

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

STATE ENERGY PROGRAM 2016 COMPETITIVE AWARDS

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Submission Deadline for Full Applications:	March 31, 2016 5:00pm ET
Expected Date for EERE Selection Notifications:	July 29, 2016
Expected Timeframe for Award Negotiations	August 1, 2016 - October 31, 2016

- To apply to this FOA, applicants must register with and submit application materials through EERE Exchange at <https://eere-Exchange.energy.gov>, EERE's online application portal.
- Applicants must designate primary and backup points-of-contact in EERE Exchange with whom EERE will communicate to conduct award negotiations. If an application is selected for award negotiations, it is not a commitment to issue an award. It is imperative that the applicant/selectee be responsive during award negotiations and meet negotiation deadlines. Failure to do so may result in cancellation of further award negotiations and rescission of the Selection.

Questions about this FOA? Email SEPFY16FOA1415@ee.doe.gov. Problems with EERE Exchange? Email EERE- EERE-ExchangeSupport@hq.doe.gov Include FOA name and number in subject line.

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I. FUNDING OPPORTUNITY DESCRIPTION

A. DESCRIPTION/BACKGROUND

Description

The Office of Energy Efficiency and Renewable Energy's (EERE's) State Energy Program (SEP) seeks applications to advance policies, programs, and market strategies that accelerate job creation, reduce energy consumption, and help achieve energy and climate security for the nation. This competitive Funding Opportunity Announcement (FOA) allows States (which includes the District of Columbia and five territories) to compete for funding designed to meet EERE's nationally focused initiatives for the fundamental and permanent transformation of clean energy markets across all sectors of the economy. Specifically, this FOA includes three Areas of Interest: State Energy Planning, Innovative Opportunities for Energy Efficiency and Renewable Energy Practices, and Technical Assistance to Advance SEP Formula Grant Clean Energy Activities. These are described in more detail below.

Background

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

SEP upholds the DOE's Office of Energy Efficiency and Renewable Energy (EERE) Strategic Plan Goals 3 and 5:

- Goal 3 - Improve the energy efficiency of our homes, buildings and industries.
- Goal 5 - Enable the integration of clean energy into a reliable, resilient, and efficient electricity grid.

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

B. TOPIC AREAS/TECHNICAL AREAS OF INTEREST

Area of Interest 1 – State Energy Planning

Number of Projects	Up to 5
Potential Award Funding	Up to \$2,500,000
Awards Range	Approximately \$200,000 to \$300,000 for single State applications; approximately \$500,000 for applications that include up to three additional States as Key Partners; approximately \$800,000 for applications that include four or more additional States as Key Partners.
Award Duration	Up to 24 months

Under this Area of Interest, DOE hopes to bolster State energy planning by funding efforts to facilitate stakeholder and interagency discussions concerning (1) the future direction of the energy sector and (2) how energy efficiency and renewable energy fit into a vision for the future. DOE funding will help States explore and enhance economic development opportunities associated with promoting energy efficiency and renewable energy, identify measures for enhancing energy assurance, undertake analytical efforts, and plan strategically for current and future environmental regulations and other economic pressures that will have an impact on the energy sector.

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

Number of Projects	Up to 12
Potential Award Funding	Up to \$2,500,000
Awards Range	Approximately \$200,000 to \$300,000 for single State applications; approximately \$500,000 for applications that include up to three additional States as Key Partners; approximately \$800,000 for applications that include four or more additional States as Key Partners.
Award duration	Up to 36 months

Under this Area of Interest, DOE will offer funding to States for the development of new, or the expansion of existing, programs or policies that advance energy efficiency and renewable energy adoption within a portfolio of five **Topics of Emphasis**:

1. Working with Utilities to Advance State Energy Reduction and/or Renewable Energy Generation Goals
2. Enabling Financing Mechanisms for Public or Private Sector Clean Energy Investment
3. Deploying Energy Performance Benchmarking and Disclosure
4. Standardizing Evaluation, Measurement & Verification (EM&V) Processes
5. Partnering with Local Governments

Of most interest to DOE under this Area of Interest are proposals that promote strategies or policies that represent innovative and replicable models of action to tackle current barriers in the clean energy marketplace. Please note that award funds under this Area of Interest cannot be used to 1) implement specific project-level energy efficiency retrofits or upgrades or 2) be used to directly capitalize financing programs. However, award funds can be used to design and develop programs that could lead to the implementation of retrofits using non-award funds and/or could be used to develop the framework for financing programs.

The five Topics of Emphasis listed above- and expanded descriptions below- are related to specific questions from the **‘2016 State Energy Assessment’ (See Appendix F)**. Applicants to Area of Interest 2 should familiarize themselves with these specific policy questions identified in Appendix F. prior to crafting proposals and consider how the proposal could change an answer from a ‘no’ to a ‘yes’ or to expand the applicability, or enhance the effectiveness, of a program or policy identified in a question. States may choose to address just one topic area or can submit proposals that address multiple topic areas. Proposals that address multiple topic areas will be scored based on how well the topics are integrated into a uniform policy or program strategy. Please note that Area of Interest 2 applicants are also required to complete and submit the full State Energy Assessment template downloadable from Exchange.

TOPIC 1: Working with Utilities to Advance State Energy Reduction and/or Renewable Energy Generation Goals

Under this topic area, applicants may submit proposals identifying strategies to meet or advance State energy reduction and/or renewable energy generation goals by partnering with utilities. More specifically, applicants may propose to:

- a) Address requirements for utilities to achieve energy savings and/or meet renewable energy goals by way of adopting or expanding an energy efficiency resource standard (EERS), adopting or expanding a renewable portfolio standard (RPS), and/or incorporating savings and generation targets into an integrated resource plan (IRP)
- b) Work to enhance the incorporation of distributed resources into the electrical system by standardizing interconnection rules across your State’s utilities’ for distributed resources regardless of fuel;
- c) Work to design and adopt a suite of new ratepayer funded energy efficiency programs;
- d) Work to expand existing ratepayer funded energy efficiency programs to market sectors or fuel types not currently covered;
- e) Work to adopt demand response mechanisms such as time of use pricing; and/or,

- f) Address cost effectiveness testing to ensure the long-term resource value of energy efficiency is appropriately reflected in policy decisions.

The State Energy Assessment questions covered by Topic 1 are described in Appendix F.

TOPIC 2: Enabling Financing Mechanisms for Public or Private Sector Clean Energy Investment

Under this topic area, applicants may submit proposals identifying strategies to develop or expand an energy specific financial policy or initiative to incent public or private clean energy investment. More specifically, applicants may propose to:

- a) Design and develop templates for the creation of financing programs; including energy savings performance contracts (ESPC), a revolving loan fund, a loan loss reserve fund, qualified energy conservation bonds (QECBs) or other bonds that can be allocated to retrofit investments, lease purchase agreements, and/or an established green bank or infrastructure;
- b) Develop and implement financing policies to incent private sector clean energy investments by enacting legislation in support of commercial property assessed clean energy (PACE) and/or a clean energy loan fund; and/or,
- c) Develop policies and programs that support self-sustaining ESPC programs, including developing legislation that authorizes the use of a centralized State ESPC program for public buildings, developing a fee-based ESPC program, or developing a centralized ESPC program that provides guidance or standardized contracts and procedures.

The State Energy Assessment questions covered by Topic 2 are described in Appendix F.

TOPIC 3: Deploying Energy Performance Benchmarking and Disclosure

Under this topic area, applicants may submit proposals identifying strategies to develop or expand laws or regulations, executive orders, utility data collection processes or energy use data exchange mechanisms related to benchmarking and disclosure of energy use in public or private buildings. More specifically, applicants may propose to:

- a) Develop and implement a State law or regulation that requires all commercial buildings of a certain size to be benchmarked and the data made publicly available or work with local governments in your State to enact such local ordinances;
- b) Develop and implement a State law or regulation that requires homeowners to disclose energy performance data on their homes at key transaction points (e.g., time of sale);
- c) Work with utility regulators to define what constitutes sufficiently aggregated customer energy usage data that can be given to building owners while addressing privacy concerns;
- d) Develop and implement a requirement for investor-owned utilities to provide aggregated whole-building energy usage data to building owners for purposes of benchmarking and energy management in cases where individual tenants in a building have separate utility meters and accounts;

- e) Develop and implement energy use data exchange mechanisms by utilizing standardized benchmarking platforms (for example, Energy Star Portfolio Manager); and/or,
- f) Work with investor-owned utilities (IOUs) to develop and implement a platform where customers and/or third party service providers can access energy usage data in a standardized format (for example, Green Button).

The State Energy Assessment questions covered by Topic 3 are described in Appendix F.

TOPIC 4: Standardizing Evaluation Measurement & Verification (EM&V) Processes

Under this topic area, applicants may submit proposals identifying strategies to develop or expand processes related to standardized evaluation, measurement and verification (EM&V) practices to determine energy and emissions reductions from ratepayer and/or non-ratepayer funded efficiency programs. More specifically, applicants may propose to:

- a) Implement an EM&V process for ratepayer-funded programs and/or non-ratepayer-funded programs that is:
 - i. Transparent and is driven by an independent, third-party evaluator;
 - ii. Transparent and is driven by commonly accepted protocols or methodologies (for example, the Uniform Methods Project); and/or,
 - iii. Transparent, collaborative, and driven by a regional group that works together to determine savings.

The State Energy Assessment questions covered by Topic 4 are described in Appendix F.

TOPIC 5: Partnering with Local Governments

Under this topic area, applicants may submit proposals identifying strategies to develop or expand policies and programs to assist local governments to design and implement internal and/or public facing clean energy programs. More specifically, applicants may propose strategies that lead to the development of services that:

- a) Provide local governments with financial support to implement internal and/or publically facing energy efficiency and/or renewable energy programs;
- b) Provide local governments with a defined suite of comprehensive technical assistance resources; and/or,
- c) Support local governments in targeting underserved sectors (multifamily, small business, community centers, hospitals, schools, etc.) for energy efficiency improvements through the mechanisms described in a) and b).

The State Energy Assessment questions covered by Topic 5 are described in Appendix F.

Area of Interest 3- Technical Assistance to Advance SEP Formula Grant Clean Energy Activities

Number of Projects	Up to 10
Potential Award Funding	Up to \$750,000
Awards Range	Approximately \$50,000 to \$75,000
Award duration	Up to 24 months

Under this Area of Interest, DOE will offer funding to States for technical assistance activities that maximize the impact of State Energy Program (SEP) formula grant work related to energy efficiency and/or renewable energy adoption. **In order to better serve all States, Area of Interest 3 is open to only those States that have not been selected to receive a competitive award in the last four years (FY12-FY15).**

States may identify technical assistance needs related to increasing the impact or expanding the scope of an existing energy efficiency or renewable energy area of formula work **OR** may identify technical assistance needs to explore new energy efficiency or renewable energy areas for possible inclusion in future annual formula award applications. If tied to an existing area of formula work, States must show how the technical assistance will lead to greater impact of the project as conceived while providing assurance that current work will be able to continue as planned and is not dependent on receiving the technical assistance.

The State's preferred technical assistance providers must be identified in the application, and could include universities, consultants, or DOE-funded national labs such as NREL, LBNL, or ORNL.

Please note that technical assistance activities must be related to the expansion of existing, or adoption of new, formula work specific to energy efficiency and/or renewable energy policies and programs. Travel and training expenses are capped at 15%. Technical assistance proposals can be related to any activity allowable within SEP formula award guidelines and can include, but are not limited to:

1. Development of model legislative or regulatory language;
2. Development of program level guidance documents;
3. Clean energy market assessments;
4. Technical analysis of new or existing energy efficiency or renewable energy programs;
5. Auditing and facility benchmarking;
6. Development of facility energy load monitoring practices;
7. Evaluation, measurement and verification;
8. Development of clean transportation policies or programs;
9. Development of policies to promote energy efficient new construction standards (such as LEED or stretch codes);
10. Development of retrocommissioning practices;
11. Resource planning and scheduling; and/or,
12. Development of long term energy plans.

Recipient cost match will not be required for Area of Interest 3.

C. APPLICATIONS SPECIFICALLY NOT OF INTEREST

Applications that fall outside the technical parameters specified here and in Section I.B of the FOA, will be deemed nonresponsive and will not be reviewed or considered (See Section III.D of the FOA). Proposals specifically not of interest include:

- a) Construction, such as construction of mass transit systems and exclusive bus lanes, or for construction or repair of buildings or structures;
- b) Purchase of land, a building, or a structure or any interest therein;
- c) Subsidizing fares for public transportation;
- d) Subsidizing utility rate demonstrations or State tax credits for energy conservation or renewable energy measures;
- e) The purchase of equipment to conduct, research, development or demonstration of energy efficiency or renewable energy technologies not commercially available;
- f) Loan guarantees or loan forgiveness (10 CFR section 420.18);
- g) Programs that include government assets other than buildings and facilities, such as fleets;*
- h) Programs targeted to making new construction energy-efficient;*
- i) Programs that use award funds to implement specific project-level energy efficiency retrofits and upgrades;
- j) Programs that use project funds to capitalize financing programs;
- k) Proposals that establish new energy efficiency registries unless partnered with a State to develop a registry already underway; and,
- l) Proposals that establish new voluntary national energy efficiency (EE) registries to increase transparency and standardize the methodology to track and report projected and realized energy savings.

*Please note that technical assistance related to the development of policy initiatives or programs to advance 1) clean transportation or 2) energy efficient new construction standards (such as LEED or stretch codes) as related to SEP formula grant work is allowable under Area of Interest 3.

D. AUTHORIZING STATUTES

The programmatic authorizing statute is [42 USC §7101; 42 USC §6321].

Awards made under this announcement will fall under the purview of 2 CFR Part 200 as amended by 2 CFR Part 910.

II. AWARD INFORMATION

A. AWARD OVERVIEW

1. *ESTIMATED FUNDING*

EERE expects to make approximately \$5,000,000 of Federal funding available for new awards under this FOA, subject to the availability of appropriated funds. EERE anticipates making up to 25 awards under this FOA. EERE may issue one, multiple, or no awards. Individual awards may vary between approximately \$50,000 and \$800,000.

EERE may issue awards in one, multiple, or none of the following Areas of Interest:

Area of Interest 1- State Energy Planning

EERE may issue up to five awards in this topic area with award amounts ranging from approximately \$200,000 to \$300,000 for single State applications, approximately \$500,000 for applications that include up to three additional States as Key Partners, and approximately \$800,000 for applications that include four or more additional States as Key Partners.

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

EERE may issue up to twelve awards in this topic area with award amounts ranging from approximately \$200,000 to \$300,000 for single State applications, approximately \$500,000 for applications that include up to three additional States as Key Partners, and approximately \$800,000 for applications that include four or more additional States as Key Partners.

Area of Interest 3- Technical Assistance to Advance SEP Formula Grant Clean Energy Activities

EERE may issue up to ten awards in this topic area with award amounts ranging from approximately \$50,000 and \$75,000.

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

2. *PERIOD OF PERFORMANCE*

EERE anticipates making awards that will run up to 24 months in length for Area of Interest 1, 24 to 36 months for Area of Interest 2, and 24 months for Area of Interest 3.

3. *NEW APPLICATIONS ONLY*

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

Questions about this FOA? Email SEPFY16FOA1415@ee.doe.gov. Problems with EERE Exchange? Email EERE- EERE-ExchangeSupport@hq.doe.gov Include FOA name and number in subject line.

B. EERE FUNDING AGREEMENTS

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

1. COOPERATIVE AGREEMENTS

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

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

EERE has substantial involvement in all projects funded via Cooperative Agreement. See Section VI.B.9 of the FOA for more information on what substantial involvement may involve.

III. ELIGIBILITY INFORMATION

To be considered for substantive evaluation, an applicant's submission must meet the criteria set forth below. If the application does not meet these initial requirements, it will be considered non-responsive, removed from further evaluation, and not be eligible for any award.

A. ELIGIBLE APPLICANTS

State entities are eligible to apply for funding as a Prime Recipient or participate as a Subrecipient. In accordance with 2 CFR part 910.126(b) and Energy Policy and Conservation Act, section 365(f) codified at 42 USC 6325(f) and Energy Independence and Security Act of 2007, section 531, eligibility for award under Areas of Interest 1, 2 and 3 is restricted to the 50 States, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the US Virgin Islands. Eligibility for award under Area of Interest 3 is further restricted to States and U.S. Territories that have not been selected to receive a SEP Competitive award in the past four years (FY12-FY15).

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

B. COST MATCH

For Areas of Interest 1 and 2, the recipient cost match must be at least 20% of the total Federal Funds allocated. **Recipient cost match will not be required for Area 3.**

Total Estimated Project Cost is the sum of the Federal government share and recipient match of the estimated project costs (if applicable). The Recipient's cost match must come from non-Federal sources unless otherwise allowed by law. By accepting Federal funds under this award, the Recipient agrees to be liable for its percentage match of Federal government share, on a budget-period basis, even if the project is terminated early or is not funded to its completion. See 10 CFR Part 420. To assist applicants in calculating proper cost match amounts, EERE has included a cost match information sheet as Appendix A to this FOA.

1. LEGAL RESPONSIBILITY

Although the cost match requirement applies to the project as a whole, including work performed by members of the project team other than the Prime Recipient, the Prime Recipient is legally responsible for providing the entire cost match. The Prime Recipient's cost match obligation is expressed in the Assistance Agreement as a static amount in U.S. dollars (cost match amount) and as a percentage of the Total Project Cost (cost match percentage). If the funding agreement is terminated prior to the end of the project period, the Prime Recipient is required to contribute at least the cost match percentage of total expenditures incurred through the date of termination. The Prime Recipient is solely responsible for managing cost match contributions by the Project Team and enforcing cost match obligation assumed by Project Team members in subawards or related agreements.

1. COST MATCH ALLOCATION

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

2. COST MATCH TYPES AND ALLOWABILITY

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

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

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

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

- Revenues or royalties from the prospective operation of an activity beyond the project period;
 - Proceeds from the prospective sale of an asset of an activity;
 - Federal funding or property (e.g., Federal grants, equipment owned by the Federal Government);
 - Expenditures that were reimbursed under a separate Federal Program; or
 - Independent research and development (IR&D) funds
- Project Teams may not use the same cash or in-kind contributions to meet cost match requirements for more than one project or program.

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

Applicants are encouraged to refer to 2 CFR 200 as amended by 2 CFR part 910 for additional guidance.

3. *COST MATCH VERIFICATION*

Applicants are required to provide written assurance of their proposed cost match contributions in their Full Applications. Upon selection for award negotiations, Applicants are required to provide additional information and documentation regarding their cost match contributions. Please refer to Appendix A of the FOA for guidance on the requisite cost match information and documentation.

4. *COST MATCH PAYMENT*

All proposed cost match contributions must be reviewed in advance by the Contracting Officer and incorporated into the project budget before the expenditures are incurred. For SEP awards, the Prime Recipients must meet the cost match requirement on a budget period basis.

C. COMPLIANCE CRITERIA

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

1. COMPLIANCE CRITERIA

i. Full Applications

Full Applications are deemed compliant if:

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

D. RESPONSIVENESS CRITERIA

All “Applications Specifically Not of Interest,” as described in Section I.C of the FOA, are deemed nonresponsive and are not reviewed or considered.

E. LIMITATION ON NUMBER OF FULL APPLICATIONS ELIGIBLE FOR REVIEW

States that have not been selected to receive an award in the past four years (FY12-FY15) may submit up to two applications as a Prime Recipient – one under Area of Interest 3 **and** one under Area of Interest 1 **or** Area of Interest 2. States that do not apply under Area of Interest 3 (due to eligibility restrictions or otherwise) may submit one application as a Prime Recipient – one under Area of Interest 1 **or** one under Area of Interest 2.

Multistate applications where other States are listed as Key Partners or subrecipients are encouraged under Area of Interest 1 and Area of Interest 2. Multistate applications will not be accepted under Area of Interest 3.

As long as each proposal is unique and non-duplicative, there is no limit on the number of times a State can be listed as a Key Partner or a subrecipient on multistate applications in Area of Interest 1 and Area of Interest 2 applications. States listed as Key Partners or subrecipients must significantly contribute to project tasks and overall project success with roles and responsibilities clearly defined in the Work Breakdown Structure of the Technical Volume.

F. QUESTIONS REGARDING ELIGIBILITY

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

IV. APPLICATION AND SUBMISSION INFORMATION

A. APPLICATION PROCESS

EERE performs an initial eligibility review of the applicant submissions to determine whether they meet the eligibility requirements of Section III of the FOA. EERE will not review or consider submissions that do not meet the eligibility requirements of Section III. All submissions must conform to the following form and content requirements, including maximum page lengths (described below) and must be submitted via EERE Exchange at <https://eere-exchange.energy.gov/>.

EERE will not review or consider submissions submitted through means other than EERE Exchange, submissions submitted after the applicable deadline, and/or incomplete submissions. EERE will not extend deadlines for applicants who fail to submit required information and documents due to server/connection congestion. A control number will be issued when an applicant begins the application process in Exchange. This control number must be included with all Application documents as described below.

Full Applications must conform to the following requirements:

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

Applicants are responsible for meeting each submission deadline. **Applicants are strongly encouraged to submit their Full Applications at least 48 hours in advance of the submission deadline.** Under normal conditions (i.e., at least 48 hours in advance of the submission deadline), applicants should allow at least 1-hour to submit a Full Application. Applicants may revise or update submissions until the expiration of the applicable deadline. If changes are made, the applicant must resubmit the Full Application before the applicable deadline.

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

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

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

Applicants that experience issues with submission PRIOR to the FOA deadline: In the event that an applicant experiences technical difficulties with a submission, the Application should contact the Exchange helpdesk for assistance (EERE-ExchangeSupport@hq.doe.gov). The Exchange helpdesk and/or the EERE Exchange system administrators will assist Applicants in resolving issues.

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

B. APPLICATION FORMS

The application forms and instructions are available on EERE Exchange. To access these materials, go to <https://eere-Exchange.energy.gov> and select Funding Opportunity number DE-FOA-0001415.

Note: The maximum file size that can be uploaded to the EERE Exchange website is 10MB. Files in excess of 10MB cannot be uploaded, and hence cannot be submitted for review. If a file exceeds 10MB but is still within the maximum page limit specified in the FOA, it must be broken into parts and denoted to that effect.

For example:

{{ControlNumber}}_{{LeadOrganization}}_AOI x_Part_1
{{ControlNumber}}_{{LeadOrganization}}_AOI x_Part_2, etc.

C. CONTENT AND FORM OF THE FULL APPLICATION

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

Applicants will receive a Control Number when an application is initiated in Exchange. The Control Number must be prominently displayed on the upper right corner of the header of every page and must be included in the file name of the Full Application. The applicable Area of Interest must also be identified in the file name. For example:

{{ControlNumber}}_{{LeadOrganization}}_AOI1

Applications to Area of Interest 2 must also include the applicable Topic of Emphasis in the file name. For example: {{ControlNumber}}_{{LeadOrganization}}_AOI2_T1

Please Note: Exchange requires double brackets to contain {{ControlNumber}} and {{LeadOrganization}} terms.

1. **FULL APPLICATION CONTENT REQUIREMENTS**

EERE will not review or consider ineligible Full Applications (see Section III of the FOA).

Full Applications must conform to the following requirements:

SUBMISSION	COMPONENTS	FILE NAME
Full Application (PDF, unless stated otherwise)	Technical Volume (See Chart in Section IV.D.2)	{{ControlNumber}}_{{LeadOrganization}}_TechnicalVolume
	SF-424 Application for Federal Assistance	{{ControlNumber}}_{{LeadOrganization}}_App424
	Budget Justification (EERE 335). Applicants must use the template available in EERE Exchange (Microsoft Excel format).	{{ControlNumber}}_{{LeadOrganization}}_Budget_Justification
	Summary for Public Release (1 page limit) *NOT required for applications to Area of Interest 3	{{ControlNumber}}_{{LeadOrganization}}_Summary
	Summary Slide (1 page limit, Microsoft PowerPoint format) *NOT required for applications to Area of Interest 3	{{ControlNumber}}_{{LeadOrganization}}_Slide
	Subaward Budget Justification (EERE 335) (Microsoft Excel format. Applicants must use the template available in EERE Exchange)	{{ControlNumber}}_{{LeadOrganization}}_Subawardee_Budget_Justification
	SF-LLL Disclosure of Lobbying Activities	{{ControlNumber}}_{{LeadOrganization}}_SF-LLL
	Resume File	{{ControlNumber}}_{{LeadOrganization}}_Resumes
	Letters of Commitment	{{ControlNumber}}_{{LeadOrganization}}_Commitment
	2016 State Energy Assessment	{{ControlNumber}}_{{LeadOrganization}}_SEA
	Statements of Support from Key Partners *NOT required for applications to Area of Interest 3	{{ControlNumber}}_{{LeadOrganization}}_Support

2. **TECHNICAL VOLUME**

The Technical Volume must be submitted in Adobe PDF format. The Technical Volume must conform to the following content and form requirements, including maximum page lengths. If applicants exceed the maximum page lengths indicated below, EERE will review only the authorized number of pages and disregard any additional pages. **This volume must address the Merit Review Criteria as discussed in Section V.A.1 of the FOA.** Save the Technical Volume in a

Questions about this FOA? Email SEPFY16FOA1415@ee.doe.gov. Problems with EERE Exchange? Email EERE- EERE-ExchangeSupport@hq.doe.gov Include FOA name and number in subject line.

single PDF file using the following convention for the title:
 {{ControlNumber}}_{{LeadOrganization}}_TechnicalVolume

Applicants must provide sufficient citations and references to any primary research literature referenced in proposals to justify the claims and approaches made in the Technical Volume. However, EERE and reviewers are under no obligation to review cited sources.

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

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

	<p>include responses in the Workplan section of the Technical Volume.</p> <p>PLEASE NOTE THAT MERIT REVIEWERS WILL BE EVALUATING APPLICATIONS BASED ON HOW WELL THE APPLICATION ADDRESSES SEPARATELY EACH OF THE MERIT REVIEW CRITERIA.</p>
<p>Workplan (This section should constitute approximately 50% of the Technical Volume)</p>	<p>The Workplan should contain the following information:</p> <ul style="list-style-type: none"> • Project Goals and Objectives: The Applicant should provide a clear and concise high-level statement of the project goal and outline the objectives of the project and the expected outcomes. • Project Narrative: The Project Narrative should, to the extent practical, follow the outline below in its organization and content; however, additional topics may be covered as necessary for the applicant to deliver a full explanation of the proposal. Please include responses to the Merit Review Criteria in this section of the Technical Volume. <p>Area of Interest 1:</p> <ol style="list-style-type: none"> 1. Project goals, objectives, and expected outcomes; 2. Approach and strategies to achieve objectives and goals; 3. Estimated impacts; 4. Existing efforts and how they will be leveraged; 5. Identification of barriers and how they will be overcome; 6. Project team, roles and structure, including partners and capabilities; 7. Stakeholders and plan for engagement; and, 8. Information and data needs. <p>Area of Interest 2:</p> <ol style="list-style-type: none"> 1. Project overview; 2. Project goals, objectives, and expected outcomes; 3. Approach and strategies to achieve objectives and goals; 4. Estimated measureable impacts; 5. If multiple topic areas are addressed, description of how topics are complimentary and contribute to a uniform policy or program strategy; 6. Existing efforts & how they will be leveraged;

7. Project team, roles and structure, including partners and capabilities;
8. Stakeholders and plan for engagement; and,
9. Information and data needs.

Area of Interest 3:

1. Summary of proposed technical assistance activity;
 2. Goals, objectives, potential impacts and expected outcomes of the SEP technical assistance activity as related to current or future SEP formula work;
 3. Approach and strategies to achieve objectives, goals, and measureable impacts of the technical assistance activity; and,
 4. Project team, roles and structure, including partners and capabilities.
- **Summary Table:** A complete Technical Volume will include a table summarizing the project **Summary Tables for Area of Interest 1, Area of Interest 2 and Area of Interest 3 are provided as fillable templates in EERE Exchange.** Applicants in Area of Interest 2 need only complete the tables related to the applicable 'Topics of Emphasis' for which they are applying. **Summary tables do not count towards the page limit.**
 - **Technical Scope Summary:** The Applicant should provide a summary description of the overall work scope and approach to achieve the objective(s).
 - **Work Breakdown Structure (WBS) and Task Descriptions:** The WBS should fully describe the work to be accomplished and how the applicant will achieve milestones and accomplish final project goals. The WBS is to be structured with a hierarchy of performance period task and subtasks and shall contain a concise, detailed description of the specific activities to be conducted over the life of the project. "Detailed" is defined as a full explanation and disclosure of the project being proposed (i.e., a Statement such as "we will then complete a **proprietary** process" is unacceptable). It is the Applicant's responsibility to prepare an adequately detailed task plan to describe the proposed project and the plan for addressing the objectives of this FOA. To this end, each task and subtask is to have a unique number and title and

	<p>an indication of the duration of the task or subtask in months. Each task and subtask is to have a task summary that describes the objectives, what work is to be accomplished, and relationship to project deliverables or expected results. Appropriate milestones should be incorporated into the task and subtask structure. Each task and subtask is to have a technical details section, as appropriate, to discuss how the work will be done, anticipated problems or uncertainties, and any further clarification, such as why a specific approach is being taken. An example Work Breakdown Structure is provided in Appendix E. <u>The WBS does not count towards the page limit.</u></p> <ul style="list-style-type: none"> • Milestones: The Applicant should provide appropriate milestones throughout the project to demonstrate success where success is defined as technical achievement rather than simply completing a task. <p>To ensure that milestones are relevant, Applicants should follow the SMART rule of thumb, which is that all milestones should be Specific, Measurable, Achievable, Relevant, and Timely. Unless otherwise specified in the FOA, the minimum requirement is that each project must have at least one milestone per quarter for the duration of the project. The Applicant should also provide the means by which the milestone will be verified. In addition to describing milestones in the WBS text, please complete a Milestone Summary Table. A fillable template is provided in Exchange. <u>The Milestone Summary Table does not count towards the page limit.</u></p> <ul style="list-style-type: none"> • Project Schedule (Gantt chart or similar): The Applicant should provide a detailed schedule for the entire project, including task and subtask durations, and milestones. <u>The project schedule does not count towards the page limit.</u> • Project Management: The Applicant should discuss the team's proposed management plan, including the following: <ul style="list-style-type: none"> ○ The overall approach to and organization for managing the work; ○ The roles of each Project Team member; ○ Any critical handoffs/interdependencies among Project Team members;
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	<ul style="list-style-type: none"> ○ The technical aspects of the management plan including systems and practices such as financial and project tracking practices; ○ The approach to project risk management; ○ A description of how project changes will be handled; ○ If applicable, the approach to Quality Assurance/Control; and, ○ How communications will be maintained among Project Team members.
Technical Qualifications and Resources (Approximately 15% of the Technical Volume)	<p>The Technical Qualifications and Resources should contain the following information:</p> <ul style="list-style-type: none"> • The Project Team’s unique qualifications and expertise, including those of Key Partners and subrecipients; • The Project Team’s existing equipment and facilities that will facilitate the successful completion of the proposed project; • A discussion of how previous work efforts and demonstrated innovations will enable the Applicant to achieve the project objectives; and, • The time commitment of the key team members to support the project. <p>For multi-State or regional proposals, describe succinctly:</p> <ul style="list-style-type: none"> • The roles and the work to be performed by each Partner; • Business agreements between the Applicant and each Partner; • How the various efforts will be integrated and managed; • Process for making decisions on project direction; • Publication arrangements; and, • Communication plans.

3. **SF-424: APPLICATION FOR FEDERAL ASSISTANCE**

Complete all required fields in accordance with the instructions on the form. The list of certifications and assurances in Field 21 can be found at <http://energy.gov/management/office-management/operational-management/financial-assistance/financial-assistance-forms>, under Certifications and Assurances. Note: The dates and dollar amounts on the SF-424 are for the complete project period and not just the first project year, first phase or other subset of the

project period. Save the SF-424 in a single PDF file using the following convention for the title: {{ControlNumber}}_{{LeadOrganization}}_App424

4. **BUDGET JUSTIFICATION WORKBOOK (EERE 335)**

Applicants are required to complete the Budget Justification Workbook. This form is available on EERE Exchange at <https://eere-Exchange.energy.gov/>. Prime Recipients must complete each tab of the Budget Justification Workbook for the project as a whole, including all work to be performed by the Prime Recipient and its Subrecipients and Contractors, and provide all requested documentation (e.g., a Federally-approved rate agreement, vendor quotes). Applicants should include costs associated with required annual audits and incurred cost proposals in their proposed budget documents. The “Instructions and Summary” included with the Budget Justification Workbook will auto-populate as the applicant enters information into the Workbook. Applicants must carefully read the “Instructions and Summary” tab provided within the Budget Justification Workbook. Save the Budget Justification Workbook in a single Microsoft Excel file using the following convention for the title: {{ControlNumber}}_{{LeadOrganization}}_Budget_Justification

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

Applicants to Area of Interest 1 and Area of Interest 2 are required to submit a one-page summary/abstract of their project. **A summary/abstract for public release is not required from applicants to Area of Interest 3.** The project summary/abstract must contain a summary of the proposed activity suitable for dissemination to the public. It should be a self-contained document that identifies the name of the applicant, the project director/principal investigator(s), the project title, the objectives of the project, a description of the project, including methods to be employed, the potential impact of the project (e.g., benefits, outcomes), and major participants (for collaborative projects). This document must not include any proprietary or sensitive business information as DOE may make it available to the public after selections are made. The project summary must not exceed 1 page when printed using standard 8.5 x 11 paper with 1” margins (top, bottom, left, and right) with font not smaller than 12 point. Save the Summary for Public Release in a single PDF file using the following convention for the title: {{ControlNumber}}_{{LeadOrganization}}_Summary

6. **SUMMARY SLIDE**

Applicants to Area of Interest 1 and Area of Interest 2 are required to provide a single PowerPoint slide summarizing the proposed project. **A summary slide is not required from applicants to Area of Interest 3.** The slide must be submitted in Microsoft PowerPoint format. This slide is used during the evaluation process. Save the Summary Slide in a single file using the following convention for the title: {{ControlNumber}}_{{LeadOrganization}}_Slide

The Summary Slide template requires the following information:

- Project title, Prime Recipient, Principal Investigator;
- Key Partners as applicable;
- A project summary;
- Project goals;
- Projected impacts;
- Requested EERE funds; and,
- Proposed applicant cost match.

7. SUBAWARD BUDGET JUSTIFICATION (EERE 335)

Applicants must provide a separate budget justification, EERE 335 (i.e., budget justification for each budget year and a cumulative budget) for each subawardee that is expected to perform work estimated to be more than \$250,000 or 25 percent of the total work effort (whichever is less). The budget justification must include the same justification information described in the “Budget Justification” section above. Save each subaward budget justification in a Microsoft Excel file using the following convention for the title:

{{ControlNumber}}_{{LeadOrganization}}_Subawardee_Budget_Justification

8. SF-LLL: DISCLOSURE OF LOBBYING ACTIVITIES

Prime Recipients and Subrecipients may not use any Federal funds to influence or attempt to influence, directly or indirectly, Congressional action on any legislative or appropriation matters.

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

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

Save the SF-LLL in a single PDF file using the following convention for the title:

{{ControlNumber}}_{{LeadOrganization}}_SF-LLL

9. RESUME FILE

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

- *Education and Training.* Undergraduate, graduate and postdoctoral training; provide institution, major/area, degree and year.
- *Professional Experience.* Beginning with the current position list, in chronological order, professional/academic positions with a brief description.
- *Publications.* Provide a list of up to 10 publications most closely related to the proposed project. For each publication, identify the names of all authors (in the same sequence in which they appear in the publication), the article title, book or journal title, volume number, page numbers, year of publication, and website address, if available electronically. Patents, copyrights and software systems developed may be provided in addition to, or substituted for, publications.
- *Synergistic Activities.* List no more than 5 professional and scholarly activities related to the effort proposed.

Of the personnel identified in this file, indicate the Principal Investigator(s). The applicant (whether a single organization or team/ partnership/ consortium) must indicate if the project will include multiple Principal Investigators (PIs). The decision to use multiple PIs for a project is the sole discretion of the applicant. If multiple PIs will be designated, the application must identify contacts and provide a “Coordination and Management Plan” that describes the organization structure of the project as it pertains to the designation of multiple PIs. This plan should, at a minimum, include:

- Process for making decisions on scientific/technical direction;
- Publications;
- Intellectual property issues;
- Communication plans;
- Procedures for resolving conflicts; and,
- PIs’ roles and administrative, technical and scientific responsibilities for the project.

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

10. **LETTERS OF COMMITMENT**

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

Commitment as a PDF using the following convention for the title:
 {{ControlNumber}}_{{LeadOrganization}}_Commitment

11. *STATE ENERGY ASSESSMENT*

All applicants to this FOA are required to complete and submit the fillable ‘State Energy Assessment’ template or equivalent found in EERE Exchange. Applicants to Area of Interest 2 should also reference Appendix F. for the specific State Energy Assessment questions related to the five Topics of Emphasis. The State Energy Assessment will provide DOE an understanding about the “state of play” in the State’s energy space. Please note that DOE may use this information publicly, but before doing so, DOE will communicate with the responding State(s) about making information public.

All applications must include a Statement from the State Energy Office Director confirming that the Director has reviewed and approves the responses provided in the Assessment. Save the State Energy Assessment as a PDF file using the following convention for the title:
 {{ControlNumber}}_{{LeadOrganization}}_SEA

12. *STATEMENTS OF SUPPORT*

Statements of Support are required for applications in Area of Interest 1 Area of Interest 2 from Key Partners. Key partners are entities that will significantly contribute to project tasks and overall project success with roles and responsibilities clearly defined in the Work Breakdown Structure of the Technical Volume. These include States identified as Key Partners in the case of multistate applications. SEP is requiring Statements of Support from Key Partners since it would be difficult to evaluate a proposal where the success depends on the involvement of these entities, but there is no Statement of Support indicating that these entities have agreed to be a part of the project. Statements of Support from secondary partners are optional in Area of Interest 1 and Area of Interest 2. Secondary partners are entities whom the applicant intends to involve in the project but who do not have specific tasks identified in the proposal.

For Area of Interest 3, Statements of Support from the technical assistance provider(s) identified in the applications are not required in application packages but will be required if the applicant is selected for award. EERE anticipates notifying applicants selected for negotiation of award by July 29, 2016. ‘Statements of Support’ differ from ‘Letters of Commitment’ in that Statements of Support are for the purpose of identifying the Key Partners and stakeholders that are intended to play an integral role in the project design and/or implementation whereas Letters of Commitment are required for the purpose of verifying the cost match portion of the award. Save Statements of Support as a PDF file using the following convention for the title:
 {{ControlNumber}}_{{LeadOrganization}}_Support

D. POST-AWARD INFORMATION REQUESTS

If selected for award, EERE 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
- Statements of Support from Secondary Partners (AOI1 and AOI2)
- Statement(s) of Support from technical assistance provider(s) (AOI 3)

E. DUN AND BRADSTREET UNIVERSAL NUMBERING SYSTEM NUMBER AND SYSTEM FOR AWARD MANAGEMENT

Each applicant (unless the applicant is an individual or Federal awarding agency that is excepted from those requirements under 2 CFR §25.110(b) or (c), or has an exception approved by the Federal awarding agency under 2 CFR §25.110(d)) is required to: (i) Be registered in the System for Award Management (SAM) at <https://www.sam.gov> before submitting its application; (ii) provide a valid Dun and Bradstreet Universal Numbering System (DUNS) number in its application; and (iii) continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency. DOE may not make a Federal award to an applicant until the applicant has complied with all applicable DUNS and SAM requirements and, if an applicant has not fully complied with the requirements by the time DOE is ready to make a Federal award, the DOE may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant.

F. SUBMISSION DATES AND TIMES

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

G. INTERGOVERNMENTAL REVIEW

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

H. FUNDING RESTRICTIONS

1. *ALLOWABLE COSTS*

Funding for all awards and future budget periods is contingent upon the availability of funds appropriated by Congress for the purpose of this program and the availability of future-year budget authority. All expenditures must be allowable, allocable, and reasonable in accordance with the applicable Federal cost principles.

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

- FAR Part 31 for For-Profit entities; and
- 2 CFR Part 200 Subpart E - Cost Principles for all other non-federal entities.

2. *PRE-AWARD COSTS*

Selectees must request prior written approval to charge pre-award costs. Pre-award costs are those incurred prior to the effective date of the Federal award directly pursuant to the negotiation and in anticipation of the Federal award where such costs are necessary for efficient and timely performance of the scope of work.

Such costs are allowable only to the extent that they would have been allowable if incurred after the date of the Federal award and **only** with the written approval of the Federal awarding agency, through the Contracting Officer assigned to the award.

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

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

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

EERE's decision whether and how to distribute Federal funds under this FOA is subject to NEPA. Applicants should carefully consider and should seek legal counsel or other expert advice before taking any action related to the proposed project that would have an adverse effect on the environment or limit the choice of reasonable alternatives prior to EERE completing the NEPA review process.

EERE does not guarantee or assume any obligation to reimburse costs where the Prime Recipient incurred the costs prior to receiving written authorization from the Contracting Officer. If the applicant elects to undertake activities that may have an adverse effect on the

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

3. *PERFORMANCE OF WORK IN THE UNITED STATES*

a. Requirement.

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

b. Failure to Comply.

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

c. Waiver.

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

4. *CONSTRUCTION*

Recipients are required to obtain written authorization from the Contracting Officer before incurring any major construction costs.

5. *FOREIGN TRAVEL*

Foreign travel costs are not allowable under this FOA.

6. EQUIPMENT AND SUPPLIES

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

Property disposition will be required at the end of a project if the current fair market value of property exceeds \$5,000. The rules for property disposition are set forth in 2 CFR 200.310 – 200.316 as amended by 2 CFR 910.360.

7. LOBBYING

Recipients and Subrecipients may not use any Federal funds to influence or attempt to influence, directly or indirectly, Congressional action on any legislative or appropriation matters.

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

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

8. RISK ASSESSMENT

Prior to making a Federal award, the DOE is required by 31 U.S.C. 3321 and 41 U.S.C. 2313 to review information available through any OMB-designated repositories of government-wide eligibility qualification or financial integrity information, such as SAM Exclusions and “Do Not Pay.”

In addition, DOE evaluates the risk(s) posed by applicants before they receive Federal awards. This evaluation may consider: results of the evaluation of the applicant's eligibility; the quality of the application; financial stability; quality of management systems and ability to meet the management standards prescribed in this part; history of performance; reports and findings from audits; and the applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on non-Federal entities.

In addition to this review, DOE must comply with the guidelines on government-wide suspension and debarment in 2 CFR 180, and must require non-Federal entities to comply with these provisions. These provisions restrict Federal awards, subawards and contracts with

certain parties that are debarred, suspended or otherwise excluded from or ineligible for participation in Federal programs or activities.

V. APPLICATION REVIEW INFORMATION

Applicants working to prepare a successful application package are advised to review all provisions outlined in items A through C in this section.

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

A. TECHNICAL REVIEW CRITERIA

1. *FULL APPLICATIONS*

Applications will be evaluated against the merit review criteria shown below.

Area of Interest 1 – State Energy Planning

Criterion 1: Program Strategy and Plan

Weight: 30%

- Degree to which current energy efficiency and renewable energy market conditions in the State or region are described;
- Degree to which the task descriptions and implementation strategies are clear, detailed, timely, and reasonable, resulting in a high likelihood that the proposal will succeed in meeting the project goals;
- Discussion and demonstrated understanding of the key barriers to achieving economic, environmental or resiliency goals involved in the proposed work and the quality of the proposal's mitigation strategies;
- Degree to which the strategy proposed identifies key stakeholders in the marketplace;
- Degree to which the strategy proposed describes how new or existing partnerships with key stakeholders (ex. local governments, utilities, state regulatory agencies, third party administrators, etc.) will be successfully created or expanded;
- Discussion of the extent to which key stakeholders identified will be engaged in the overall effort;
- Degree to which the strategy proposed represents a coordinated vision for energy planning that can help meet State policy goals, including environmental policy goals, reliability and resiliency, and economic development goals;

- Degree to which the proposed approach contains clear goals, metrics, tasks and methods, deliverables, schedule, and budget;
- Degree to which the approach describes previous State or regional efforts as related to the project proposed and how the proposal intends to build off of those efforts including incorporating lessons learned;
- Degree to which the plan includes a description of any modeling or analyses to develop the state's energy or other goals or of plans for such assessments during the state's planning process, and
- Degree to which the state's plan integrates with previous or existing related planning efforts such as utility, environmental, and energy assurance planning processes.

Criterion 2: Potential Impact

Weight: 20%

- Degree to which the proposal improves State or regional reliability and resiliency;
- Degree to which the proposal demonstrates how the plan or program will promote economic development;
- Degree to which the proposal demonstrates that success in initiating or expanding efforts in the selected policy/programs will move the State or region towards leadership in reducing energy consumption and/or increasing renewable energy deployment;
- Degree to which proposal supports existing or enhanced environmental policy goals;
- Degree to which the proposal incorporates and describes mechanisms for accurately and rigorously measuring, tracking, and reporting energy savings and greenhouse gas (GHG) reductions;
- Degree to which the applicant demonstrates that the proposed approach will lead to continuing dialogue among public and private stakeholders during and after the grant period; and
- Extent to which the proposal will be made sustainable and replicable by standardization and information sharing.

Criterion 3: Clean Energy Impact

Weight: 20%

- Inclusion of estimated energy reductions and estimated GHG reductions and estimated cost savings;
- Inclusion of renewable generation capacity and deployment estimates as applicable; and,
- Sufficiency of technical detail in the application to assess whether impact claims (energy cost savings, energy and GHG reductions, renewable generation as applicable, etc.) are valid and attainable.

Criterion 4: Capabilities and Partnership Structure

Weight: 30%

- Appropriateness of the credentials, capabilities, time commitment and experience of the project team, key personnel and partners;

- Degree to which the roles, responsibilities, and level of effort of each of the project team members has been identified, and to which the described management approach allows for successful management and implementation of the proposed project;
- The capability of the Principal Investigator(s) and the proposed team to address all aspects of the proposed work with a high probability of success;
- The time commitment of the Principal Investigator and other individuals on the team;
- The degree to which the proposed team (including a multi-State or regional partner team) demonstrates the ability to facilitate development and deployment of the proposed policy or program; and
- The level of participation by project participants as evidenced by Letter(s) of Commitment and Statement(s) of Support.

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

Criterion 1: Program Strategy and Plan

Weight: 30%

- Degree to which current energy efficiency and renewable energy market conditions in the State or region are described;
- Sufficiency of technical detail in the application to assess whether the proposed strategies are shown to be innovative based on a discussion of prior work;
- Extent to which the application demonstrates how the proposed strategy will advance the State or region in the topic area/s identified (FOA section IV.C.2);
- If the proposal addresses more than one topic area (FOA section IV.C.2), the level of clarity to which the application describes how all areas will be integrated into a single strategy;
- Discussion and demonstrated understanding of the key market barriers as related to the work proposed;
- Extent to which the proposal demonstrates the likelihood that the strategies proposed will work to overcome key barriers identified and will lead to the successful implementation of the project as conceived;
- Degree to which the strategy proposed identifies key stakeholders in the marketplace (ex. local governments, state regulatory agencies, utilities, third party administrators, etc.) and describes how new or existing partnerships with these stakeholders will be successfully created or expanded; and,
- Degree to which the task descriptions are clear, detailed, timely, and reasonable, resulting in a high likelihood that the project will succeed in meeting proposed goals.

Criterion 2: Potential Impact

Weight: 20%

- The level of clarity in the description of the creation of the baseline, metrics, and milestones from which impact will be measured;

- Extent to which the project proposed will be made sustainable and replicable by standardization and information sharing;
- Degree to which the proposal demonstrates that the project fills a current market need and/or gap and will be adopted by the target markets and/or consumer sectors identified;
- Degree to which the applicant demonstrates that the proposed approach will lead to continuing dialogue among State Energy Offices and other key stakeholders; and,
- Degree to which the proposal demonstrates that success in initiating or expanding efforts in the selected policy/programs will move the State or region towards leadership in reducing energy consumption or increasing renewable energy deployment.

Criterion 3: Clean Energy Impact

Weight: 20%

- Inclusion of estimated energy reductions and estimated GHG reductions and estimated cost savings;
- Inclusion of renewable generation capacity and deployment estimates as applicable;
- Sufficiency of technical detail in the application to assess whether impact claims (energy cost savings, energy and/or GHG reductions, renewable generation as applicable, market size, etc.) are valid and attainable; and,
- Degree to which the proposal incorporates and describes mechanisms for accurately and rigorously measuring, tracking, and reporting energy savings and/or GHG reductions.

Criterion 4: Team and Resources

Weight: 30%

- Appropriateness of the credentials, capabilities, time commitment and experience of the project team, key personnel and partners;
- Degree to which the roles, responsibilities, and level of effort of each of the project team members has been identified, and to which the described management approach allows for successful management and implementation of the proposed project;
- The capability of the Principal Investigator(s) and the team to address all aspects of the proposed work with a high probability of success;
- The degree to which the proposed team (including a multi-State or regional partner team) demonstrates the ability to facilitate development and deployment of the proposed policy or program; and
- The level of participation by project participants as evidenced by Letter(s) of Commitment and Statement(s) of Support.

Area of Interest 3- Technical Assistance to Advance SEP Formula Grant Clean Energy Activities

Criterion 1: Program Strategy and Plan

Weight 40%

- Degree to the which the proposal clearly describes the past, present and future plans related to an existing area in the State's formula work for which technical assistance is

being requested **OR** degree to the which the proposal clearly describes future plans related to a new area of formula work that is described in the proposal (hereinafter referred to as “new formula work”);

- Degree to which the proposal clearly ties the technical assistance requested to an existing area in the State’s formula work **OR** how the technical assistance requested will enable the State to implement the new formula work;
- If the technical assistance requested is tied to an existing area in the State’s formula work – the degree to which the proposal clearly and convincingly demonstrates that current work will not be hindered and planned milestones can be achieved independent of the technical assistance requested;
- Discussion and demonstrated understanding of the key barriers involved that has hindered successful execution of current formula work **OR** prevented the inclusion of the new formula work. The discussion should go beyond internal resource constraints to include market barriers that the technical assistance requested will help to overcome;
- The quality of the proposal’s strategies to overcome barriers identified;
- Degree to which the proposed approach contains clear goals, metrics, tasks and methods, deliverables, and schedule;
- Degree to which the approach describes previous State efforts and how the approach intends to build off of those efforts including incorporating lessons learned; and,
- Degree to which the task descriptions are clear, detailed, timely, and reasonable, resulting in a high likelihood that the proposal will succeed in meeting the project goals.

Criterion 2: Potential Impact

Weight 30%

- Degree to which the proposal demonstrates that technical assistance requested will move the State towards leadership in reducing energy consumption or increasing renewable energy deployment;
- Extent to which the proposal will be made sustainable and replicable by standardization and information sharing; and
- Degree to which the proposal focuses on creating mechanisms for accurately evaluating and measuring program impact.

Criterion 3: Capabilities and Partnership Structure

Weight 30%

- Appropriateness of the credentials, capabilities, and experience of the project team, with a focus on the proposed entity providing technical assistance to the State;
- Degree to which the roles, responsibilities, and level of effort of each of the project team members (including State team members) have been identified; and
- Degree to which the proposal shows a coordinated effort and shared duties between State participants and the technical assistance provider.

B. STANDARDS FOR APPLICATION EVALUATION

Applications that are determined to be eligible will be evaluated in accordance with this FOA, by the standards set forth in EERE's Notice of Objective Merit Review Procedure (76 Fed. Reg. 17846, March 31, 2011) and the guidance provided in the "Department of Energy Merit Review Guide for Financial Assistance," which is available at: <http://energy.gov/sites/prod/files/meritrev.pdf>.

C. OTHER SELECTION FACTORS

1. PROGRAM POLICY FACTORS

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

1. The desire to select a mix of projects that achieves the strategic goals of EERE.
2. The desire to select projects that represent a diverse portfolio of policies and strategies, including projects that address underserved sectors or address policies or issues that have not been addressed by previous awards.
3. The desire to select programs that maximize the geographic diversity (considering past awards and current applications).
4. The desire to select for award a group of programs with a broad or specific geographic distribution because of the nature of the energy source, the type of programs envisioned, or limitations of past efforts.
5. The extent that the prime applicant represents an eligible applicant that has not received DOE competitive funding in the previous four years (2012, 2013 and 2014, 2015) for projects identical or similar in nature to the project it proposed under this FOA.

Cost match in excess of minimum requirements will **not** be considered in the evaluation.

D. EVALUATION AND SELECTION PROCESS

1. OVERVIEW

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

2. *RECIPIENT INTEGRITY AND PERFORMANCE MATTERS (DECEMBER 2015)*

DOE, prior to making a Federal award with a total amount of Federal share greater than the simplified acquisition threshold, is required to review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (currently FAPIIS) (see 41 U.S.C. 2313). The applicant, at its option, may review information in the designated integrity and performance systems accessible through SAM and comment on any information about itself that a Federal awarding agency previously entered and is currently in the designated integrity and performance system accessible through SAM. DOE will consider any written comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as described in §200.205

Federal awarding agency review of risk posed by applicants.

3. *SELECTION*

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

E. ANTICIPATED NOTICE OF SELECTION AND AWARD DATES

EERE anticipates notifying applicants selected for negotiation of award by August 2016 and making awards by November 2016.

VI. AWARD ADMINISTRATION INFORMATION

A. AWARD NOTICES

1. *INELIGIBLE SUBMISSIONS*

Ineligible Full Applications will not be further reviewed or considered for award. The Contracting Officer will send a notification letter by email to the technical and administrative points of contact designated by the applicant in EERE Exchange. The notification letter will state the basis upon which the Full Application is ineligible and not considered for further review.

2. *FULL APPLICATION NOTIFICATIONS*

EERE will notify applicants of its determination via a notification letter by email to the technical and administrative points of contact designated by the applicant in EERE Exchange. The notification letter will inform the applicant whether or not its Full Application was selected for

award negotiations. Alternatively, EERE may notify one or more applicants that a final selection determination on particular Full Applications will be made at a later date, subject to the availability of funds or other factors.

3. *SUCCESSFUL APPLICANTS*

Receipt of a notification letter selecting a Full Application for award negotiations does not authorize the applicant to commence performance of the project. If an application is selected for award negotiations, it is not a commitment by EERE to issue an award. Applicants do not receive an award until award negotiations are complete and the Contracting Officer executes the funding agreement, accessible by the Prime Recipient in FedConnect.

The award negotiation process will take approximately 90 days. Applicants must designate a primary and a backup point-of-contact in EERE Exchange with whom EERE will communicate to conduct award negotiations. The applicant must be responsive during award negotiations (i.e., provide requested documentation) and meet the negotiation deadlines. If the applicant fails to do so or if award negotiations are otherwise unsuccessful, EERE will cancel the award negotiations and rescind the Selection. EERE reserves the right to terminate award negotiations at any time for any reason.

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

4. *ALTERNATE SELECTION DETERMINATIONS*

In some instances, an applicant may receive a notification that its application was not selected for award and EERE designated the application to be an alternate. As an alternate, EERE may consider the Full Application for Federal funding in the future.

A notification letter stating the Full Application is designated as an alternate does not authorize the applicant to commence performance of the project. EERE may ultimately determine to select or not select the Full Application for award negotiations.

5. *UNSUCCESSFUL APPLICANTS*

EERE shall promptly notify in writing each applicant whose application has not been selected for award or whose application cannot be funded because of the unavailability of appropriated funds.

B. ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS

1. *REGISTRATION REQUIREMENTS*

There are several one-time actions before submitting an application in response to this FOA, and it is vital that applicants address these items as soon as possible. Some may take several weeks, and failure to complete them could interfere with an applicant's ability to apply to this

FOA, or to meet the negotiation deadlines and receive an award if the application is selected. These requirements are as follows:

i. EERE Exchange

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

The EERE Exchange registration does not have a delay; however, **the remaining registration requirements below could take several weeks to process and are necessary for a potential applicant to receive an award under this FOA.**

ii. DUNS Number

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

iii. System for Award Management

Register with the System for Award Management (SAM) at <https://www.sam.gov>. Designating an Electronic Business Point of Contact (EBiz POC) and obtaining a special password called an MPIN are important steps in SAM registration. Please update your SAM registration annually.

iv. FedConnect

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

v. Grants.gov

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

vi. Electronic Authorization of Applications and Award Documents

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

2. AWARD ADMINISTRATIVE REQUIREMENTS

The administrative requirements for DOE grants and cooperative agreements are contained in 2 CFR Part 200 as amended by 2 CFR Part 910.

3. FOREIGN NATIONAL ACCESS TO DOE SITES

All applicants that ultimately enter into an award resulting from this FOA will be subject to the following requirement concerning foreign national involvement. Upon DOE's request, Prime Recipients must provide information to facilitate DOE's responsibilities associated with foreign national access to DOE sites, information, technologies, and equipment. A foreign national is defined as any person who was born outside the jurisdiction of the United States, is a citizen of a foreign government, and has not been naturalized under U.S. law. If the Prime Recipient or Subrecipients, contractors or vendors under the award, anticipate utilizing a foreign national person in the performance of an award, the Prime Recipient is responsible for providing to the Contracting Officer specific information of the foreign national(s) to satisfy compliance with all of the requirements for access approval.

4. SUBAWARD AND EXECUTIVE REPORTING

Additional administrative requirements necessary for DOE grants and cooperative agreements to comply with the Federal Funding and Transparency Act of 2006 (FFATA) are contained in 2 CFR Part 170. **Prime Recipients must register with the new FFATA Subaward Reporting System database and report the required data on their first tier Subrecipients. Prime Recipients must report the executive compensation for their own executives as part of their registration profile in SAM.**

5. NATIONAL POLICY REQUIREMENTS

The National Policy Assurances that are incorporated as a term and condition of award are located at: <http://www.nsf.gov/awards/managing/rtc.jsp>.

6. ENVIRONMENTAL REVIEW IN ACCORDANCE WITH NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)

EERE's decision whether and how to distribute federal funds under this FOA is subject to the National Environmental Policy Act (42 USC 4321, *et seq.*). NEPA requires Federal agencies to integrate environmental values into their decision-making processes by considering the

potential environmental impacts of their proposed actions. For additional background on NEPA, please see DOE's NEPA website, at <http://nepa.energy.gov/>.

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

DOE has categorically excluded applications to DE-FOA-0001415 from further NEPA review under DOE Categorical Exclusions A.9 'information gathering, analysis and dissemination,' and A.11 'technical advice and assistance to organizations.' If funding will be used for projects or activities that fall outside categorically excluded activities, additional NEPA review is required and States are responsible for informing DOE of any extraordinary circumstances, cumulative impacts, or connected actions that may lead to significant impacts on the environment, or any inconsistency with the "integral elements" (as contained in 10 C.F.R. Part 1021, Appendix B) as they relate to a particular project. Prohibited actions include: construction; implementing or paying directly for energy efficient retrofits; implementing or paying for renewable energy projects; repair of buildings or structures; purchase of land, buildings or structures; purchase of equipment to conduct research, development or demonstration of energy efficiency or renewable energy techniques and technologies.

States shall comply with Section 106 of the National Historic Preservation Act (NHPA).

7. APPLICANT REPRESENTATIONS AND CERTIFICATIONS

i. Lobbying Restrictions

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

ii. Corporate Felony Conviction and Federal Tax Liability Representations

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

- (1) It is **not** a corporation that has been convicted of a felony criminal violation under any Federal law within the preceding 24 months, and
- (2) It is **not** a corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed,

and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.

For purposes of these representations the following definitions apply:

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

iii. Nondisclosure and Confidentiality Agreements Representations

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

- (1) It **does not and will not** require its employees or contractors to sign internal nondisclosure or confidentiality agreements or statements prohibiting or otherwise restricting its employees or contractors from lawfully reporting waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.
- (2) It **does not and will not** use any Federal funds to implement or enforce any nondisclosure and/or confidentiality policy, form, or agreement it uses unless it contains the following provisions:
 - a) *“These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling.”*
 - b) The limitation above shall not contravene requirements applicable to Standard Form 312, Form 4414, or any other form issued by a Federal department or agency governing the nondisclosure of classified information.
 - c) Notwithstanding the provision listed in paragraph (a), a nondisclosure or confidentiality policy, form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such

nondisclosure or confidentiality forms shall also make it clear that they do not bar disclosures to Congress, or to an authorized official of an executive agency or the Department of Justice, that are essential to reporting a substantial violation of law.

8. *STATEMENT OF FEDERAL STEWARDSHIP*

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

9. *STATEMENT OF SUBSTANTIAL INVOLVEMENT*

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

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

10. *INTELLECTUAL PROPERTY PROVISIONS*

The standard DOE financial assistance intellectual property provisions applicable to the various types of recipients are located at <http://energy.gov/gc/standard-intellectual-property-ip-provisions-financial-assistance-awards>.

11. *REPORTING*

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

12. *CONFERENCE SPENDING*

The recipient shall not expend **any** funds on a conference not directly and programmatically related to the purpose for which the grant or cooperative agreement was awarded. that would defray the cost to the United States Government of a conference held by any Executive branch department, agency, board, commission, or office for which the cost to the United States Government would otherwise exceed \$20,000, thereby circumventing the required notification by the head of any such Executive Branch department, agency, board, commission, or office to the Inspector General (or senior ethics official for any entity without an Inspector General), of the date, location, and number of employees attending such conference.

VII. QUESTIONS/AGENCY CONTACTS

Upon the issuance of a FOA, EERE personnel are prohibited from communicating (in writing or otherwise) with applicants regarding the FOA except through the established question and answer process as described below. Specifically, questions regarding the content of this FOA must be submitted to: SEPFY16FOA1415@ee.doe.gov. Questions must be submitted not later than 3 business days prior to the application due date and time.

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

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

VIII. OTHER INFORMATION

A. FOA MODIFICATIONS

Amendments to this FOA will be posted on the EERE Exchange website and the Grants.gov system. However, you will only receive an email when an amendment or a FOA is posted on these sites if you register for email notifications for this FOA in Grants.gov. EERE recommends

Questions about this FOA? Email SEPFY16FOA1415@ee.doe.gov. Problems with EERE Exchange? Email EERE- EERE-ExchangeSupport@hq.doe.gov Include FOA name and number in subject line.

that you register as soon after the release of the FOA as possible to ensure you receive timely notice of any amendments or other FOAs.

B. INFORMATIONAL WEBINAR

EERE will conduct two informational webinars during the FOA process. Webinars will be held after the initial FOA release. In addition, a SEP Competitive FOA Grant Application Workshop will be offered for the purpose of providing guidance on how to develop responsive applications. The Workshop will utilize an interactive discussion format.

Attendance is not mandatory and will not positively or negatively impact the overall review of any applicant submissions. As the webinars will be open to all applicants who wish to participate, applicants should refrain from asking questions or communicating information that would reveal confidential and/or proprietary information specific to their project. Specific dates for the two informational webinars can be found on the cover page of this FOA; the FOA Grant Application Workshop is expected to be held in early February, 2016.

C. GOVERNMENT RIGHT TO REJECT OR NEGOTIATE

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

D. COMMITMENT OF PUBLIC FUNDS

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

E. TREATMENT OF APPLICATION INFORMATION/RELEASABILITY UNDER FOIA

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

Applicants should not include trade secrets or commercial or financial information that is privileged or confidential in their application unless such information is necessary to convey an understanding of the proposed project or to comply with a requirement in the FOA. Applications containing trade secrets or commercial or financial information that is privileged or confidential, which the applicant does not want disclosed to the public or used by the Government for any purpose other than application evaluation, must be marked as described in this section.

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

Notice of Restriction on Disclosure and Use of Data:

Pages [list applicable pages] of this document may contain trade secrets or commercial or financial information that is privileged or confidential, and is exempt from public disclosure. Such information shall be used or disclosed only for evaluation purposes or in accordance with a financial assistance or loan agreement between the submitter and the Government. The Government may use or disclose any information that is not appropriately marked or otherwise restricted, regardless of source. [End of Notice]

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

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

The above markings enable EERE to follow the provisions of 10 CFR 1004.11(d) in the event a Freedom of Information Act (FOIA) request is received for information submitted with an application. Failure to comply with these marking requirements may result in the disclosure of the unmarked information under a FOIA request or otherwise. The U.S. Government is not liable for the disclosure or use of unmarked information, and may use or disclose such information for any purpose.

Subject to the specific FOIA exemptions identified in 5 U.S.C. 552(b), all information submitted to EERE by a FOA applicant is subject to public release under the Freedom of Information Act, 5 U.S.C. §552, as amended by the OPEN Government Act of 2007, Pub. L. No. 110-175. It is the applicant's responsibility to review FOIA and its exemptions to understand (1) what information may be subject to public disclosure and (2) what information applicants submit to the Government is protected by law. In some cases, DOE may be unable to make an independent determination regarding which information submitted by an applicant is releasable and which is protected by an exemption. In such cases, DOE will consult with the applicant, in accordance with 10 C.F.R. §1004.11, to solicit the applicant's views on how the information should be treated.

F. EVALUATION AND ADMINISTRATION BY NON-FEDERAL PERSONNEL

In conducting the merit review evaluation, the Government may seek the advice of qualified non-Federal personnel as reviewers. The Government may also use non-Federal personnel to conduct routine, nondiscretionary administrative activities. The applicant, by submitting its application, consents to the use of non-Federal reviewers/administrators. Non-Federal

reviewers must sign conflict of interest and non-disclosure agreements prior to reviewing an application. Non-Federal personnel conducting administrative activities must sign a non-disclosure agreement.

G. NOTICE REGARDING ELIGIBLE/INELIGIBLE ACTIVITIES

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

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

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

I. NOTICE OF POTENTIAL DISCLOSURE OF IDENTIFYING INFORMATION

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

J. REQUIREMENT FOR FULL AND COMPLETE DISCLOSURE

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

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

K. RETENTION OF SUBMISSIONS

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

L. RIGHTS IN TECHNICAL DATA

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

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

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

M. COPYRIGHT

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

N. PROTECTED PERSONALLY IDENTIFIABLE INFORMATION

In responding to this FOA, applicants must ensure that Protected Personally Identifiable Information (PII) is not included in the application documents. These documents will be used by the Merit Review Committee in the review process to evaluate each application. PII is defined by the Office of Management and Budget (OMB) and EERE as:

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

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

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

Protected PII: PII that requires enhanced protection. This information includes data that if compromised could cause harm to an individual such as identity theft. Listed below are examples of Protected PII that applicants must not include in the files listed above to be evaluated by the Merit Review Committee. This list is not all inclusive.

- 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)

O. ANNUAL COMPLIANCE AUDITS

If a for-profit entity is a Prime Recipient or Subrecipient and has expended \$750,000 or more of DOE funds during the entity's fiscal year, an annual compliance audit performed by an independent auditor is required. For additional information, please refer to 2 C.F.R. § 910.501 and Subpart F.

If an educational institution, non-profit organization, or state/local government is a Prime Recipient or Subrecipient and has expended \$750,000 or more of Federal funds during the non-Federal entity's fiscal year, then a single or program-specific audit is required. For additional information, please refer to 2 C.F.R. § 200.501 and Subpart F.

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

APPENDIX A. COST MATCH INFORMATION

***Cost match only applicable to Areas of Interest 1 and 2**

Cost Sharing or Cost Matching

The terms “cost sharing” and “cost matching” are often used synonymously. Even the DOE Financial Assistance Regulations, 2 CFR 200.306, use both of the terms in the titles specific to regulations applicable to cost sharing. EERE almost always uses the term “cost sharing,” as it conveys the concept that non-federal share is calculated as a percentage of the Total Project Cost. An exception is the State Energy Program Regulation, 10 CFR 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 Match Is Calculated

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

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

Example: \$1,000,000 multiplied by 20% = \$200,000 Cost Match requirement

What Qualifies For Cost Matching

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

The rules associated with what is allowable as cost match are specific to the type of organization that is receiving funds under the grant or cooperative agreement, though are generally the same for all types of entities. The specific rules applicable to:

- FAR Part 31 for For-Profit entities, (48 CFR Part 31); and
- 2 CFR Part 200 Subpart E - Cost Principles for all other non-federal entities.

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

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

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

DOE Financial Assistance Rules 2 CFR Part 200 as amended by 2 CFR Part 910

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

- (A) Acceptable contributions. All contributions, including cash contributions and third party in-kind contributions, must be accepted as part of the Prime Recipient's cost matching if such contributions meet all of the following criteria:
 - (1) They are verifiable from the recipient's records.
 - (2) They are not included as contributions for any other federally-assisted project or program.
 - (3) They are necessary and reasonable for the 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 cost 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. (v) Commercial Organizations. FAR Subpart 31.2—Contracts with Commercial Organizations
 - b. Other types of organizations. For all other non-federal entities, allowability of costs is determined in accordance with 2 CFR Part 200 Subpart E.

(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 matching, that full value must be the lesser or the following:

- a. The certified value of the remaining life of the property recorded in the recipient's accounting records at the time of donation; or
- b. The current fair market value. If there is sufficient justification, the Contracting Officer may approve the use of the current fair market value of the donated property, even if it exceeds the certified value at the time of donation to the project. The Contracting Officer may accept the use of any reasonable basis for determining the fair market value of the property.

(2) Valuing services of others' employees. If an employer other than the recipient furnishes the services of an employee, those services are valued at the employee's regular rate of pay, provided these services are for the same skill level for which the employee is normally paid.

(3) Valuing volunteer services. Volunteer services furnished by professional and technical personnel, consultants, and other skilled and unskilled labor may be counted as cost matching if the service is an integral and necessary part of an approved project or program. Rates for volunteer services must be consistent with those paid for similar work in the recipient's organization. In those markets in which the required skills are not found in the recipient organization, rates must be consistent with those paid for similar work in the labor market in which the recipient competes for the kind of services involved. In either case, paid fringe benefits that are reasonable, allowable, and allocable may be included in the valuation.

(4) Valuing property donated by third parties.

- a. Donated supplies may include such items as office supplies or laboratory supplies. Value assessed to donated supplies included in the cost sharing or matching share must be reasonable and must not exceed the fair market value of the property at the time of the donation.
- b. Normally only depreciation or use charges for equipment and buildings may be applied. However, the fair rental charges for land and the full value of equipment or other capital assets may be allowed, when they will be consumed in the performance of the award or fully depreciated by the end of the award, provided that the Contracting Officer has approved the charges. When use charges are applied, values must be determined in accordance with the usual accounting policies of the recipient, with the following qualifications:
 - i. The value of donated space must not exceed the fair rental value of comparable space as established by an independent appraisal of comparable space and facilities in a privately-owned building in the same locality.
 - ii. The value of loaned equipment must not exceed its fair rental value.

(5) Documentation. The following requirements pertain to the recipient's supporting records for in-kind contributions from third parties:

- a. Volunteer services must be documented and, to the extent feasible, supported by the same methods used by the recipient for its own employees.
- b. The basis for determining the valuation for personal services and property must be documented.

APPENDIX B. ROAD MAPPING - AREA OF INTEREST 1

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

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

Baselineing

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

Time-Horizon and Regional Development Goals

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

Action/Implementation Plans

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

Resources

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

- Council on Competitiveness: A Guide to Assessing Regional Development Resources: (http://www.careeronestop.org/RED/Illuminate_regional_Aug2007.pdf)
- Building Bridges to Growth: A Roadmap for Advanced Manufacturing in Massachusetts: <http://www.mass.gov/hed/docs/eohed/building-bridges-to-growth.pdf>
- Iowa's Advanced Manufacturing Strategic Roadmap: http://www.iowainnovationcouncil.com/documents/filelibrary/publication_reports/low_aadvvmfgroadmap_F39A3B8117950.pdf
- Roadmap to Zero Net Energy Public Building: http://www.neep.org/sites/default/files/resources/Report_zne-public-buildings-neep-2012.pdf

APPENDIX C. IMPLEMENTATION MODELS - AREA OF INTEREST 2

If selected for award under Area of Interest 2, States will be required to create an Implementation Model as a post award deliverable. An Implementation Model ranges from approximately 6-8 pages in length and explains the development of or changes to policies, processes, outreach efforts, tools, resources, etc. More specifically, the Implementation Model will describe:

- a. The State's goal(s) for the project;
- b. The necessary background information and context to explain the reasons behind the goal(s);
- c. The key policy, regulatory, organizational or market barrier(s) to energy efficiency initiatives that was addressed;
- d. The solution(s) developed or methods used to overcome the specific energy efficiency policy barriers or market barriers identified;
- e. The execution and step-by-step approach that your team took to develop solutions to overcoming the barriers;
- f. The outreach efforts, and the tools and resources used;
- g. The methodology for measuring progress and success, and,
- h. The outcomes/results achieved by the project.

DOE guidance on Implementation Model Development is located at:

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

Example Implementation Models are located at:

- <http://betterbuildingssolutioncenter.energy.gov/implementation-models/16-agency-energy-competition>
- <http://betterbuildingssolutioncenter.energy.gov/implementation-models/centralized-benchmarking-project-prioritization>

APPENDIX D. EXECUTIVE SUMMARY- AREA OF INTEREST 3

Work under Area of Interest 3 awards will be managed in conjunction with SEP formula award work. The primary project deliverable will be an 'Executive Summary' detailing how the technical assistance provided either 1) increased the impact of existing SEP formula work or 2) contributed to the creation of an additional SEP formula activity.

The 'Executive Summary' must be uploaded into the Performance and Accountability for Grants in Energy (PAGE) system during the final three months of the competitive award's period of performance. It will be treated as an internal document unless DOE receives approval from the State to distribute or share with outside audiences. If the technical assistance activity leads to the creation of a new formula activity, the State will work with the Project Officer assigned to the SEP formula award to incorporate the addition into annual award application files.

APPENDIX E. WORK BREAKDOWN STRUCTURE

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

Task 1: Distinctive Title, Date range of the task in months

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

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

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

Milestone 1.2 (if applicable)

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

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

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

Milestone 1.1.1 (if applicable)

Milestone 1.1.2 (if applicable)

Subtask 1.2:

(Continue until all Task 1 subtasks are listed)

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

Subtask 2.1: Description and Discussion

Subtask 2.2: Description and Discussion

APPENDIX F. STATE ENERGY ASSESSMENT QUESTIONS FOR AREA OF INTEREST 2 TOPICS OF EMPHASIS

The five Topics of Emphasis eligible for Area of Interest 2 proposals are directly related to the following questions from the '2016 State Energy Assessment.' Applicants under Area of Interest 2 are required to complete and submit the full State Energy Assessment template downloadable from Exchange and should also familiarize themselves with these specific policy questions prior to crafting proposals and consider how the proposal could change an answer from a 'no' to a 'yes' or to expand the applicability, or enhance the effectiveness, of a program or policy identified in a question.

TOPIC 1: Working with Utilities to Advance State Energy Reduction and/or Renewable Energy Generation Goals

Under this topical area, applicants may submit proposals with strategies to meet or advance State energy reduction and/or renewable energy generation goals by partnering with utilities.

Applicants should consider the following SEA questions when crafting proposals under Topic Area 1:

Does your State have targets/goals that require utilities to achieve energy savings (including EERS, target as part of an IRP, part of an RPS, or portfolio of programs that will provide defined savings)?

- ☐ Yes, 0.5%-1% savings (relative to annual retail sales)
- ☐ Yes, 1-1.5% savings (relative to annual retail sales)
- ☐ Yes, 1.5-2%% savings (relative to annual retail sales)
- ☐ Yes, 2% or higher (relative to annual retail sales)
- ☐ No, but a Statewide savings target/goal is under consideration within a regulatory process
- ☐ No

Are the utilities in your State currently achieving the required energy savings targets/goals?

- ☐ Yes
- ☐ No
- ☐ The date for meeting the required target / goal has not yet occurred.

Does your State have targets / goals that require utilities to provide a certain portion of electricity sales through renewable energy?

- ☐ Yes
- ☐ No

Are there standardized interconnection rules across your State's utilities' for distributed resources regardless of fuel?

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

Are energy customers in your State across ALL customer classes including residential, commercial and industrial offered electricity ratepayer-funded energy efficiency programs?

- ☐ Yes, by investor-owned utilities
- ☐ Yes, by municipally-owned utilities
- ☐ Yes, by cooperatively-owned utilities
- ☐ Yes, by other energy efficiency program administrator
- ☐ No, utilities do not offer electricity ratepayer-funded programs across all customer classes, but do offer programs at least in one customer class
- ☐ No, utilities do not offer electricity ratepayer-funded energy efficiency programs in my State

Are energy customers in your State across ALL customer classes including residential, commercial and industrial offered natural gas ratepayer-funded energy efficiency programs?

- ☐ Yes, by investor-owned utilities
- ☐ Yes, by municipally-owned utilities
- ☐ Yes, by cooperatively-owned utilities
- ☐ Yes, by other energy efficiency program administrator
- ☐ No, utilities do not offer gas ratepayer-funded energy efficiency programs across all customer classes, but do offer programs at least in one customer class
- ☐ No, utilities do not offer gas ratepayer-funded energy efficiency programs in my State

Are energy customers in your State across customer classes including residential, commercial and/or industrial customer classes offered other fuel (e.g. heating oil) ratepayer-funded energy efficiency programs?

- ☐ Yes, by investor-owned utilities
- ☐ Yes, by municipally-owned utilities
- ☐ Yes, by cooperatively-owned utilities
- ☐ Yes, by other energy efficiency program administrator
- ☐ No, other fuels are not significant in my State
- ☐ No, utilities do not offer other fuel ratepayer-funded programs in my State

Does your State evaluate ratepayer-funded programs using more than one cost effectiveness test to reflect the long-term resource value of energy efficiency?

- ☐ Participant Cost Test
- ☐ Utility/Program Administrator Cost Test
- ☐ Ratepayer Impact Measure Cost Test
- ☐ Total Resource Cost Test without non-energy benefits
- ☐ Total Resource Cost Test with non-energy benefits (e.g., emissions reductions)
- ☐ Societal Cost Test.
- ☐ No, my State uses just one test to evaluate energy efficiency programs as selected above
- ☐ No, my State does not use cost-effectiveness tests to reflect the long-term resource value of energy efficiency

TOPIC 2: Enabling Financing Mechanisms for Public or Private Sector Clean Energy Investment

Under this topical area, applicants may submit proposals with strategies to develop or expand an energy specific financial policy or initiative to incent public or private clean energy investment.

Applicants should consider the following SEA questions when crafting proposals under Topic Area 2:

Does your State use or have mechanisms beyond annual appropriations for energy efficiency and other clean energy or low carbon investments?

- ☐ Yes, energy savings performance contracts (ESPC).
- ☐ Yes, revolving loan funds.
- ☐ Yes, a loan loss reserve fund.
- ☐ Yes, QECBs, or other bonds that can be allocated to retrofit investments.
- ☐ Yes, lease purchase agreements.

- ☐ Yes, an established green/infrastructure bank that can be used for retrofit investments.
- ☐ No, my State depends on annual appropriations for energy efficiency investments.

Does your State have a self-sustaining ESPC program?

- ☐ Yes, enabling legislation that authorizes the use of ESPC for public buildings.
- ☐ Yes, a centralized ESPC program exists at the State level that provides guidance for all State ESPC projects.
- ☐ Yes, a centralized ESPC program exists that requires the use of standardized contracts and procedures.
- ☐ Yes, a fee-based centralized ESPC program.
- ☐ No, my State does not use ESPCs on public retrofit projects.

Has your State helped provide financing options or incentives for clean energy investments?

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

TOPIC 3: Deploying Energy Performance Benchmarking and Disclosure

Under this topical area, applicants may submit proposals with strategies to develop or expand laws or regulations related to benchmarking and disclosure of energy use in public or private buildings.

Applicants should consider the following SEA questions when crafting proposals under Topic Area 3:

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

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

- ☐ No, State- or local-level benchmarking and disclosure laws have not been passed for non-public buildings.

Do one or more investor-owned utilities provide aggregated whole-building energy usage data to building owners for purposes of benchmarking and energy management in cases where individual tenants in a building have separate utility meters and accounts?

- ☐ Yes
☐ No

Does one or more of your investor-owned utilities provide direct data exchange with automated benchmarking tools such as ENERGY STAR Portfolio Manager?

- ☐ Yes
☐ No

Has your state utility regulator established a rule describing what constitutes sufficiently aggregated customer energy usage data that can be given to building owners while addressing privacy concerns?

- ☐ Yes
☐ Rules are under consideration or pending
☐ No

Does one or more of your investor-owned utilities allow customers to access their energy usage data in a standardized format (e.g. Green Button)?

- ☐ Yes
☐ Utilities have committed to this but are still implementing
☐ No

Does one or more of your investor-owned utilities allow customers to designate one or more service providers who can access their energy usage data in a standardized format (e.g. Green Button)?

- ☐ Yes
☐ Utilities have committed to this, but are still implementing
☐ No

Does your State have guidelines or rules regarding third party access to customer energy usage data?

- ☐ Yes
☐ Rules are under consideration or pending
☐ No

TOPIC 4: Standardizing Evaluation Measurement& Verification (EM&V) Processes

Under this topical area, applicants may submit proposals with strategies to develop or expand process related to standardized evaluation, measurement and verification (EM&V) practices to determine energy and emissions reductions from ratepayer and/or non-ratepayer funded efficiency programs.

Applicants should consider the following SEA questions when crafting proposals under Topic Area 4:

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

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

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

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

TOPIC 5: Partnering with Local Governments

Under this topical area, applicants may submit proposals with strategies to develop or expand policies and programs to support local governments design and implement internal and/or publically facing clean energy programs.

Applicants should consider the following SEA questions when crafting proposals under Topic Area 5:

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

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

- ☐ No, local governments are eligible to access our technical assistance, but we do not have a formal program.

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

- ☐ Yes, a defined suite of support services and/or partnership opportunities for local governments including financial support is offered for efforts to target underserved sectors.
- ☐ Yes, a defined suite of support services to local governments, without financial support, is offered for efforts to target underserved sectors.
- ☐ Yes, a collection of discrete services and programs not managed as a defined suite.
- ☐ No, we do not have a formal program.