

**FINANCIAL ASSISTANCE
FUNDING OPPORTUNITY ANNOUNCEMENT**



**U.S. Department of Energy
Energy Efficiency and Renewable Energy
Golden Field Office**

**Renewable Energy Development and Deployment
in Indian Country**

Topic Area 1: Feasibility Study

Topic Area 2: Development (Pre-construction) Activities

Topic Area 3: Deployment (Construction) of Renewable Energy Power Projects

Funding Opportunity Announcement Number: DE-FOA-0000424

Announcement Type: Initial

CFDA Number: 81.087

Issue Date: January 18, 2011

Initial Application Due Date: March 31, 2011, 11:59 PM Eastern Time

Revised Application Due Date: May 11, 2011, 11:59 PM Eastern Time



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

DE-FOA-EE0000424
Amendment No. 003

DATE: March 21, 2011
FROM: Kelvin Delaney, Contracting Officer
TO: All Prospective Applicants

SUBJECT: Amendment No. 003 to Announcement DE-FOA-0000424,
"Renewable Energy Development and Deployment in Indian Country"

The Announcement is amended as follows:

- 1) This amendment extends the Application due date. In Part IV.E, the Application due date is extended to May 11, 2011, 11:59 PM Eastern Time.
- 2) This amendment changes the name of the "Energy Use and Energy Audit File" to "Energy Use and Savings File," and further clarifies the requirements of the file. All other references to the "Energy Use and Energy Audit File" are hereby changed to "**Energy Use and Savings File**," and the associated filename contained in the "Summary of Required Forms/Files" table (letter d. on Page 20), is hereby changed to "EnergyUseSavings.pdf":
 - a. Part IV.C.(3)d., is amended as follows:

From:

d. Energy Use and Energy Audit File

Supply the energy audit results for each existing building proposed for retrofit and any supplemental data on current energy use or potential energy saving calculations. The energy audit reports should identify the buildings to be retrofitted, including: building type (e.g., homes, schools, community buildings, clinics, or tribal government buildings); size of each building (square footage); location of each building; current energy usage; planned retrofits; and anticipated energy and cost savings. Save this information in a single file named "EnergyUseAudit.pdf," and click on "Add Optional Other Attachment" to attach file.

To:

d. Energy Use and Savings File

Supply any supplemental information on current energy use, potential energy savings or reduction in fossil fuel usage, or cost savings. Save the information in a single file named “EnergyUseSavings.pdf” and click on “Add Optional Other Attachment” to attach file.

b. Part I, B., the last bullet on page 4 is amended as follows:

From:

- Provide a preliminary projection of the energy savings or reduction in fossil fuel usage. **Potential power production (electricity) must be at least 1 MW or a minimum of 30% of a building(s) electrical or heating and cooling load.**

To:

- Provide a preliminary projection of the energy savings or reduction in fossil fuel usage. Any supplemental data may be included under the Energy Use and Savings File (See Part IV.C., Content and Form of Application). **Potential power production (electricity) must be at least 1 MW or a minimum of 30% of a building(s) electrical or heating and cooling load.**

3) In addition, this amendment defines “Tribal or Inter-tribal Organizations” and allows authorized “Tribal or Inter-tribal Organizations” to submit an application on behalf of an Indian Tribe(s), provided evidence of that authority is supplied as part of the application.

a. Part I, A., the second paragraph is amended as follows:

From:

“Under this announcement, DOE is soliciting applications from Indian Tribes, Tribal Energy Resource Development Organizations or Tribal Consortia under one of the Topic Areas below:”

To:

“Under this announcement, DOE is soliciting applications from Indian Tribes (hereafter referred to as “Tribe”), Tribal Energy Resource Development Organizations or Tribal Consortia, under one of the Topic Areas below:”

b. Part I, A., the fourth paragraph is amended as follows:

From:

“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 acting as the Applicant, representing the consortium.”

To:

“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 acting as the Applicant, representing the consortium. Applications may also be submitted on behalf of an Indian Tribe(s) by an authorized Tribal or Inter-tribal Organization, provided evidence of that authority is supplied as part of the application (see Part III. A.(1) and Appendix A, for the definition of Tribal or Inter-tribal Organization).”

c. Part I, A., the fifth paragraph is amended as follows:

From:

“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 Part IV.C., Content and Form of Application, for requirements.”

To:

“A Tribal Council Resolution from each participating Indian Tribe, declaration from each Tribal Energy Resource Development Organization or Tribal Consortium, and a letter of commitment from all other project participants, are required as a part of the application. If an application is being submitted on behalf of an Indian Tribe(s), evidence of that authority is required as part of the application, along with a declaration from the Tribal or Inter-tribal Organization, and a letter of commitment from all other project participants. **All resolutions, declarations and letters of commitment must be specific to this Funding Opportunity Announcement.** See Statements of Commitment and Cost Sharing File under Part IV.C., Content and Form of Application, for requirements.”

d. Part I, B., Criterion 1, amend the second bullet:

From:

- Provide a description of the Tribe, Tribal Energy Resource Development Organization, or Tribal Consortium including the project management structure.

To:

- Provide a description of the Tribe, Tribal Energy Resource Development Organization or Tribal Consortium including the project management structure. If an authorized Tribal or Inter-tribal Organization is applying on behalf of a Tribe, also provide a description of the Tribal or Inter-tribal Organization and the project management structure.
- e. Part I, B., Criterion 2, Topic Area 1, the parentheses after the first paragraph, “(detailed engineering through construction and commissioning),” are hereby deleted.
- f. Part I, B., Criterion 4, (1), amend the first sentence:

From:

- 1) “Identification of who will represent the Tribe, Tribal Energy Resource Development Organization or Tribal Consortium as the Business Contact and the Technical Contact for DOE under an agreement, if one is awarded.”

To:

- 1) “Identification of who will represent the Applicant as the Business Contact and the Technical Contact for DOE under an agreement, if one is awarded.”

- g. Part III, A.(1), add the following after the first paragraph:

“To be considered an Indian Tribe for purposes of this Announcement, the entity must be a federally recognized Indian tribe, listed in *Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs*, published by the Department of Interior’s Bureau of Indian Affairs in the Federal Register on October 1, 2010, 75 FR 60810, as supplemented October 27, 2010, 75 FR 66124.”

“For purposes of this Funding Opportunity Announcement, a “Tribal or Inter-tribal Organization” means any legally established organization of an Indian Tribe(s), which is controlled, sanctioned, or chartered by the recognized governing body of an Indian Tribe(s). A “Tribal or Inter-tribal Organization” may include, but is not limited to, a subsidiary, subdivision, or band of an Indian Tribe, or organizations established under Congressional, State or Tribal law to act on behalf of an Indian Tribe(s).”

- h. Part III, A.(2), is amended as follows:

From:

- 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 Section 503 of EPAct 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.”

To:

- 2) “Tribal Energy Resource Development Organization” for purposes of this announcement 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, where “organization” means a partnership, joint venture, Limited Liability Company (LLC) or other unincorporated association or entity that is established to develop Indian Energy.”

- i. Part IV.C.(3)b., “Cover Page,” the first sentence is amended as follows:

From:

“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-0000424), Topic Area, 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.”

To:

“The cover page must indicate the name of the Applicant (Tribe or Tribal Energy Resource Development Organization), name of Tribal or Inter-tribal Organization (if applicable), project title, project location(s), Funding Opportunity Announcement title and number (DE-FOA-0000424), 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.”

- j. Part IV.C.(3)i., Statements of Commitment and Cost Sharing File, the following is added after the first paragraph:

“If an application is being submitted on behalf of an Indian Tribe(s), by an authorized Tribal or Inter-tribal Organization, a declaration from the Tribal or Inter-tribal Organization, evidence that documents that the Tribal or Inter-tribal organization is authorized to act on behalf of an Indian Tribe(s), and a

letter of commitment from all other project participants, must be provided as part of the application.”

- k. Part IV.C.(3)g., Agreements File, the parentheses after the title, “(For Topic Area 2 and Topic Area 3 Only),” are hereby deleted. In addition, the parentheses in the associated filename contained in the “Summary of Required Forms/Files” table (letter g. on Page 20), are hereby deleted :

- l. Part V.A .2, Criterion 1, amend the second bullet as follows:

From:

- Clarity of the description of the Tribal, Tribal Energy Resource Development Organization, or Tribal Consortium and project management structure.

To:

- Clarity of the description of the Tribe, Tribal Energy Resource Development Organization, or Tribal Consortium and project management structure. If applicable, clarity and completeness of the description of the Tribe(s) and Tribal or Inter-tribal Organization submitting the application, and project management structure..

- m. In Appendix A, page A-5, add the definition of “**Tribal or Inter-tribal Organization**” as follows:

“**Tribal or Inter-tribal Organization**” for purposes of this Funding Opportunity Announcement means any legally established organization of an Indian Tribe(s), which is controlled, sanctioned, or chartered by the recognized governing body of an Indian Tribe(s). A “Tribal or Inter-tribal Organization” may include, but is not limited to, a subsidiary, subdivision, or band of an Indian Tribe, or organizations established under Congressional, State or Tribal law to act on behalf of an Indian Tribe(s).

- n. In Appendix A, Page A-1, the definition of “**Consortium**” is hereby deleted in its entirety.

- o. In Appendix A, Page A-3, the definition of “**Indian Tribe**” is amended as follows:

From:

““**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.”

To:

“**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. To be considered an Indian Tribe for purposes of this Announcement, the entity must be a federally recognized Indian tribe, listed in *Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs*, published by the Department of Interior’s Bureau of Indian Affairs in the Federal Register on October 1, 2010, 75 FR 60810, as supplemented October 27, 2010, 75 FR 66124.”

- p. In Appendix A, Page A-4, the definition of “**Organization**” is hereby deleted in its entirety.
- q. In Appendix A, Page A-5, the definition of “**Tribal Energy Resource Development Organization**” is amended as follows:

From:

“**Tribal Energy Resource Development Organization**” means an “organization” (see definition of Organization above” 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.”

To:

“**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, where “organization” means a partnership, joint venture, Limited Liability Company (LLC) or other unincorporated association or entity that is established to develop Indian Energy.”

All other content of the Announcement remains unchanged.



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

DE-FOA-EE0000424
Amendment No. 002

DATE: February 14, 2011
FROM: Kelvin Delaney, Contracting Officer
TO: All Prospective Applicants

SUBJECT: Amendment No. 002 to Announcement DE-FOA-0000424,
"Renewable Energy Development and Deployment in Indian Country"

The Announcement is amended as follows:

- 1) The definition of "Indian 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, managed for and on behalf of a Native village or tribal governmental entity.
 - a. Under Part III, Eligibility Information on page 13, 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, managed for and on behalf of a Native village or tribal governmental entity."
 - b. In Appendix A, page A-3, revise the definition of "Indian Lands" to read: "Indian 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. Also, see Indian Country.
- 2) The second paragraph under Statements of Commitment and Cost Sharing File on page 17, 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’s Guide 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) Tribal Energy Program under the Office of Energy Efficiency and Renewable Energy is soliciting applications for the development of renewable energy on Tribal Lands. This effort is being undertaken under the provisions of Title V of the Energy Policy Act (EPAAct) of 2005.

Under this announcement, DOE is soliciting applications from Indian Tribes, Tribal Energy Resource Development Organizations or Tribal Consortia under one of the Topic Areas below:

- 1) Feasibility Studies to determine the technical and economic viability of a future renewable project (Topic Area 1); or
- 2) Development (pre-construction) activities leading to the deployment of renewable energy projects (Topic Area 2) ; or
- 3) Deployment (construction) of renewable energy projects for power production (Topic Area 3).

Multiple applications may be submitted from a single applicant, as long as each is specific to only one of the three topic areas above. 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 acting as the Applicant, 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 Part IV.C., Content and Form of Application, for requirements.

Renewable energy generation may be for power production (electricity); or renewables for buildings (as described below). **Successful applications must demonstrate the potential power production (electricity) of at least 1 MW or meet a minimum of 30% of a building(s) electrical or heating and cooling load.**

Power Production (Electricity):

Renewable energy for power (electricity) production includes, but is not limited to, the use of renewable energy for: direct electrical generation, water pumping, or other grid connected or off-grid power uses. Power applications include, but are not limited to, the use of biomass for power production, photovoltaic (solar electric), concentrating solar thermal power, geothermal electric generation, wind power, hydroelectric power, or other renewable energy

hybrid system for electricity production. Applications may include generation for local consumption or for export off Indian Lands to generate revenue.

Renewables for Buildings:

For purposes of this announcement, “renewables for buildings” includes power (electricity) production or heating or cooling applications. Renewables for producing power specifically for building applications include, but are not limited to, photovoltaic (solar electric) or wind power physically attached to the building or ground-mounted in close proximity to the building. Heating or cooling applications include, but are not limited to, the use of biomass for high efficiency stoves, boilers or furnaces, active or passive solar thermal systems for space or water heating, direct heating or cooling using geothermal resources (including ground source heat pumps), or other renewable energy hybrid systems for the production of heat or air cooling. If a building application is proposed, only existing Tribally-owned buildings will be considered.

For purposes of this announcement, a “Tribally-owned building” is one where the Tribe has the authority to alter the facility and is either owned by the Tribe or tribal members, or where the Tribe has a long-term lease. Buildings may include, but are not limited to, homes, schools, community buildings, clinics, or Tribal government buildings. Only existing Tribally-owned buildings will be considered. New construction will not be considered for funding.

No energy efficiency measures will be considered under this announcement. Applicants wishing to explore or implement building efficiency measures should refer to Funding Opportunity Announcement DE-FOA-0000423, Energy Efficiency Development and Deployment in Indian Country.

Applications proposing the evaluation of product marketing opportunities, assessment of manufacturing opportunities, research, product development, or the construction of manufacturing facilities will not be considered. All proposed materials, equipment or hardware systems must be commercially available and warranted.

The Tribe, Tribal Energy Resource Development Organization, or Tribal Consortium must demonstrate the organizational and technical readiness to develop or deploy renewable energy system(s) on Tribal Lands.

Applications must identify and provide evidence of the availability and sustainability of the renewable energy resource, address how the use of renewable energy will integrate with the cultural, social, and long-term goals of the Tribe, and identify the potential for job creation, the potential for economic and environmental benefits to the Tribal community, and the potential for replication or expansion across Indian Country. The application must also identify the barriers to implementation that justify the need for DOE funding and document how the projects will be financially sustained after DOE funding.

The ability of the applicant to complete environmental analyses and obtain environmental permits and approvals will be a factor in selecting projects for funding. The applicant is

expected to describe and supply evidence of any environmental analyses and approvals obtained to date (e.g., Tribal, Federal, State, or local permitting, Indian Mineral Development Act (IMDA), National Environmental Policy Act (NEPA), National Historic Preservation Act (NHPA), or other) and describe those needed before the proposed project can be implemented (see Part I.B. Merit Review Criteria Discussion and Part V.A. Review Criteria). If funded, recipients will be required to obtain any permits or approvals and comply with applicable Tribal, Federal, State, and municipal laws, codes, and regulations for work performed. The activities and timeline for the proposed project should address any pending environmental analyses or approvals, and the associated costs included in the budget.

The availability and sustainability of the renewable energy resource, level of commitment, and capabilities of the applicant and project participants to accomplish the project objectives will be major factors in selecting projects for funding. Successful applications will also have demonstrated the potential for sustainability, and projected economic and environmental benefits to the tribal community.

Selected applicants will be required to document progress in quarterly reports and the results in a comprehensive 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 to attend and present project activities each fall during the project period. Travel costs for this review (one-week each) 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. Merit Review Criteria 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 1: Goals and Objectives

This Section applies to all applications.

- Provide a concise overview of the proposed project including: a discussion of the goals of the Tribe, Tribal Energy Resource Development Organization or Tribal Consortium; long-term Tribal energy vision; objectives of the project; and the project location(s). Maps or graphics may be included as an attachment, if needed, under the Site and Resource Maps File (see Part IV.C., Content and Form of Application).
- Provide a description of the Tribe, Tribal Energy Resource Development Organization, or Tribal Consortium including the project management structure.
- Describe how the proposed project integrates with the cultural, social, and long-term energy goals of the Tribe, Tribal Energy Resource Development Organization or Tribal Consortium.
- Provide a description of the anticipated economic, environmental, cultural, and social benefits to the Tribe(s) and Tribal members as a result of the project.

- Describe the potential or plans for future replication or expansion of the project beyond that currently proposed.
- Identify the impact of DOE's contributions to the viability of the project.
- Provide a description of how the project will be financially sustained after DOE funding.

Criterion 2: Project Description and Implementation Plan

Each application may only be submitted for one of the three topic areas below and should address each of the elements under the applicable topic areas below.

Topic Area 1: Feasibility Study

Successful feasibility study applications must demonstrate the availability of a renewable energy resource and should demonstrate the potential sustainability of renewable energy development on Tribal Lands including the potential economic and environmental benefits to the Tribe. The feasibility study is intended to result in a comprehensive project plan sufficient for project development (detailed engineering through construction and commissioning).

The following activities are elements of a feasibility study and should be included as part of the Project Activities and Timeline in the application. A discussion of each is also requested as part of the application, as included below.

- Site-specific renewable resource assessment(s);
- Tribal energy load assessment(s), if for local consumption;
- Export markets and transmission and inter-connection considerations, if applicable;
- Technology analysis;
- Economic analysis;
- Environmental assessment (i.e., benefits and impacts);
- Benefit assessment (e.g., employment, cultural and social);
- Preliminary system design(s);
- Training and other tribal professional development planning;
- Long-term operating and maintenance planning; and
- Business planning for implementing a sustainable renewable energy development project.

Each Feasibility Study application should address each of the following:

- Provide a detailed description of the proposed project.
- If for local consumption, describe the current energy used such as the fuel type (e.g., diesel fuel, propane, heating oil, wood, natural gas or electric); costs (if known); and description of the current energy supplier. Any supplemental data can be supplied as attachments under the Energy Use and Energy Audit File (See Part IV.C., Content and Form of Application).
- If for a building application, identify the existing building(s); building type (e.g., homes, schools, community buildings, clinics, or tribal government buildings); size of the building(s) (square footage); location of the building(s), and for solar applications, the building orientation. Maps or graphics may be included as an attachment, if needed, under the Site and Resource Maps File (see Part IV.C., Content and Form of Application).
- Provide a preliminary projection of the energy savings or reduction in fossil fuel usage.
Potential power production (electricity) must be at least 1 MW or a minimum of 30% of a building(s) electrical or heating and cooling load.

- Describe the availability and sustainability of the renewable energy resource(s). Supply evidence of the available renewable energy resource including site maps, resource maps, or other resource data documenting those resources as an attachment under the Site and Resource Maps File (see Part IV.C., Content and Form of Application).
- Describe how the renewable energy resource will be quantified including site-specific resource assessments.
- Describe how the technical and economic viability of commercial renewable energy technology options will be evaluated and selected.
- Provide a description of the Tribal loads or export market and a plan to quantify the local or export markets.
- Describe the anticipated benefits (e.g., economic, environmental, cultural, and social) to the Tribe(s) and Tribal members as a result of the project and supply plan for assessing those benefits (e.g., employment, cultural and social).
- Describe how barriers that could impede the project will be identified and documented and plans developed to overcome barriers.
- Describe efforts taken or to be undertaken to gain tribal community support.
- Describe efforts to be undertaken to gain Tribal leadership support to implement the resultant project.
- Describe possible funding options to implement the resultant project.

Topic Area 2: Development (Pre-construction) Activities:

Pre-construction activities for purposes of this announcement are activities leading towards future construction. Applications may include generation for local consumption or for export off Indian Lands to generate revenue. Pre-construction activities for purposes of this announcement may include, but are not limited to: environmental assessments; detailed design or engineering drawings; interconnection assessments for grid-connected projects; negotiations for utility grid interconnect agreements and power purchase agreements; permitting; finalizing business agreements; conducting due diligence on selected technologies; and negotiating and obtaining financial commitments.

Applications for pre-construction activities must be the result of a previously conducted feasibility study that demonstrated the viability of renewable energy development and the results of that study must be included as part of the application as described below. Feasibility studies can be the results of a previously funded project through DOE's Tribal Energy Program, other programs, funded through another Federal agency, or conducted using Tribal or third party resources.

NOTE: Projects proposed under this Topic Area require a 50% cost share. See Part III.B, Cost Sharing, and Appendix C.

Each Development application should address each of the following:

- Provide a detailed description of the proposed project.
- If for local consumption, identify the fuel type (e.g., diesel fuel, propane, heating oil, wood, natural gas or electric); quantify current energy use (gallons, liters/year, tons/year, therms or BTUs/year, kWh); quantify the cost of each fuel source; and provide a description of the

current energy supplier. Any supplemental data can be supplied as attachments under the Energy Use and Energy Audit File (See Part IV.C., Content and Form of Application).

- If for a building application, identify the existing building(s); age of the building(s) (date the building was built), building type (e.g., homes, schools, community buildings, clinics, or tribal government buildings); size of the building(s) (square footage); location of the building(s), and for solar applications, the building orientation. Maps or graphics may be included as an attachment, if needed, under the Site and Resource Maps File (see Part IV.C., Content and Form of Application).
- Quantify the potential reduction (i.e., costs and amounts) in fossil fuels or power to be produced as a result of the proposed project. Supplemental calculations of energy or cost savings may be included under the Energy Use and Energy Audit File (See Part IV.C., Content and Form of Application). **Potential power production (electricity) must be at least 1 MW or a minimum of 30% of a building(s) electrical or heating and cooling load.**
- Describe the availability and sustainability of the renewable energy resource(s). Provide evidence including site maps, resource maps, and quantitative resource data (see below) documenting those resources as an attachment under the Site and Resource Maps File (see Part IV.C., Content and Form of Application).
 - For biomass systems, supply a Forest Management Plan that demonstrates the sustainability of the forest resource, quantifies the available biomass feedstock (tons/year) for use in the proposed project, describes the land ownership and the harvesting and delivery plan or provide a feedstock supply agreement as evidence of the availability of the resource under the Agreements File (see Part V., A, Criterion 4, Roles, Responsibilities, Capabilities, and Resources).
 - For wind systems, supply at least one year's worth of anemometer data (i.e., wind speed and wind direction) applicable to the proposed wind turbine (i.e. data must have been obtained at turbine hub-height or reasonably extrapolated to hub-height). Specify site elevation and the height at which measurements were taken.
 - For geothermal power systems, supply as a minimum quantitative monthly temperature and flow data traceable to a verifiable data source for the geothermal resource proposed.
 - For solar systems, supply as a minimum quantitative monthly resource data traceable to a verifiable data source.
 - For hydroelectric systems, supply as a minimum quantitative monthly flow data traceable to a verifiable data source and identify the hydrodynamic head for the site proposed.
- Describe the renewable energy technologies planned for future construction or the activities to be conducted to choose technologies. Only commercial warrantied hardware will be considered for funding. Supplemental data can be included as an attachment under the Design and Engineering File (See Part IV.C., Content and Form of Application).
 - For biomass applications, describe any post harvesting processing (e.g., split logs, wood chips, pellets), fuel handling, and storage. Include a description of the technology to be used and the rationale for choosing those processing, handling or storage technologies. Any feedstock supply agreements should be included under the Agreements File (also, see Criterion 4, Roles, Responsibilities, Capabilities, and Resources).

- If power export is proposed, describe the results of any completed power market assessments and supply the assessment as part of the Study and Assessment File (See Part IV.C., Content and Form of Application). If a power market assessment is planned as part of the development project, describe the potential power purchasers, activities to be conducted as part of the project, and plan to obtain a Power Purchase Agreement. If a Power Purchase Agreement has been obtained, describe the agreement and supply that agreement as part of the Agreements File (See Part IV.C., Content and Form of Application).
- If power export is proposed, describe the available transmission, aspects for study under the proposed project, and plans to obtain transmission and interconnection agreements. If an interconnection and transmission assessment has been completed, describe the assessment and supply the study results under Study and Assessment File (See Part IV.C., Content and Form of Application). If interconnection and transmission agreements have been obtained, include those agreements as part of the Agreements File (See Part IV.C., Content and Form of Application).
- Provide a preliminary economic assessment for the proposed project and describe the plan to obtain necessary financing. Supplemental economic or cash flow calculations can be provided under the Study and Assessment File (See Part IV.C., Content and Form of Application).
- Describe the potential benefits of the proposed future installation including employment, cultural and social benefits to the Tribe and Tribal community.
- Identify any barriers or obstacles that could impede the development of the project and describe plans to overcome those barriers or obstacles. Barriers or obstacles might include permitting or approval delays, lack of community support, hardware availability, or availability of co-financing.
- Describe the preliminary system operation and maintenance plan or the planning activities to be conducted as part of the proposed project to define an operation and maintenance plan.
- Describe preliminary training plans for the operation and maintenance of the renewable energy systems or the planning activities to be conducted as part of the proposed project to define the training plans. Describe the business and organizational plan or those activities to be conducted as part of the proposed project to define a business or organizational plan.
- Describe efforts taken or to be undertaken to gain tribal community support.
- Describe efforts to be undertaken to gain Tribal leadership support to implement the resultant project.
- Describe possible funding options to implement the resultant project.

Topic Area 3: Deployment (Construction) of Renewable Energy Power Projects:

Applications proposing the construction of renewable energy projects must have completed detailed engineering, have a proven renewable energy resource, projected power production calculations, a documented load for local consumption or a defined market if for export, available transmission capacity and interconnect agreements, demonstrated financing capabilities or non-Federal investment funds, financial sustainability documented by projected cash flow estimates, defined commissioning plan, and operation and maintenance plans for post construction.

NOTE: Projects proposed under this Topic Area require a 50% cost share. See Part III.B, Cost Sharing, and Appendix C.

Each Deployment application should address each of the following:

- Provide a detailed description of the proposed project.
- If for local consumption, identify the fuel type (e.g., diesel fuel, propane, heating oil, wood, natural gas or electric); quantify current energy use (gallons, liters/year, tons/year, therms or BTUs/year, kWh); quantify the cost of each fuel source; and provide a description of the current energy supplier. Any supplemental data can be supplied as attachments under the Energy Use and Energy Audit File (See Part IV.C., Content and Form of Application).
- If for a building application, identify the existing building(s); building type (e.g., homes, schools, community buildings, clinics, or tribal government buildings); size of the building(s) (square footage); location of the building(s), and for solar applications, the building orientation. Maps or graphics may be included as an attachment, if needed, under the Site and Resource Maps File (see Part IV.C., Content and Form of Application).
- Quantify the reduction (i.e., costs and amounts) in fossil fuels or power to be produced as a result of the proposed project. Supplemental calculations of energy or cost savings may be included under the Energy Use and Energy Audit File (See Part IV.C., Content and Form of Application). **Potential power production (electricity) must be at least 1 MW or a minimum of 30% of a building(s) electrical or heating and cooling load.**
- Describe the availability and sustainability of the renewable energy resource(s). Supply evidence including site maps, resource maps, and quantitative resource data (see below) documenting those resources as an attachment under the Site and Resource Maps File (see Part IV.C., Content and Form of Application).
 - For biomass systems, supply a Forest Management Plan that demonstrates the sustainability of the forest resource, quantifies the available biomass feedstock (tons/year) for use in the proposed project, describes the land ownership and the harvesting and delivery plan or provide the feedstock supply agreement as evidence of the availability of the resource under the Agreements File (see Criterion 4, Roles, Responsibilities, Capabilities, and Resources).
 - For wind systems, supply at least one year's worth of anemometer data (i.e., wind speed and wind direction) applicable to the proposed wind turbine (i.e. data must have been obtained at turbine hub-height or reasonably extrapolated to hub-height). Specify site elevation and the height at which measurements were taken.
 - For geothermal power systems, supply as a minimum quantitative monthly temperature and flow data traceable to a verifiable data source for the geothermal resource proposed.
 - For solar systems, supply as a minimum quantitative monthly resource data traceable to a verifiable data source.
 - For hydroelectric systems, supply at a minimum quantitative monthly flow data traceable to a verifiable data source and identify the hydrodynamic head for the site proposed.
- Describe the renewable energy technologies to be installed and the rationale for choosing those technologies. Describe the design, hardware specifications and warranties associated with that hardware. Only commercial warrantied hardware will be considered for funding. Performance specifications and warranties, engineering drawings, and any other supplemental data can be included as an attachment under the Design and Engineering File (See Part IV.C., Content and Form of Application).

- For biomass applications, describe any post harvesting processing (e.g., split logs, wood chips, pellets), fuel handling, and storage. Include a description of the technology to be used and the rationale for choosing those processing, handling or storage technologies. Any feedstock supply agreements should be included under the Agreements File (also, see Criterion III, Roles, Responsibilities, Capabilities, and Resources).
- If power export is proposed, describe the results of the power market assessment and supply the assessment as part of the Study and Assessment File (See Part IV.C., Content and Form of Application).
- If power export is proposed, supply a signed Power Purchase Agreement (PPA) as part of the Agreements File (See Part IV.C., Content and Form of Application).
- Describe the transmission and interconnection agreement(s), provide the interconnection study as an attachment under the Study and Assessment File (See Part IV.C., Content and Form of Application), and supply those agreements under the Agreements File (See Part IV.C., Content and Form of Application).
- Provide an economic assessment for the proposed project, including sources and types of funding (e.g., grant, cash, loans, contributions of time, equipment, or resources) and supply a financial pro-forma showing the expected cash flow for the project. Evidence of funding commitments is required as specified under Criterion IV below and Statement of Commitment and Cost Sharing, Part IV.C. Supplemental economic or cash flow calculations can be provided under the Study and Assessment File (See Part IV.C., Content and Form of Application).
- Provide an assessment of the potential benefits including employment, cultural and social benefits to the Tribe and Tribal community.
- Identify any barriers or obstacles that could impede the project and describe plans to overcome those barriers or obstacles. Barriers or obstacles might include permitting or approval delays, suppliers/vendor contracts, equipment delivery, or project co-financing.
- Describe how the project will be financially sustained after DOE funding is expended.
- Describe the long-term system operation and maintenance plan for the proposed facility.
- Describe training plans for the operation and maintenance of the proposed renewable energy facility.
- Describe efforts taken or to be undertaken to gain tribal community support.

Criterion 3: Environmental Considerations

This Section applies to all applications.

- Summarize the environmental benefits and impacts of the future or proposed project.
- Describe any environmental analyses conducted to date for the project and supply any completed environmental analyses as attachments under the Environmental Analysis and Approval File (See Part IV.C., Content and Form of Application).
- Identify the Tribal, Federal, State, or local permitting requirements; Indian Mineral Development Act (IMDA), National Environmental Policy Act (NEPA), or other requirements or approvals required for the proposed project and whether any have been sought or obtained. Supply copies of any Tribal, Federal, State, or local permits; Indian Mineral Development Act (IMDA) or National Environmental Policy Act (NEPA) documentation and approvals; or other supporting documentation as part of the

Environmental Analyses and Approval File (See Part IV.C., Content and Form of Application).

- Describe the plan for obtaining the required environmental permits, approvals, or decisions, including an estimated timeline.
- For applications proposing under Topic Area 3 (Deployment of Renewable Energy Power Projects), describe the plan to dispose of any sanitary or hazardous waste (e.g., construction and demolition debris, old light bulbs, lead ballasts, piping, roofing material, discarded equipment, debris, and asbestos) generated as a result of the proposed project.

Criterion 4: Roles, Responsibilities, Resources and Capabilities

This Section applies to all applications.

- Provide a description of the management concept for the 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 shall encompass the following:
 - 1) Identification of who will represent the Tribe, Tribal Energy Resource Development Organization or Tribal Consortium as the Business Contact and the Technical Contact for DOE under an agreement, if one is awarded. The Business Contact is 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. The designated Technical Contact is one 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 the project performance, if an agreement were to be awarded.
 - 2) Management approach for implementing the proposed project, including organizational and individual roles and responsibilities.
 - 3) Capabilities of the applicant and each participant and a brief summary of experience and qualifications. Supply resumes under the Resume File. (See Part IV.C., Content and Form of Application).
 - 4) If consultants or contractors have not been identified, indicate that in the narrative and supply a subcontract plan and detailed statement of work as an attachment (See Subcontract Plan under Part IV.C., Content and Form of Application).
- Describe level of involvement and amount and type of cost sharing (if any) by the applicant and each participant involved in the project and supply evidence of those commitments of time resources and financial contributions in the form of Tribal Council Resolutions, declarations or letters of commitment. See Statement of Commitment and Cost Sharing File under Part IV.C., Content and Form of Application for required content.
- Provide a description of the land proposed for use as part of the project; identify whether the land is held in Trust, land held in fee simple by the Tribe or under a long-term land lease by the Tribe; and provide a commitment from the owner(s) of that land for the proposed project.
- Describe and provide evidence of any business agreements between the applicant and participants, including suppliers, consultants or subcontractors. Include any business agreements under the Agreements File (See Part IV.C., Content and Form of Application).
- Describe the proposed project co-financing, if applicable. Supply financing agreements under the Agreements File (See Part IV.C., Content and Form of Application).

Criterion 5: Project Activities and Schedule

This Section applies to all applications.

- Provide a description that includes the following:
 - 1) Overview of the project objectives;
 - 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

Approximately \$2,000,000 to \$4,000,000 is expected to be available for all awards under this announcement, subject to Congressional appropriations.

C. Maximum and Minimum Award Size

Ceiling (i.e., the maximum amount for an individual award made under this announcement):
Up to the amount of available funding.

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

D. Expected Number of Awards

DOE anticipates making five (5) to twenty (20) awards under this announcement, depending on the size of the awards.

E. Anticipated Award Size

DOE anticipates that awards will be in the \$200,000 to \$1,000,000 range for the total project period.

F. Period of Performance

DOE anticipates making awards with project periods from one to three 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; on whose (4) Indian Lands the project(s) will be located. More specifically,

- 3) “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.
- 4) “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 Section 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.

- 5) “Tribal Consortium” (plural consortia), for purposes of this announcement, means a group of organizations, at least one of which is an Indian 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.
- 6) “Indian Lands” or “Indian Country” for purposes of this Announcement, is defined as:
 - (a) any land located within the boundaries of an “Indian reservation”, pueblo, or rancheria;
 - (b) any land not located within boundaries of an Indian reservation, pueblo, or rancheria, 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 EPart 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 EPart 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

For feasibility study projects (Topic Area 1), no cost sharing is required, but is encouraged.

For development and deployment projects (Topic Area 2 and Topic Area 3), the cost share must be at least 50% (100% match against DOE funds) of the total allowable costs of the project (i.e., the sum of the Government share and the recipient share of allowable costs equals the total allowable cost of the project) and must come from non-Federal sources unless otherwise allowed by law (See Appendix C, Cost Share Information).

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.

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. The CFDA for this announcement is 81.087. (Also see Section H of this Part below.)

B. Letter of Intent and Pre-Application

Neither Letters of Intent, nor Pre-applications are 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 Name as the file name (e.g., Tribe). If more than one application is being submitted under different Topic Areas, identify the Application Package file with 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. 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, place the mouse 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, 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. 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.

b. Project Narrative File - Mandatory Other Attachment

The project narrative must not exceed **20 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. 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-0000424), Topic Area, 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 section should be formatted to address each of 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 Sections:

- Criterion 1: Goals and Objectives
- Criterion 2: Project Description and Implementation Plan
- Criterion 3: Environmental Considerations
- Criterion 4: Roles, Responsibilities, Resources, and Capabilities
- Criterion 5: 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. Documents listed below may be included as clearly marked appendices to your Narrative and will not count towards the Project Narrative page limit. 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 evidence of the renewable energy resource including resource maps and quantitative resource data as defined under Part I.B, Merit Review Criteria Discussion. Site maps or other graphics may also be included under this file. Save this information in a single file named “MapsResources.pdf,” and click on “Add Optional Other Attachment” to attach file.

d. Energy Use and Energy Audit File

Supply the energy audit results for each existing building proposed for retrofit and any supplemental data on current energy use or potential energy saving calculations. The energy audit reports should identify the buildings to be retrofitted, including: building type (e.g., homes, schools, community buildings, clinics, or tribal government buildings); size of each building (square footage); location of each building; current energy usage; planned retrofits; and anticipated energy and cost savings. Save this information in a single file named “EnergyUseAudit.pdf,” and click on “Add Optional Other Attachment” to attach file.

e. Study and Assessment File (For Topic Area 2 and Topic Area 3 Only)

Supply copies of any applicable studies and assessments to include power market assessments and interconnection studies as described under Part I.B. Also, include any economic calculations or cash flow analyses under this file. Save this information in a single file named “Assessments.pdf,” and click on “Add Optional Other Attachment” to attach file.

f. Design and Engineering File (For Topic Area 2 and Topic Area 3 Only)

Supply copies of detailed engineering designs, engineering drawings, material lists, hardware specifications or warranties. Save this information in a single file named “Engineering.pdf,” and click on “Add Optional Other Attachment” to attach file.

g. Agreements File (For Topic Area 2 and Topic Area 3 Only)

Supply evidence of business agreements between the applicant and participants, including suppliers, consultants or subcontractors. For biomass applications, supply the feedstock supply agreement as evidence of the availability of the resource. Additionally, a copy of any financing agreements and signed power purchase agreements should be included. Save this information in a single file named "Agreements.pdf," and click on "Add Optional Other Attachment" to attach file.

h. Environmental Analyses and Approvals File

Supply copies of any environmental analyses conducted and copies of any Tribal, Federal, State, or local permits; Indian Mineral Development Act (IMDA) or National Environmental Policy Act (NEPA) documentation and approvals; or other supporting documentation. Save this information in a single file named "Environmental.pdf," and click on "Add Optional Other Attachment" to attach file.

i. 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 (if any) required 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.

j. 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.

k. 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 “Resumes.pdf” and click on “Add Optional Other Attachment” to attach file. 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.

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

You must provide a cumulative budget for the total project period. 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 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). Save the information in a single file named “SF424A.xls,” and click on “Add Optional Other Attachment” to attach.

m. Budget Justification File for SF424A Budget

Justify the costs 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 as a single file named “SF424AJustification.xls,” and click on “Add Optional Other Attachment” to attach file.

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

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

Provide a separate budget (i.e., budget for each budget year and a cumulative budget) 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 can be 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 m. above.

o. 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.

p. SF-LLL Disclosure of Lobbying Activities

Complete the Required Standard Form (SF- LLL), "Disclosure Form to Report Lobbying." Complete the form 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. If not, indicate “Not Applicable” and submit the form. The Standard Form SF-LLL 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.	Energy Use and Energy Audit File	PDF	EnergyUseAudit.pdf
e.	Study and Assessment File (Topic Area 2 and Topic Area 3 Only)	PDF	Assessments.pdf
f.	Design and Engineering File (Topic Area 2 and Topic Area 3 Only)	PDF	Engineering.pdf
g.	Agreements File (Topic Area 2 and Topic Area 3 Only)	PDF	Agreements.pdf
h.	Environmental Analyses and Approvals File	PDF	Environmental.pdf
i.	Statements of Commitment and Cost Sharing File	PDF	Commitments.pdf
j.	Subcontract Plan File, if applicable	PDF	SubcontractPlan.pdf
k.	Resume File	PDF	Resumes.pdf
l.	Form SF-424A Excel - Budget Information for Non-Construction Programs	Excel	SF424A.xls
m.	Budget Justification for SF-424A Budget	Excel	SF424AJustification.xls
n.	Subaward Budget File(s), if applicable	Excel	See Instructions
o.	Form PMC 121.1, Financial Assistance Pre-Award Information Sheet	PDF	PreAwardInfo.pdf
p.	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)
- Environmental Questionnaire

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 31, 2011, 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 (See Part IV.H). 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. Cost principles for commercial organizations are in the Federal Acquisition Regulations (FAR) Part 31.

Pre-award Costs

Applicants must obtain the prior approval of the Contracting Officer for any pre-award cost.

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 DOE 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 1: Goals and Objectives

Weight: 10%

Applies to all applications.

- Clarity and completeness of the discussion of the project goals and objectives.
- Clarity of the description of the Tribal, Tribal Energy Resource Development Organization, or Tribal Consortium and project management structure.
- Compatibility of the proposed project with the cultural, social, and long-term energy sufficiency goals of the Tribe, or Tribal Energy Resource Development Organization, or Tribal Consortium.
- Extent to which the proposed project provides economic, environmental, cultural, or social benefits to the Tribe(s) and Tribal community.
- Potential for future replicability or expansion beyond the currently proposed project.
- Soundness of the discussion that justifies the need for DOE funding.
- Clarity and completeness of the discussion of how the project will be financially sustained after DOE funding.

Criterion 2: Project Description and Implementation Plan

Weight: 30%

Only the criteria under one of the three topic areas will be applied, subject to the focus of the application: 1) feasibility study; 2) development (pre-construction) of renewable energy projects; and 3) deployment (construction) of renewable energy projects.

Topic Area 1: Feasibility Study

Applies only to feasibility study applications.

- Clarity and completeness of the discussion of the proposed project.
- If for local consumption, the quality and completeness of the discussion of energy current energy use.
- If for a building application, the clarity and completeness of the discussion of the building(s).
- Potential for fossil fuel reduction or power production. **Potential power production (electricity) must be at least 1 MW or a minimum of 30% of a building(s) electrical or heating and cooling load.**
- Adequacy of the available renewable energy resource(s).
- Reasonableness of the plan for quantifying the renewable energy resource.
- Reasonableness of the methodology for determining the technical and economic viability of commercial renewable energy technology options to be evaluated and selected.
- Clarity and completeness of the discussion of Tribal loads or export market and reasonableness of the plan to quantify the local or export markets.
- Clarity and completeness of the description of the potential benefits (e.g., employment, cultural, and social) to the Tribe and Tribal community and reasonableness of the plan to assess those benefits
- Clarity and completeness of the discussion of barriers that could impede the project and reasonableness of the plan to overcome those barriers.
- Viability of the plan to gain tribal community support.
- Reasonableness of the plan to gain Tribal leadership support to implement the resultant project.
- Reasonableness of the options to fund the resultant project.

Topic Area 2: Development (Pre-construction) Activities

Applies only to development project applications.

- Clarity and completeness of the discussion of the proposed project.
- If for local consumption, the quality and completeness of the discussion of energy current energy use.
- If for a building application, the clarity and completeness of the discussion of the building(s).
- Potential for fossil fuel reduction or power production. **Potential power production (electricity) must be at least 1 MW or a minimum of 30% of a building(s) electrical or heating and cooling load.**
- Adequacy of the available renewable energy resource(s).
- Viability of the renewable energy technology proposed for future construction.
- If for power export, the quality and completeness of the discussion of power markets.
- If for power export, the quality and completeness of the discussion of transmission and interconnection.
- Economic viability during the period of the proposed project.

- Reasonableness of the employment, cultural, and social benefits to the Tribe and Tribal community.
- Clarity and completeness of the discussion of barriers that could impede the project and reasonableness of the plan to overcome those barriers.
- Reasonableness of the operation and maintenance plan or thoroughness of the discussion to develop a plan.
- Reasonableness of the training plans for the operation and maintenance of the renewable energy system(s) or thoroughness of the discussion to develop plans.
- Viability of the plan to gain tribal community support.
- Reasonableness of the plan to gain Tribal leadership support to implement the resultant project.
- Reasonableness of the options to fund the resultant project.

Topic Area 3: Deployment (Construction) of Renewable Energy Power Projects

Applies only to deployment project applications.

- Clarity and completeness of the discussion of the proposed project.
- If for local consumption, the quality and completeness of the discussion of energy use.
- If for a building application, the clarity and completeness of the discussion of the building(s).
- Potential for fossil fuel reduction or power production. **Potential power production (electricity) must be at least 1 MW or a minimum of 30% of a building(s) electrical or heating and cooling load.**
- Adequacy of the available renewable energy resource(s).
- Viability of the design and availability of commercial renewable energy technologies.
- If for power export, the quality and completeness of the discussion of the power market.
- Level of commitment document in the signed Power Purchase Agreement (PPA).
- Quality and completeness of the transmission and interconnection studies and adequacy of those signed agreements.
- Economic viability during the period of the proposed project.
- Quality of the assessment of the potential benefits including employment, cultural, and social benefits to the Tribe and Tribal community.
- Clarity and completeness of the discussion of barriers that could impede the project and reasonableness of the plan to overcome those barriers.
- Potential for financial sustainability beyond DOE funding.
- Reasonableness of the operation and maintenance plan for the proposed facility.
- Clarity and completeness of the training plans for the operation and maintenance of the proposed renewable energy facility.
- Viability of the plan to gain Tribal community support.

Criterion 3: Environmental Considerations

Weight: 10%

Applies to all applications.

- Clarity and completeness of the discussion of the environmental benefits and impacts of the proposed project.
- Clarity of the discussion of environmental analyses conducted and quality of the environmental analyses provided.
- Thoroughness of the discussion of Tribal, Federal, State, or local permitting, Indian Mineral Development Act (IMDA), National Environmental Policy Act (NEPA), National Historic Preservation Act (NHPA), or other approvals as required for the proposed project.
- Likelihood of obtaining the required permits, approvals, and NEPA decisions in a timely manner.
- For applications proposing under Topic Area 3 (Deployment of Renewable Energy Power Projects), the soundness of the plan to dispose of any sanitary or hazardous waste (e.g., construction and demolition debris, old light bulbs, lead ballasts, piping, roofing material, discarded equipment, debris, and asbestos) generated as a result of the proposed project.

Criterion 4: Roles, Responsibilities, Resources, and Capabilities **Weight: 30%**

Applies to all applications.

- 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 or reasonableness of the plan to obtain qualified suppliers, subcontractors, or consultants.
- Level of commitment of the applicant and each participating organization as evidenced by level of involvement, contributions, and cost sharing (if any) identified in the Tribal Council Resolutions, declarations, and letters of commitment.
- Quality of the description of Tribal Land and for deployment projects only evidence of a commitment of the use of that land.
- Reasonableness of the business agreements between each of the parties to implement the project, if any.
- Soundness of the project co-financing and evidence of the capability of the applicant and participating organizations to meet cost sharing requirements (if any) of the proposed project.

Criterion 5: Project Activities and Schedule

Weight: 20%

Applies to all applications.

- Clarity of the project objectives.
- Adequacy of the approach to implement the project.
- Clarity and completeness of the description of each activity 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 may 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

All timely applications that have been determined, through the initial review, to meet the minimum application qualifications 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 that are selected for negotiation of award on or about **June 30, 2011** and making awards by **September 30, 2011**.

PART VI - AWARD ADMINISTRATION INFORMATION

A. Notice of Selection

1. Selected Applicants Notification

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 at:

<https://www.eere->

[pmc.energy.gov/procurenet/FinancialAssistance/Forms/DOE_Forms/DOEF4600_2.doc](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 3 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 three 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 amendment 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.

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. In order for DOE to make a NEPA decision, applicants selected for funding will be required to initiate the process by completing an Environmental Checklist electronically through the Golden Field Office NEPA Compliance Form EF-1 Submission website at <https://www.eere-pmc.energy.gov/NEPA.asp>. 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 <https://www.bpn.gov/ccr/default.aspx>.

"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.

"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 Country" for purposes of this Funding Opportunity Announcement only, is defined as Indians Lands. See Indian Lands.

"Indian Lands" for purposes of this announcement, is defined as any land located within the boundaries of an “Indian Reservation” (defined below), pueblo, or rancharia; any land not located within boundaries of an Indian reservation, pueblo, or rancharia, the title to which is held in trust by the United States for the benefit of an Indian tribe or an individual Indian; by an Indian tribe or an individual Indian, subject to restriction against alienation under laws of the United States; or by a dependent Indian community; 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; and lands held in fee simple (purchased or owned) or under a Federal land lease. Also, see Indian Country.

"Indian Reservation" for purposes of this announcement and as defined under Section 503 of EPOA 2005, includes an Indian reservation in existence in any State or States as of the date of enactment of Title V of EPOA 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.

“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).

“Organization” for purposes of this announcement and as defined in EPCA 2005, means a partnership, joint venture, Limited Liability Company (LLC) or other unincorporated association or entity that is established to develop Indian energy resources.

"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.

“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.

“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 Consortium" (plural consortia), for purposes of this Funding Opportunity Announcement, means a group of organizations, at least one of which is an Indian Tribe, that have chosen to submit a single application, provided the application is submitted by a single Tribe representing the consortium.

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

Appendix B – 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. **Keep in mind that FFRDC funding is DOE funding.**

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 and Local Governments (including Indian Tribes) 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 section 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.

**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 **for each budget period of the project.**

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 section f. Contractual. All other sections are for the costs of the Applicant only.

Personnel

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

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

Fringe

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

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

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

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

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