfo.pdf,” and click on “Add Optional Other Attachment” to attach file.

k. SF-LLL Disclosure of Lobbying Activities

Complete SF- LLL "Disclosure Form to Report Lobbying." Applicability: If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the grant/cooperative agreement, you must complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying." The form is available in the optional document box on the Adobe Application Package attached to this FOA or may be obtained under “Application Forms” at <https://www.eere-pmc.energy.gov/Forms.aspx>. Save as a single file named “SF-LLL.pdf”, and click on “Add Optional Other Attachment” to attach file.

Summary of Required Forms/Files

Your application must include the following documents:

	Name of Document	Format	File Name
1.	SF-424 - Application for Federal Assistance	Part of Adobe Application Package (On-line form)	N/A
2.	Project/Performance Site Location(s)	Part of Adobe Application Package (On-line form)	N/A
3.	Other Attachments Form: Attach the following files to this form. Click on “Add Mandatory Other Attachment” to attach the Project Narrative File. Click on “Add Optional Other Attachment,” to attach the other files		N/A
a.	Project Summary/Abstract File	PDF	Summary.pdf
b.	Project Narrative File	PDF	Project.pdf
c.	Site and Resource Maps File	PDF	MapsResources.pdf
d.	Statements of Commitment and Cost Sharing File	PDF	Commitments.pdf
e.	Subcontract Plan File, if applicable	PDF	SubcontractPlan.pdf
f.	Resume File	PDF	Resumes.pdf
g.	Form SF-424A Excel - Budget Information for Non-Construction Programs	Excel	SF424A.xls
h.	Budget Justification File for SF-424A Budget	Excel	SF424AJustification.xls
i.	Subaward Budget File(s), if applicable	Excel	See Instructions
j.	Form PMC 121.1, Financial Assistance Pre-Award Information Sheet	PDF	PreAwardInfo.pdf
k.	SF-LLL Disclosure of Lobbying Activities, if applicable	PDF	SF-LLL.pdf

D. Submissions from Successful Applicants

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

- Indirect cost information
- Other budget information
- Name and phone number of the Designated Responsible Employee for complying with national policies prohibiting discrimination (See 10 CFR 1040.5)

E. Submission Dates and Times

1. Pre-application Due Date

Pre-applications are not required.

2. Application Due Date

Applications must be received by March 3, 2011, not later than 11:59 PM Eastern Time. You are encouraged to transmit your application well before the deadline and to confirm that your application has been received in advance of the deadline. Allow sufficient time

to transmit your application and to confirm receipt which may take a number of days. Note that the Grants.gov Helpdesk is not available after 9:00 PM Eastern Time to assist with any difficulties you may experience submitting your application late on the day of the deadline. **APPLICATIONS RECEIVED AFTER THE DEADLINE WILL NOT BE REVIEWED OR CONSIDERED FOR AWARD.**

F. Intergovernmental Review

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

G. Funding Restrictions

Cost Principles. Costs must be allowable in accordance with the applicable Federal cost principles referenced in 10 CFR Part 600. The cost principles for State and Local Governments (including Tribes) are in the Office of Management and Budget (OMB) Circular A-87. The cost principles for commercial organization are in Federal Acquisition Regulations (FAR) Part 31.

Pre-award Costs.

Applicant must obtain the prior approval of the Contracting Officer for any pre-award costs.

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

H. Submission and Registration Requirements

1. Where to Submit

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

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

2. Registration Process Requirements

To submit an application in response to this FOA, Applicants must be registered with Grants.gov. Register in Grants.gov at <http://www.grants.gov/>. See the Organization Registration User Guide at <http://www.grants.gov/assets/OrgRegUserGuide.pdf>.

The Applicant User Guide is at <http://www07.grants.gov/assets/ApplicantUserGuide.pdf>. Allow at least 21 days to complete all registration requirements.

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

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

3. Electronic Authorization of Applications and Award Documents

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

Submission of award documents, including modifications, through electronic systems used by the Department of Energy, including FedConnect, constitutes the authorized representative's approval and acceptance of the terms and conditions of the award. Award acknowledgement via FedConnect constitutes the authorized representative's electronic signature.

PART V - APPLICATION REVIEW INFORMATION

A. Review Criteria

1. Initial Review Criteria

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

2. Merit Review Criteria

The following factors will be used in the comprehensive evaluation of applications. The sub-criteria under each criterion are of equal weight.

Criterion I: Project Description

Weight: 25%

- Clarity and completeness of the discussion of the proposed project’s goals and objectives.
- Soundness of the plan for achieving the project objectives.
- Clarity of the description of the Tribal structure, location and demographics.
- Compatibility of the proposed project with the cultural, social, and long-term energy goals of the Tribe, Tribal Energy Resource Development Organization, or Tribal Consortium.

Criterion II: Level of Tribal Commitment

Weight: 25%

- Level of commitment of the Tribe as evidenced by the Tribal Council Resolution or declarations.
- Level of commitment of the Tribe as evidenced by the amount of tribal involvement.
- Clarity of the description of how the results will be integrated into future tribal decisions or operations.

Criterion III: Roles, Responsibilities, and Capabilities

Weight: 25%

- Soundness of the project management concept with respect to proposed tasks and organizational structure to achieve project objectives.
- Capabilities of the applicant and participants to comprehensively address all aspects of the proposed project
- Reasonableness of the plan to obtain qualified suppliers, subcontractors, or consultants, if applicable.

Criterion IV: Project Activities and Schedule

Weight: 25%

- Clarity of the project objectives.
- Adequacy of the approach to implementing the project.
- Clarity and completeness of the description of each activity (or task) necessary to complete the project and reasonableness of the milestones.
- Likelihood of achieving project objectives through realistic milestones and logical task structure.

3. Other Selection Factors

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

- Geographic diversity of selected projects
- Diversity of projects across Topic Areas

B. Review and Selection Process

1. Merit Review

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

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

It is very important that those documents, Project Abstract and Project Narrative file, that will be used during the Merit Review Process do not contain any Personally Identifiable Information as described in Appendix B.

2. Selection

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

3. Discussions and Award

The Government may enter into discussions with a selected applicant for any reason deemed necessary, including, but not limited to: (1) the budget is not appropriate or reasonable for the requirement; (2) only a portion of the application is selected for award; (3) the Government needs additional information to determine that the recipient is capable of complying with the requirements in 10 CFR part 600; and/or (4) special terms and conditions are required. Failure to resolve satisfactorily the issues identified by the Government will preclude award to the applicant.

C. Anticipated Notice of Selection and Award Dates

DOE anticipates notifying applicants selected for award on or about **June 30, 2011** and making awards by **September 30, 2011**.

PART VI - AWARD ADMINISTRATION INFORMATION

A. Notice of Selection

1. Notice of Selection

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

Non-selected Notification

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

2. Notice of Award

A Financial Assistance Award or Assistance Agreement issued by the Contracting Officer is the authorizing award document. It normally includes, either as an attachment or by reference:

- (1) Special Terms and Conditions;
- (2) Applicable program regulations, if any;
- (3) Application as approved by DOE;
- (4) DOE assistance regulations at 10 CFR part 600;
- (5) National Policy Assurances To Be Incorporated As Award Terms;
- (6) Statement of Project Objectives;
- (7) Budget Summary; and
- (8) Federal Assistance Reporting Checklist, which identifies the reporting requirements.

B. Administrative and National Policy Requirements

1. Administrative Requirements

The administrative requirements for DOE grants and cooperative agreements are contained in Title 2 CFR (See: <http://ecfr.gpoaccess.gov>).

DUNS and CCR Requirements

Additional administrative requirements for DOE grants and cooperative agreements are contained in 2 CFR, Part 25 (See: <http://ecfr.gpoaccess.gov>). Prime awardees must keep their data at CCR current. Subawardees at all tiers must obtain DUNS numbers and provide the DUNS to the prime awardee before the subaward can be issued.

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. (See: <http://ecfr.gpoaccess.gov>). Prime awardees must register with the new FSRS database and report the required data on their first tier subawardees. Prime awardees must report the executive compensation for their own executives as part of their registration profile in the CCR.

2. Special Terms and Conditions and National Policy Requirements

The DOE Special Terms and Conditions for Use in Most Grants and Cooperative Agreements are located at:

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

The National Policy Assurances To Be Incorporated As Award Terms are located at http://management.energy.gov/business_doe/1374.htm.

3. Intellectual Property Provisions

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

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

C. Reporting

Reporting requirements are identified on the Federal Assistance Reporting Checklist, DOE F 4600.2, attached to the award agreement. The proposed Checklist for this program is

https://www.eere-pmc.energy.gov/procurenet/FinancialAssistance/Forms/DOE_Forms/DOEF4600_2.doc.

PART VII - QUESTIONS/AGENCY CONTACTS

A. Questions

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

register as soon after release of the FOA as possible to have the benefit of all responses. More information is available at https://www.fedconnect.net/Fedconnect/PublicPages/FedConnect_Ready_Set_Go.pdf.

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

Questions and comments concerning this FOA shall be submitted not later than 3 calendar days prior to the application due date. Questions submitted after that date may not allow the Government sufficient time to respond.

Questions relating to the registration process, system requirements, how an application form works, or the submittal process must be directed to Grants.gov at 1-800-518-4726 or support@grants.gov. The Grants.gov Helpdesk is available 7:00 a.m. to 9:00 p.m. Eastern Time. DOE cannot answer these questions.

PART VIII - OTHER INFORMATION

A. Amendments

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

Notices of any amendments to this announcement will also be available in the FedConnect system. You can receive an email when a modification or an announcement message is posted by registering with FedConnect as an interested party for this FOA. It is recommended that you register as soon after the release of the FOA as possible to ensure you receive timely notice of any amendments or other announcements. More information is available at <http://www.fedconnect.net> and https://www.fedconnect.net/Fedconnect/PublicPages/FedConnect_Ready_Set_Go.pdf

B. Government Right to Reject or Negotiate

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

C. Commitment of Public Funds

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

D. Proprietary Application Information

Patentable ideas, trade secrets, proprietary or confidential commercial or financial information, disclosure of which may harm the applicant, should be included in an application only when such information is necessary to convey an understanding of the proposed project. The use and disclosure of such data may be restricted, provided the

applicant includes the following legend on the first page of the project narrative and specifies the pages of the application which are to be restricted:

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

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

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

E. Evaluation and Administration by Non-Federal Personnel

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

F. Intellectual Property Developed under this Program

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

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

G. Notice of Right to Request Patent Waiver

Applicants may request a waiver of all or any part of the rights of the United States in inventions conceived or first actually reduced to practice in performance of an agreement as a result of this announcement, in advance of or within 30 days after the effective date of the award. Even if such advance waiver is not requested or the request is denied, the recipient will have a continuing right under the award to request a waiver of the rights of the United States in identified inventions, i.e., individual inventions conceived or first actually reduced

to practice in performance of the award. Any patent waiver that may be granted is subject to certain terms and conditions in 10 CFR 784. See <http://www.gc.doe.gov/documents/patwaivclau.pdf>.

Domestic small businesses and domestic nonprofit organizations will receive the patent rights clause at 37 CFR 401.14, i.e., the implementation of the Bayh-Dole Act. This clause permits domestic small business and domestic nonprofit organizations to retain title to subject inventions. Therefore, small businesses and nonprofit organizations do not need to request a waiver.

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

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

I. Notice of Potential Disclosure under Freedom of Information Act

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

J. Equipment

DOE will retain a financial interest in any equipment acquired with Federal funds or supplied by the recipient or project participants as cost share. When equipment with a fair market value of \$5,000 or more is no longer needed for the purpose originally authorized for the project, the recipient or project participant may elect to retain title only after compensating the DOE for the percentage of the fair market value that is attributed to the Federal participation in the project.

K. National Environmental Policy Act (NEPA) Requirements

If selected for award, an applicant will be restricted from taking any irreversible action using Federal or cost shared funds, which would have an adverse affect on the environment or limit the choice of reasonable alternatives prior to DOE reaching a final NEPA decision regarding the project. Irreversible actions include demolition of existing buildings, site clearing, ground breaking, construction, and/or detailed design. If your application is selected for negotiation of award, you will be notified on how to proceed.

Appendix A – Definitions

“Amendment” means a revision to a Funding Opportunity Announcement.

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

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

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

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

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

“Business Contact” means a representative authorized to act on behalf of the applicant to negotiate the agreement, as all DOE official correspondence related to this announcement, or agreement if one was awarded, would be addressed to the business point of contact.

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

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

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

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

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

“Credential Provider” is an organization that validates the electronic identity of an individual through electronic credentials, PINS, and passwords for Grants.gov and FedConnect. Funding Opportunity Announcements which require application submission through Grants.gov require that the individual applying on behalf of an organization first be registered with the Credential Provider at http://www.grants.gov/applicants/register_credential_provider.jsp.

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

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

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

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

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

“Federally Funded Research and Development Center (FFRDC)” means a research laboratory as defined by Federal Acquisition Regulation 35.017.

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

“Funding Opportunity Announcement (FOA)” is a publicly available document by which a Federal agency makes known its intentions to award discretionary grants or cooperative

agreements, usually as a result of competition for funds. Funding opportunity announcements may be known as program announcements, notices of funding availability, solicitations, or other names depending on the agency and type of program.

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

"Grants.gov" is the "storefront" web portal which allows organizations to electronically find grant opportunities from all Federal grant-making agencies. Grants.gov is the single access point for over 900 grant programs offered by the 26 Federal grant-making agencies.
<http://www.grants.gov>

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

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

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

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

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

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

"Project Manager" refers to the technical point of contact or principal investigator for a specific project award.

"Project Period" means the total period of time indicated in an Award during which DOE expects to provide support contingent upon satisfactory progress and available funds. A project period may consist of one or more budget periods and may be extended by DOE.

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

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

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

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

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

"Sustainability" means the ability to maintain and support the existence over the long-term.

"Technical Contact" means a representative authorized to act as project manager on behalf of the applicant and would be the prime point of contact for DOE's Project Officer during project performance, if an agreement were to be awarded.

"Technology Investment Agreement (TIA)" is a type of assistance instrument used to support or stimulate research projects involving for-profit firms, especially commercial firms that do business primarily in the commercial marketplace. TIAs are different from grants and cooperative agreements in that the award terms may vary from the Government-wide standard terms (See DOE TIA regulations at 10 CFR Part 603). The primary purposes for including a TIA in the type of available award instruments are to encourage non-traditional Government contractors to participate in an R&D program and to facilitate new relationships and business practices. A TIA can be particularly useful for awards to consortia (See 10 CFR 603.225(b) and 603.515, Qualification of a consortium).

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

"Tribal Energy Resource Development Organization" 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.

"Tribal Lands" for purposes of this Funding Opportunity Announcement only, means Indian reservations; public domain Indian allotments; dependent Indian communities within the borders of the United States whether within the original or subsequent acquired territory thereof, and whether within or outside the boundaries or any State or States; any land or interests in land owned by an Indian tribe, title to which is held in trust by the United States, or is subject to a restriction against alienation under the laws of the United States; land held by incorporated Native Groups, regional corporations, and village corporations under the provisions of the Alaska Native Claims Settlement Act (43 U.S.C. § 1601 et seq.); and lands held in fee simple or under a Federal land lease.

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

Appendix B – Personally Identifiable Information

In responding to this Announcement, Applicants must ensure that Protected Personally Identifiable Information (PII) is not included in the following documents: Project Abstract, Project Narrative, Biographical Sketches, Budget or Budget Justification. These documents will be used by the Merit Review Committee in the review process to evaluate each application. PII is defined by the Office of Management and Budget (OMB) and DOE as:

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

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

- a. **Public PII:** PII found in public sources such as telephone books, public websites, business cards, university listing, etc. Public PII includes first and last name, address, work telephone number, email address, home telephone number, and general education credentials.
- b. **Protected PII:** PII that requires enhanced protection. This information includes data that if compromised could cause harm to an individual such as identity theft.

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

- Social Security Numbers in any form
- Place of birth associated with an individual
- Date of birth associated with an individual
- Mother's maiden name associated with an individual
- Biometric record associated with an individual
- Fingerprint
- Iris scan
- DNA
- Medical history information associated with an individual
- Medical conditions, including history of disease
- Metric information, e.g. weight, height, blood pressure
- Criminal history associated with an individual
- Employment history and other employment information associated with an individual
- Ratings
- Disciplinary actions
- Performance elements and standards (or work expectations) are PII when they are so intertwined with performance appraisals that their disclosure would reveal an individual's performance appraisal

- Financial information associated with an individual
- Credit card numbers
- Bank account numbers
- Security clearance history or related information (not including actual clearances held)

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

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

Appendix C – Cost Share Information

Cost Sharing or Cost Matching

The terms “cost sharing” and “cost matching” are often used synonymously. Even the DOE Financial Assistance Regulations, 10 CFR Part 600, use both of the terms in the titles specific to regulations applicable to cost sharing. DOE 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, 10 CFR Part 420.12, 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 Sharing Is Calculated

As stated above, cost sharing is calculated as a percentage of the Total Project Cost. Following is an example of how to calculate cost sharing amounts for a project with \$1,000,000 in federal funds with a minimum 20% non-federal cost sharing requirement:

Formula: Federal share (\$) divided by Federal share (%) = Total Project Cost

Example: \$1,000,000 divided by 80% = \$1,250,000

Formula: Total Project Cost (\$) minus Federal share (\$) = Non-federal share (\$)

Example: \$1,250,000 minus \$1,000,000 = \$250,000

Formula: Non-federal share (\$) divided by Total Project Cost (\$) = Non-federal share (%)

Example: \$250,000 divided by \$1,250,000 = 20%

See the sample cost share calculation for a blended cost share percentage below.

What Qualifies For Cost Sharing

While it is not possible to explain what specifically qualifies for cost sharing 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 a DOE grant or cooperative agreement, then it is allowable as cost share. Conversely, if the cost is not allowable under the cost principles and not eligible for reimbursement, then it is not allowable as cost share. In addition, costs may not be counted as cost share if they are paid by the Federal Government under another award unless authorized by Federal statute to be used for cost sharing.

The rules associated with what is allowable as cost share 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. The specific rules applicable to:

- Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations are found at 10 CFR600.123;
- State, Local and Tribal Governments are found at 10 CFR600.224;
- For-profit Organizations are found at 10 CFR600.313.

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 share. Only the value for the five years of donated maintenance that corresponds to the project period is allowable and may be counted as cost share.

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

Following is a link to the DOE Financial Assistance Regulations. You can click on the specific part for each Code of Federal Regulations reference mentioned above.

DOE Financial Assistance Regulations:

<http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=98a996164312e8dcf0df9c22912852b0&rgn=div5&view=text&node=10:4.0.1.3.9&idno=10>

As stated above, the rules associated with what is allowable cost share 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 recipient's cost sharing 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:

(a) *For-profit organizations.* Allowability of costs incurred by for-profit organizations and those nonprofit organizations listed in Attachment C to OMB Circular A-122 is determined in accordance with the for-profit costs principles in 48 CFR Part 31 in the Federal Acquisition Regulation, except that patent

prosecution costs are not allowable unless specifically authorized in the award document.

(b) *Other types of organizations.* Allowability of costs incurred by other types of organizations that may be subrecipients under a prime award is determined as follows:

(i) *Institutions of higher education.* Allowability is determined in accordance with OMB Circular No. A-21 -- Cost Principles for Educational Institutions

(ii) *Other nonprofit organizations.* Allowability is determined in accordance with OMB Circular A-122, Cost Principles for Non-Profit Organizations

(iii) *Hospitals.* Allowability is determined in accordance with the provisions of 45 CFR Part 74, Appendix E, Principles for Determining Costs Applicable to Research and Development Under Grants and Contracts with Hospitals

(iv) *Governmental organizations.* Allowability for State, local, or federally recognized Indian tribal government is determined in accordance with OMB Circular No. A-87, Cost Principles for State, Local, and Indian Tribal Governments

(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*

(1) *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. (2)

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.

(3) *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.

(4) *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 share 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. 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.

(5) *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.

**SAMPLE COST SHARE CALCULATION
 FOR BLENDED COST SHARE PERCENTAGE**

The following example shows the math for calculating required cost share for a project with \$2,000,000 in Federal funds with four tasks requiring different Non-federal cost share percentages:

<u>Task</u>	<u>Proposed Federal Share</u>	<u>Required Federal Share %</u>	<u>Non-federal Cost Share %</u>
Task 1 (R&D)	\$1,000,000	80%	20%
Task 2 (R&D)	500,000	80%	20%
Task 3 (Demonstration)	400,000	50%	50%
Task 4 (Outreach)	<u>100,000</u>	100%	0%
	\$2,000,000		

Federal share (\$) divided by Federal share (%) = Task Cost

Each task must be calculated individually as follows:

Task 1

\$1,000,000 divided by 80% = \$1,250,000 (Task 1 Cost)

Task 1 Cost minus federal share = Non-federal share

\$1,250,000 - \$1,000,000 = **\$250,000 (Non-federal share)**

Task 2

\$500,000 divided 80% = \$625,000 (Task 2 Cost)

Task 2 Cost minus federal share = Non-federal share

\$625,000 - \$500,000 = **\$125,000 (Non-federal share)**

Task 3

\$400,000 / 50% = \$800,000 (Task 3 Cost)

Task 3 Cost minus federal share = Non-federal share

\$800,000 - \$400,000 = **\$400,000 (Non-federal share)**

Task 4

Federal share = \$100,000

Non-federal cost share is not mandated for outreach = **\$0 (Non-federal share)**

The calculation may then be completed as follows:

<u>Task</u>	<u>Proposed Federal Share</u>	<u>Federal Share %</u>	<u>Required Non-federal Cost Share \$</u>	<u>Required Non-federal Cost Share %</u>	<u>Total Project Cost</u>
Task 1	\$1,000,000	80%	\$250,000	20%	\$1,250,000
Task 2	500,000	80%	125,000	20%	625,000
Task 3	400,000	50%	400,000	50%	800,000
Task 4	<u>100,000</u>	100%	<u>0</u>	0%	<u>100,000</u>
	\$2,000,000		\$775,000		\$2,775,000

Blended Cost Share %

Non-federal share (\$775,000) divided by Total Project Cost (\$2,775,000) = 27.9% (Non-federal)

Federal share (\$2,000,000) divided by Total Project Cost (\$2,775,000) = 72.1% (Federal)

Appendix D – Budget Justification

Using the “Object Class Categories” in the SF-424A Budget form, justify the costs in each category.

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

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

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

Personnel

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

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

Fringe

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

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

Travel

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

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

Equipment

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

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

Supplies

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

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

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

Contractual

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

Sub-recipients (partners, sub-awardees):

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

Vendors (includes contractors and consultants):

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

Federal Research and Development Centers (FFRDCs):

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

Funding Opportunity Announcement
 First Steps Toward Developing Renewable
 Energy and Energy Efficiency on Tribal Lands
 DE-FOA-0000422

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

Construction

Construction, for the purpose of budgeting, is defined as all types of work done on a particular facility, including erecting, altering, or remodeling. *If real property construction is contemplated under this project, special instructions will be provided.*

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

IMPORTANT: Provide a complete explanation and the full calculations used to derive the total indirect costs. If the total indirect costs are a cumulative amount of more than one calculation or

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

Cost Share

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

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

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

NOTE: BIA Self Governance Compact Funding may be used as non-Federal cost share by Tribes on Federal grants. See 25 U.S.C. Section 450j-1(j), "Notwithstanding any other provision of law, a tribal organization may use funds provided under a self-determination contract to meet matching or cost participation requirements under other Federal and non-Federal programs." If the source of funds being proposed as non-Federal cost share against this announcement are Self Governance Compact Funding, specifically identify those funds and that authority as part of the application.

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

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