

SECTION VIII - OTHER INFORMATION

A. Modifications

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

B. Government Right to Reject or Negotiate

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

C. Commitment of Public Funds

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

D. Proprietary Application Information

Patentable ideas, trade secrets, proprietary or confidential commercial or financial information, disclosure of which may harm the applicant, should be included in an application only when such information is necessary to convey an understanding of the proposed project. The use and disclosure of such data may be restricted, provided the applicant includes the following legend on the first page of the project narrative and specifies the pages of the application which are to be restricted:

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

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

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

E. Evaluation and Administration by Non-Federal Personnel

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

F. Intellectual Property Developed Under This Program

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

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

G. Notice Of Right To Request Patent Waiver

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. The Bayh-Dole Act (35 U.S.C. 202) ensures that a domestic small business, university or a non-profit awardee will have the option to retain title to their own inventions, subject to the Government retaining a government purpose license, march-in rights and a U.S. preference in licensing. The patent clause that will apply may be found at 10 C.F.R. Part 600 Appendix A to Subpart D, PATENT RIGHTS-SMALL BUSINESS FIRMS AND NONPROFIT ORGANIZATIONS. For awardees that are not subject to the Bayh-Dole Act, 42 U.S.C. 5908 provides that title to such inventions vests in the United States, unless DOE grants a patent waiver pursuant to 10 CFR 784. A patent waiver provides that those awardees that are not subject to the Bayh-Dole Act will also have the option to retain title to their own inventions, subject to the same government retained rights identified above and they agree to substantially manufacture new technology created under an award resulting from this FOA in the U.S. or provide other economic benefits to the U.S. The patent clause that will apply may be found at <http://www.gc.doe.gov/documents/patwaivclau.pdf>. Those entities which are not subject to Bayh-Dole 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 the title to identified inventions, i.e., individual inventions conceived or first actually reduced to practice in performance of the award. Any individual patent waiver that may be granted is subject to certain terms and conditions in 10 CFR 784; <http://www.gc.doe.gov/documents/patwaivclau.pdf>.

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.

REFERENCE MATERIAL

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.

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

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

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

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

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

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

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

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

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

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

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

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

“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.

“State-recognized Indian Tribe” means a Native American tribe located within the contiguous 48 States or Alaska that is not Federally recognized pursuant to section 4 of the Indian Self-Determination and Education Assistance Act (42 USC 450b), but is formally recognized as having self-governance authority by one or more individual States in which it resides.

"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.

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

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

Appendix B – 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 – NEPA FORM For Completion
U.S. DEPARTMENT OF ENERGY**

ENVIRONMENTAL SUMMARY

(To Be Completed by Potential Recipient)

The Department of Energy (DOE) is required by the National Environmental Policy Act (NEPA) of 1969 as amended (42 U.S.C. 4332(2), 40 CFR parts 1500-1508) and DOE implementing regulations (10 CFR 1021) to consider the environmental effects resulting from federal actions, including providing financial assistance. Please provide the following information to facilitate DOE's environmental review.

PART I: General Information

Title:

FOA Number:

1. Please describe the intended use of DOE funding in your proposed plan. For example, would the funding be applied to the entire project or only support a phase of the project? Describe the activity as specifically as possible, i.e. planning, feasibility study, design, data analysis, education or outreach activities, construction, capital purchase and/or equipment installation or modification.

2. Does any part of your project require review and/or permitting by any other federal, state, regional, local, environmental, or regulatory agency? Yes No

3. Has any review (e.g., NEPA documentation, permits, agency consultations) been completed?
 Yes No
If yes, is a finding or report available and how can a copy be obtained?

4. Provide information about the potential environmental issues, concerns, and impacts associated with your proposal. Please provide as much detail as possible in the following areas: specifics of proposed activities, project locations, size, layout, commitments to waste management and historic preservation. If project specific information is unknown, describe your plan for obtaining this information.

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	St. 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.

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. Construction conducted by the award recipient should be justified in this category. Any construction work that is performed by a vendor or subrecipient to the award recipient should be entered under "Contractual."

Identify all proposed construction, providing a basis of cost such as engineering estimates, prior construction, etc., and briefly justify its need as it applies to the Statement of Project Objectives. For major endeavors, a copy of the engineering estimate or quote should also be provided. See example below.

Overall description of construction activities:			
Example Only!!! - Build wind turbine platform			
General Description	Cost	Basis of Cost	Justification of need
Budget Period 1			
Three days of excavation for platform site EXAMPLE ONLY!!!	\$28,000	Engineering estimate	Site must be prepared for construction of platform.
Budget Period 1 Total	\$28,000		
(repeat as necessary for each Budget Period)			

Other Direct Costs

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

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

Indirect Costs

A federally approved indirect rate agreement, or rate proposed supported and agreed upon by DOE for estimating purposes is required if reimbursement of indirect benefits is requested. If there is a federally approved indirect rate agreement, a copy must be provided with this application and if selected, must be provided electronically to the Contracting Officer for this project. If there is no current, federally approved indirect rate agreement or if the federally approved indirect rate agreement has been changed or

updated, a rate proposal must be included with the application. If selected, the rate agreement will be finalized during award negotiations. Calculate the indirect rate dollars and enter the total in the Section B., line 6.j. (Indirect Charges) of form SF 424A.

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

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%

Appendix E
OMB Guidance for Implementing the Recovery Act At 2 CFR PART 176

The following Special Notices from OMB's guidance for implementing the Recovery Act at 2 CFR Part 176 are incorporated in this FOA:

- **Wage Rate Requirements under Section 1606 of the American Recovery and Reinvestment Act of 2009**

a) Section 1606 of the Recovery Act requires that all laborers and mechanics employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part by and through the Federal Government pursuant to the Recovery Act shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code.

Pursuant to Reorganization Plan No. 14 and the Copeland Act, 40 U.S.C. 3145, the Department of Labor has issued regulations at 29 CFR Parts 1, 3, and 5 to implement the Davis-Bacon and related Acts. Regulations in 29 CFR 5.5 instruct agencies concerning application of the standard Davis-Bacon contract clauses set forth in that section. Federal agencies providing grants, cooperative agreements, and loans under the Recovery Act shall ensure that the standard Davis-Bacon contract clauses found in 29 CFR 5.5(a) are incorporated in any resultant covered contracts that are in excess of \$2,000 for construction, alteration or repair (including painting and decorating).

(b) For additional guidance on the wage rate requirements of section 1606, contact your awarding agency. Recipients of grants, cooperative agreements and loans should direct their initial inquiries concerning the application of Davis-Bacon requirements to a particular federally assisted project to the Federal agency funding the project. The Secretary of Labor retains final coverage authority under Reorganization Plan Number 14.

- **Buy American Requirements under Section 1605 of the American Recovery and Reinvestment Act of 2009**

Depending upon the applicability of relevant international agreements, one of the following two notices applies:

NOTICE OF REQUIRED USE OF AMERICAN IRON, STEEL, AND
MANUFACTURED GOODS—SECTION 1605 OF THE AMERICAN RECOVERY
AND REINVESTMENT ACT OF 2009

(a) *Definitions.* “Manufactured good,” “public building and public work,” and “steel,” as used in this notice, are defined in the 2 CFR 176.140.

(b) *Requests for determinations of inapplicability.* A prospective applicant requesting a determination regarding the inapplicability of section 1605 of the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5)(Recovery Act) should submit the request to the award official in time to allow a determination before submission of applications or proposals. The prospective applicant shall include the information and applicable supporting data required by paragraphs (c) and (d) of the award term and condition at 2 CFR 176.140 in the request. If an applicant has not requested a determination regarding the inapplicability of 1605 of the Recovery Act before submitting its application or proposal, or has not received a response to a previous request, the applicant shall include the information and supporting data in the application or proposal.

(c) *Evaluation of project proposals.*

If the Federal government determines that an exception based on unreasonable cost of domestic iron, steel, and/or manufactured goods applies, the Federal Government will evaluate a project requesting exception to the requirements of section 1605 of the Recovery Act by adding to the estimated total cost of the project 25 percent of the project cost, if foreign iron, steel, or manufactured goods are used in the project based on unreasonable cost of comparable manufactured domestic iron, steel, and/or manufactured goods.

(d) *Alternate project proposals.*

(1) When a project proposal includes foreign iron, steel, and/or manufactured goods not listed by the Federal Government at paragraph (b)(2) of the award term and condition at 2 CFR 176.140, the applicant also may submit an alternate proposal based on use of equivalent domestic iron, steel, and/or manufactured goods.

(2) If an alternate proposal is submitted, the applicant shall submit a separate cost comparison table prepared in accordance with paragraphs (c) and (d) of the award term and condition at 2 CFR 176.140 for the proposal that is based on the use of any foreign iron, steel, and/or manufactured goods for which the Federal Government has not yet determined an exception applies.

(3) If the Federal government determines that a particular exception requested in accordance with paragraph (b) of the award term and condition at 2 CFR 176.140 does not apply, the Federal Government will evaluate only those proposals based on use of the equivalent domestic iron, steel, and/or manufactured goods, and the applicant shall be required to furnish such domestic items.

(End of notice)

NOTICE OF REQUIRED USE OF AMERICAN IRON, STEEL, AND
MANUFACTURED GOODS (COVERED UNDER INTERNATIONAL
AGREEMENTS)—SECTION 1605 OF THE AMERICAN RECOVERY AND
REINVESTMENT ACT OF 2009

(a) *Definitions.* “Designated country iron, steel, and/or manufactured goods,” “foreign iron, steel, and/or manufactured good,” “manufactured good,” “public building and public work,” and “steel,” as used in this provision, are defined in 2 CFR 176.160(a).

(b) *Requests for determinations of inapplicability.* A prospective applicant requesting a determination regarding the inapplicability of section 1605 of the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5)(Recovery Act) should submit the request to the award official in time to allow a determination before submission of applications or proposals. The prospective applicant shall include the information and applicable supporting data required by paragraphs (c) and (d) of the award term and condition at 2 CFR 176.160 in the request. If an applicant has not requested a determination regarding the inapplicability of 1605 of the Recovery Act before submitting its application or proposal, or has not received a response to a previous request, the applicant shall include the information and supporting data in the application or proposal.

(c) *Evaluation of project proposals.*

If the Federal government determines that an exception based on unreasonable cost of domestic iron, steel, and/or manufactured goods applies, the Federal Government will evaluate a project requesting exception to the requirements of section 1605 of the Recovery Act by adding to the estimated total cost of the project 25 percent of the project cost if foreign iron, steel, or manufactured goods are used based on unreasonable cost of comparable domestic iron, steel, or manufactured goods.

(d) *Alternate project proposals.*

(1) When a project proposal includes foreign iron, steel, and/or manufactured goods, other than designated country iron, steel, and/or manufactured goods, that are not listed by the Federal Government in this Buy American notice in the request for applications or proposals, the applicant may submit an alternate proposal based on use of equivalent domestic or designated country iron, steel, and/or manufactured goods.

(2) If an alternate proposal is submitted, the applicant shall submit a separate cost comparison table prepared in accordance with paragraphs (c) and (d) of the award term and condition at 2 CFR 176.160 for the proposal that is based on the use of any foreign iron, steel, and/or manufactured goods for which the Federal Government has not yet determined an exception applies.

(3) If the Federal government determines that a particular exception requested in accordance with paragraph (b) of the award term and condition at 2 CFR 176.160 does not apply, the Federal Government will evaluate only those proposals based on use of the equivalent domestic or designated country iron, steel, and/or manufactured goods, and the applicant shall be required to furnish such domestic or designated country items.

(End of notice)

The following award provisions from OMB's guidance for implementing the Recovery Act at 2 CFR Part 176 are incorporated in awards resulting from this Funding Opportunity Announcement:

- **Reporting and Registration Requirements under Section 1512 of the American Recovery and Reinvestment Act of 2009, Public Law 111-5**

(a) This award requires the recipient to complete projects or activities which are funded under the American Recovery and Reinvestment Act of 2009 ("Recovery Act") and to report

on use of Recovery Act funds provided through this award. Information from these reports will be made available to the public.

(b) The reports are due no later than ten calendar days after each calendar quarter in which the recipient receives the assistance award funded in whole or in part by the Recovery Act.

(c) Recipients and their first-tier recipients must maintain current registrations in the Central Contractor Registration (www.ccr.gov) at all times during which they have active federal awards funded with Recovery Act funds. A Dun and Bradstreet Data Universal Numbering System (DUNS) Number (www.dnb.com) is one of the requirements for registration in the Central Contractor Registration.

(d) The recipient shall report the information described in section 1512(c) using the reporting instructions and data elements that will be provided online at www.FederalReporting.gov and ensure that any information that is pre-filled is corrected or updated as needed.

(End of award term)

- **Single Audit Information for Recipients of Recovery Act Funds**

Recovery Act Transactions listed in Schedule of Expenditures of Federal Awards and Recipient Responsibilities for Informing Sub-recipients

(a) To maximize the transparency and accountability of funds authorized under the American Recovery and Reinvestment Act of 2009 (Public Law 111-5)(Recovery Act) as required by Congress and in accordance with 2 CFR 215, subpart ___. 21 “Uniform Administrative Requirements for Grants and Agreements” and OMB A-102 Common Rules provisions, recipients agree to maintain records that identify adequately the source and application of Recovery Act funds.

(b) For recipients covered by the Single Audit Act Amendments of 1996 and OMB Circular A-133, “Audits of States, Local Governments, and Non-Profit Organizations,” recipients agree to separately identify the expenditures for Federal awards under the Recovery Act on the Schedule of Expenditures of Federal Awards (SEFA) and the Data Collection Form (SF-SAC) required by OMB Circular A-133. This shall be accomplished by identifying expenditures for Federal awards made under Recovery Act separately on the SEFA, and as separate rows under Item 9 of Part III on the SF-SAC by CFDA number, and inclusion of the prefix “ARRA-” in identifying the name of the Federal program on the SEFA and as the first characters in Item 9d of Part III on the SF-SAC.

(c) Recipients agree to separately identify to each sub-recipient, and document at the time of sub-award and at the time of disbursement of funds, the Federal award number, CFDA number, and amount of Recovery Act funds. When a recipient awards Recovery Act funds for an existing program, the information furnished to sub-recipients shall distinguish the sub-awards of incremental Recovery Act funds from regular sub-awards under the existing program.

(d) Recipients agree to require their sub-recipients to include on their SEFA information to specifically identify Recovery Act funding similar to the requirements for the recipient SEFA described above. This information is needed to allow the recipient to properly monitor sub-recipient expenditure of ARRA funds as well as oversight by the Federal awarding agencies, Offices of Inspector General and the Government Accountability Office.

(End of award term)

Appendix F
Adequacy Of Cost Proposal Or Application Budget Submission For Audit

The work contemplated under an award made pursuant to this Funding Opportunity Announcement is in support of the Department of Energy's American Recovery and Reinvestment Act programs and represents a Departmental priority. In order to facilitate timely and efficient evaluation of cost proposals or indirect rate proposals, there is a need to ensure that the applicant's initial cost proposal/budget is adequate and complete for purposes of performing the pre-award audit. Accordingly, the applicant and major proposed subrecipients or subcontractors are strongly encouraged to review their cost proposals/budgets using the Defense Contract Audit Agency "Criteria for Adequate Contract Pricing Proposals" guidance (below) prior to submitting their cost proposals/budgets or indirect rate proposals in order to facilitate the audit of its cost proposal/budget.

CRITERIA FOR ADEQUATE CONTRACT PRICING PROPOSALS
 (ADEQUACY.DOC, Version 3.0, June 2004)

PURPOSE - A well supported cost proposal reduces effort needed for review and will facilitate negotiations. Proposals should be evaluated for adequacy within seven days after receipt so that corrective action can be taken immediately. The criteria, found in the table below, can be used to evaluate the adequacy of a contract price proposal when the proposal is based on cost or pricing data. When the proposal is based on information other than cost or pricing data, the contracting officer is responsible for obtaining information that is adequate for evaluating price reasonableness. Inadequacies exist when the offeror does not comply with the contracting officer's requirements. The following criteria, while specifically not applicable to information other than cost or pricing data, may provide a guideline to the auditor in reaching an opinion as to the adequacy of the proposal. If the proposal is so deficient that an examination cannot be performed, recommend to the PCO/ACO that the proposal be returned to the offeror without audit until such time as an adequate proposal is received. This approach is intended to permit the efficient use of audit resources. Most of the criteria in the table below are specifically required by the Federal Acquisition Regulation (FAR) and are referenced accordingly. The items not referenced to the FAR are items that will still, in most cases, be needed for negotiations and Government review. Items may be added to the list if required by the contracting officer, as described in the solicitation. As this checklist was developed for contracts and cost proposals in accordance with the FAR, it is not directly applicable to financial assistance. However, the criteria and principles can be applied to financial assistance. Cost and pricing data are not required for financial assistance, think budget justification in its place. Some notes have been added in the checklist to assist in reviews of budgets for financial assistance applications.

The existence of some of the criteria (especially, 4a, 4b, and 8) can be determined only by discussing it with the offeror or during the course of a detailed audit. Therefore, an initial finding of adequacy may be changed once the audit has started.

DOES THE PROPOSAL INCLUDE THE FOLLOWING:			
Criteria	YES	NO	N/A
General			
1. A properly completed first page of the proposal or a summary format as specified by the Contracting Officer in			

the solicitation. (FAR 15.408) Financial Assistance (FA): A properly completed SF424A, SF424C, or SF424R&R budget form included.			
2. An index referencing all cost or pricing data and information accompanying or identified in the proposal. (FAR 15.408)			
3. A summary of total cost by element cross-referenced to supporting cost or pricing data. (FAR 15.408)			
4. An identification of cost or pricing data (i.e., data that are verifiable and factual) and an explanation of the estimating process. When applicable, the following items should be specifically identified: (FAR 15.408) FA: Budget justification included in accordance with the Funding Opportunity Announcement.			
a. Judgmental factors and the methods used in the estimate, including those used in projecting from known data.			
b. The nature and amount of any contingencies.			
5. An identification of any incurred costs for work performed before submission of a proposal. (FAR 15.408)			
6. An identification and description of any agreements with Government representatives on use of forward pricing rates/factors. (FAR 15.408)			
7. The location and point of contact for any cost or pricing data which is identified, but not included, in the proposal.			
8. Disclosure of any other known activity that could materially impact the costs (i.e., existing excess material, company reorganizations, new technology acquisitions, labor union discussions, etc.). (FAR 15.407-1)			
Materials and Services			
9. A consolidated priced summary of individual material quantities included in the various tasks, orders, or contract line items being proposed and the basis for pricing (vendor quotes, invoice prices, etc.). The offeror must include raw materials, parts, components, assemblies, and services to be produced or performed by others. For all items proposed, the offeror must identify the item and show the source, quantity, and price. (FAR 15.408) The auditor will need to exercise judgment in making the determination if a consolidated bill of material is required. The need for a bill of material will depend on the estimating techniques used and whether those techniques are appropriate in the circumstances. For example, a bill of material may not be feasible for products that are in the research and development stage. A parametric type estimate may be more appropriate in these circumstances.			
10. Price analyses of all subcontractor proposals, and cost analyses for all subcontracts when cost or pricing data are required to be submitted by the subcontractor, showing the basis for establishing source and reasonableness of price.			

The offeror must obtain cost or pricing data from prospective sources for those acquisitions exceeding the threshold in FAR 15.403-4 and not otherwise exempt in accordance with FAR 15.403-1(b). The offeror must provide a summary of the cost analysis and a copy of the cost or pricing data submitted by the prospective source in support of each subcontract when required by FAR 15.408. FA: If a DOE Lab is involved, is the Field Work Proposal included.			
Interorganizational Transfers			
11. a. The offeror's cost analysis of the proposed interorganizational transfers and a breakdown of the proposed costs by element, when the proposed transfers are based on cost. (FAR 15.408)			
b. An explanation of the pricing method used for proposed interorganizational transfers when the proposed transfers are based on other than cost. (FAR 15.408)			
Direct Labor			
12. A time phased (i.e., monthly, quarterly, etc.) breakdown of labor rates and hours by category or skill level and the basis for the estimates of rates and hours (i.e., historical experience, engineering estimates, learning curves, etc.). If labor is the allocation base for indirect costs, the labor cost should be summarized in order that the applicable overhead rate can be applied. (FAR 15.408)			
Indirect Costs			
13. In the absence of any agreements on the use of forward pricing rates/factors, the offeror should show how indirect rates were computed and applied. Support for the indirect rates could consist of cost breakdowns, trends, and budgetary data. (FAR 15.408)			
DOES THE PROPOSAL INCLUDE THE FOLLOWING:			
Criteria	YES	NO	N/A
Other Costs			
14. Identification of all other costs by category not described above (e.g., special tooling, travel, computer and consultant services) and bases for pricing. (FAR 15.408)			
Royalties and License Fees			
15. If royalties exceed \$1,500, the proposal must provide the information identified in FAR 15.408, Table 15-2 II.E.			
Facilities Capital Cost of Money			
16. When claiming facilities capital cost of money, the offeror must submit Form CASB-CMF and show the calculation of the proposed amount. (FAR 31.205-10)			
Change Orders, Modifications, and Claims			
17. For Change Orders, Modifications, and Claims, the contractor should follow the format for submission contained in FAR 15.408. a. <u>Deleted Work</u> : The current estimates of what the cost would have been to complete the deleted work not yet			

performed (not the original proposal estimates), and the cost of deleted work already performed. The cost of all deleted work performed should be separately identified.			
b. <u>Added Work</u> : A current estimate of the cost of work added by the change. When nonrecurring costs are significant, or when specifically requested to do so by the Contracting Officer, the contractor should provide a full identification and explanation of the nonrecurring costs. When any of the costs have already been incurred, these should be described on an attached supporting schedule.			
Price Revision / Redetermination			
18. For price revision/redetermination, the contractor should follow the format in FAR 15.408.			
Adequacy / Inadequacy Determination			
19. Is the proposal adequate? If not, list the inadequacies below and indicate when the information was requested. If the proposal is so deficient that an examination cannot be performed, the auditor should consider recommending that the Contracting Officer return the proposal to the contractor.			
Comments			

Appendix G – Template Project Impact Table For Topic 1 and Topic 2:

**Project Impact Table For Topic 2 [TO BE FILLED OUT AND ATTACHED TO APPLICATION];
DOES NOT COUNT IN NARRATIVE PAGE LIMIT**

Project Impact Metrics	During Project Period			Post project period, years 4 to 6		
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
Average utilities savings (e.g. cost and fuel savings) achieved						
Average emissions reductions (MMT CO ₂ ²) per unit						
Number of buildings retrofitted						
Total square footage of buildings retrofitted						
Transportation impacts avoided (annual fuel savings or reduction in vehicle miles travelled)						
Renewable Energy Capacity Installed						
Jobs created or retained						
EECBG Funds Expended						

² MMT CO₂ is million metric tons carbon dioxide equivalent

EECBG Competitive Grants Summary (Retrofit Ramp-Up & General Innovation Fund)

DOE is now accepting applications for up to \$454 million in EECBG competitive grants. The competitive grants [Funding Opportunity Announcement \(PDF 394 KB\)](#) (FOA) was issued on October 19, 2009 and applications will be accepted through [Grants.gov](#) until December 14, 2009. [Download Adobe Reader](#).

DOE is releasing this FOA seeking innovative state, local government and Indian tribe programs funded under the Recovery Act. This FOA will use up to \$454 million in Recovery Act EECBG funds for these competitive grants awarded in two topic areas - (1) the Retrofit Ramp-up Program and (2) the General Innovation Fund.

The goal of this competitive FOA is to stimulate activities that move beyond traditional public awareness campaigns, program maintenance, demonstration projects, and other "one-time" strategies and projects. DOE seeks to stimulate activities and investments which can:

1. Fundamentally and permanently transform energy markets in a way that make energy efficiency and renewable energy the options of first choice; and
2. Sustain themselves beyond the grant monies and the grant period by designing a viable strategy for program sustainability into the overall program plan.

In this FOA, DOE is seeking applications which:

- Leverage the participation and support of multiple local jurisdictions, regional planning agencies, and state energy offices;
- Prioritize energy efficiency and/or energy conservation as first in the loading order before investments are made in new generation; however, DOE is interested in applications that integrate cost-effective renewables with efficiency.
- Move beyond the planning stage and ready for implementation;
- Clearly articulate and demonstrate the ability to achieve measurable stretch goals and that have the potential to make an impact at the regional or national level; and
- Maximize the creation and/or retention of jobs in the United States.

The first topic area, the "Retrofit Ramp-Up" program, will award up to \$390 million for innovative programs that are structured to provide whole-neighborhood building energy retrofits. These will be projects that demonstrate a sustainable business model for providing cost-effective

energy upgrades for a large percentage of the residential, commercial, and public buildings in a specific community. Possible approaches could include innovative partnerships between the public and private sector, utility retrofit and audit programs, alternative financing, retail partnerships, and others. DOE expects to make 8 to 20 awards under this topic area, with award size ranging from \$5-75 million.

The second topic area, the "General Innovation Fund," will award up to \$64 million to cities, counties and State-recognized Indian Tribes that were not eligible to receive population-based formula grant allocations from DOE under the Energy Efficiency and Conservation Block Grant program. These funds are intended to help expand local energy efficiency efforts and reduce energy use in the commercial, residential, transportation, manufacturing, or industrial sectors. DOE expects to make 15 to 60 awards, with award size ranging from \$1-5 million.

For complete details on the availability of funds please see [FOA \(PDF 394 KB\)](#). [Download Adobe Reader](#).

Additional Resources

- Whitehouse Recovery through Retrofit Initiative
- DOE's Building Energy Codes Website
- Program Evaluation Methodology *coming soon*

How to Apply

A summary of the key application steps can be found [here \(PDF 23 KB\)](#). [Download Adobe Reader](#). For complete application details, please see the [FOA \(PDF 394 KB\)](#). [Download Adobe Reader](#).

Kunkel, Mark

From: Selkowe, Vicky
Sent: Wednesday, December 16, 2009 3:30 PM
To: Kunkel, Mark
Subject: RE: WISE legislation drafting

Thanks, Mark. Hope to talk to you tomorrow about this.
Vicky

Vicky Selkowe
Office of State Representative Cory Mason
62nd Assembly District
Room 321 East, State Capitol
PO Box 8953, Madison, WI 53708
Phone: (608) 266-0634
Toll-free: (888) 534-0062

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From: Kunkel, Mark
Sent: Monday, December 14, 2009 4:35 PM
To: Selkowe, Vicky
Subject: RE: WISE legislation drafting

Vicky:

I had to take some sick days last week and am now trying to catch up on a lot of things. I don't think your request will be done until early next week, as I plan to work on your request on Thursday and Friday of this week. As for breaking into pieces, I'll look at that on Thursday and let you know what I think.

-- Mark

From: Selkowe, Vicky
Sent: Monday, December 14, 2009 1:34 PM
To: Kunkel, Mark
Subject: WISE legislation drafting

Hi Mark --

Just checking in to see how the drafting of the WISE legislation is going. I know you are still waiting for the local hire piece. It is an ongoing debate & discussion. I will get you language ASAP.

In the meantime, Rep. Mason would like the bill broken out more clearly, perhaps into chapters, or any other way you'd suggest breaking it out, so that the residential piece is separate from the industrial/commercial piece. We're finding that having them rolled into one in the bill is confusing to many who read it.

Will it be possible for you to get us a new draft with all of the changes we discussed at that meeting in November, plus the delineation into chapters or separate parts, by the end of this week, or sooner?

Thanks,
Vicky

Vicky Selkowe
Office of State Representative Cory Mason
62nd Assembly District
Room 321 East, State Capitol
PO Box 8953, Madison, WI 53708

Phone: (608) 266-0634
Toll-free: (888) 534-0062

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Kunkel, Mark

From: Kunkel, Mark
Sent: Thursday, December 17, 2009 2:16 PM
To: Kunkel, Mark
Subject: Redraft instructions for LRB-2740/P3

Based on meeting with Rep. Mason on Nov. 2, 2009:

1. Re: item 4 of LRB-2740/P3dn, add back in the requirements that prequalified contractors must be used for programs under ss. 16.26 and 196.374.
 2. Add local governments back into s. 196.3745.
 3. Revise to cover all types of premises (i.e., industrial, retail, commercial) in addition to residential premises.
 4. Federal funding should go to PSC, which makes grants to utilities and local governments. When investments (i.e. loans) are repaid, utilities and local governments must use proceeds for additional investments. Rep. Mason was going to provide additional info on federal funding source. (It is necessary to notwithstand s. 16.54?)
 5. Never got answer on relationship to 1.2% operating revenue requirement in s. 196.374 (3) (b). If source of funding is federal (via PSC), not operating revenues of utility, then how can the spending count toward the 1.2% requirement?
 6. Audits: require pre-audit that shows improvement or application is "cost effective." PSC must promulgate rules establishing standard. The standard must show that there are demonstrated energy savings from the improvement or application that are cost effective, based on: 1) savings, 2) value of property, and 3) pay-off period. The idea is that some savings won't be justifiably cost effective when compared to value of property (maybe too small) and pay-off period (maybe too long).
if use own money
- Also: page 8, beginning at line 11: in case of renewable application, audit must show energy generation, instead of energy savings?
7. Post-audits: Rep. Mason still thinking about consequences?
 8. PSC to promulgate rules on insurance (see page 9, beginning at line 10).
 9. Page 13, beginning at line 8: change to 25% of the employees (not contractors or subcontractors).
amend
 10. What is relationship between Act 11 and this bill? Not sure.
(6) (b)

Kunkel, Mark

From: Selkowe, Vicky
Sent: Thursday, December 17, 2009 3:38 PM
To: Kunkel, Mark
Cc: Selkowe, Vicky; Michalak, Michelle
Subject: Re: WISE legislation drafting

Hi Mark -

Can we meet on Monday, with Rep. Mason, to get all of your questions answered?

I've cc'd Shelle who can look at the schedule and set something up for Monday.

Thanks,
Vicky

Sent from my iPhone.

Vicky Selkowe

On Dec 17, 2009, at 3:20 PM, "Kunkel, Mark" <Mark.Kunkel@legis.wisconsin.gov> wrote:

Vicky:

I reviewed the U.S. DOE material you provided on the energy efficiency and conservation block grants and I don't understand how you want to use money that may be available to the state from those grants for your bill. From our meeting on Nov. 2, you indicated that you want to appropriate the federal funds to the PSC, which would in turn make grants to utilities and local governments for the program described in the bill.

According to the material, grants are available under Topic Area 1 (retrofit ramp-up program) and Topic Area 2 (grants to local governments and state-recognized tribes). The state is eligible to apply for grants under Topic Area 1, but not Topic Area 2, which is limited to local governments and tribes. Therefore, I assume that you are interested in grants under Topic Area 1. Grant applications were due on December 14, and the applications had to describe the specific program for which the grant was sought. The state must use 60% of the funds it receives as subgrants to local governments and may use no more than 10% for administrative expenses.

Assuming that the state applied by the above deadline, and the state eventually receives the grants, the use of the grants will be governed by the federal program. I don't think that I can draft a bill that overrides the federal program's requirements. For example, if the application described specific programs for which the grant money will be used, I don't think that I can draft a bill directing that the money be used for a different program. I realize that the program created in your bill has the same purpose as the programs that may receive grant money, but the bill's program would be different than whatever program was described in the application.

Please let me know your thoughts on this issue.

As for dividing the bill into different pieces, I'm not sure what you mean by separating the residential piece from the industrial/commercial piece. Recall that the current version of the draft is limited to allowing the PSC to approve utility programs for residential property. Based on our Nov. 2 meeting, I will revise the bill to cover all types of property, in addition to residential, and I'm not sure what you

mean by separating residential from industrial/commercial. Please contact me to discuss this issue further.

-- Mark

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Sent: Wednesday, December 16, 2009 3:30 PM
To: Kunkel, Mark
Subject: RE: WISE legislation drafting

Thanks, Mark. Hope to talk to you tomorrow about this.
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Subject: RE: WISE legislation drafting

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To: Kunkel, Mark
Subject: WISE legislation drafting

Hi Mark –
Just checking in to see how the drafting of the WISE legislation is going. I know you are still waiting for the local hire piece. It is an ongoing debate & discussion. I will get you language ASAP.

In the meantime, Rep. Mason would like the bill broken out more clearly, perhaps into chapters, or any other way you'd suggest breaking it out, so that the residential piece is separate from the

industrial/commercial piece. We're finding that having them rolled into one in the bill is confusing to many who read it.

Will it be possible for you to get us a new draft with all of the changes we discussed at that meeting in November, plus the delineation into chapters or separate parts, by the end of this week, or sooner?

Thanks,
Vicky

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Kunkel, Mark

From: Kunkel, Mark
Sent: Thursday, December 17, 2009 3:38 PM
To: Kunkel, Mark
Subject: RE: Redraft instructions for LRB-2740/P3

Additional instructions from Nov. 12 meeting:

1. Require PSC rules re: material on page 11, line 5 and page 13, line 5. Rules should define "good cause." Require emergency rules within 90 days after bill goes into effect.
2. Regarding item 9 below, should be 25% of all contractors and subcontractors (not 25% of each). Rep. Mason is getting back to me for additional language on this requirement. Also, instead of political subdivision, say city, village or town (otherwise there is a county problem). Check with MES on this point.
3. Add cultural competency requirement to precertification requirements.
4. Regarding item 7 below, the post-audit should show whether work actually done and whether energy savings actually result. Must certify that the work was done and done competently. Add inspection requirement. If work not done competently, then grounds for kicking off list.
5. Audit distinction for energy efficiency versus renewable applications: renewables should not be dependent on payback period (because payback period will be too great for solar, for example?).

From: Kunkel, Mark
Sent: Thursday, December 17, 2009 2:16 PM
To: Kunkel, Mark
Subject: Redraft instructions for LRB-2740/P3

Based on meeting with Rep. Mason on Nov. 2, 2009:

1. Re: item 4 of LRB-2740/P3dn, add back in the requirements that prequalified contractors must be used for programs under ss. 16.26 and 196.374.
2. Add local governments back into s. 196.3745.
3. Revise to cover all types of premises (i.e., industrial, retail, commercial) in addition to residential premises.
4. Federal funding should go to PSC, which makes grants to utilities and local governments. When investments (i.e. loans) are repaid, utilities and local governments must use proceeds for additional investments. Rep. Mason was going to provide additional info on federal funding source. (It is necessary to notwithstanding s. 16.54?)
5. Never got answer on relationship to 1.2% operating revenue requirement in s. 196.374 (3) (b). If source of funding is federal (via PSC), not operating revenues of utility, then how can the spending count toward the 1.2% requirement?
6. Audits: require pre-audit that shows improvement or application is "cost effective." PSC must promulgate rules establishing standard. The standard must show that there are demonstrated energy savings from the improvement or application that are cost effective, based on: 1) savings, 2) value of property, and 3) pay-off period. The idea is that some savings won't be justifiably cost effective when compared to value of property (maybe too small) and pay-off period (maybe too long).

Also: page 8, beginning at line 11: in case of renewable application, audit must show energy generation, instead of energy savings?

7. Post-audits: Rep. Mason still thinking about consequences?
8. PSC to promulgate rules on insurance (see page 9, beginning at line 10).
9. Page 13, beginning at line 8: change to 25% of the employees (not contractors or subcontractors).

10. What is relationship between Act 11 and this bill? Not sure.