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Department of Energy (DOE)
Office of Energy Efficiency and Renewable Energy (EERE)

FY 2020 Geothermal Technologies Office Hydrothermal and Low Temperature Multi-Topic Funding Opportunity Announcement

Funding Opportunity Announcement (FOA) Number: DE-FOA-0002219

FOA Type: Modification 000001

CFDA Number: 81.087

FOA Issue Date:	February 4, 2020
Submission Deadline for Letter of Intent:	March 2, 2020 5:00pm ET
Submission Deadline for Full Applications:	May 4, 2020 5:00pm ET
Expected Submission Deadline for Replies to Reviewer Comments:	June 16, 2020 5:00pm ET
Expected Date for EERE Selection Notifications:	July 2020
Expected Timeframe for Award Negotiations:	September 2020

- 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 cancelation of further award negotiations and rescission of the selection.

Modifications

All modifications to the FOA are [HIGHLIGHTED] in the body of the FOA.

Mod. No.	Date	Description of Modification
000001	3/24/2020	1. Updated Submission Deadline for Full Applications and Expected Submission Deadline for Replies to Reviewer Comments. 2. Updated Section II.A.i "Estimated Funding" to state one or more awards may be issued under Topic 1.

Table of Contents

Modifications **2**

Table of Contents ..... **i**

I. Funding Opportunity Description **1**

A. Background and Context 1
i. Background and Purpose 1
ii. Technology Space 1
B. Topic Areas 4
i. Topic Area 1 – Exploration RD&D: Hidden Geothermal Systems in the Basin and Range 4
ii. Topic Area 2 – Advanced Energy Storage Initiative (AESI): Bi-directional Energy Storage Using Low-Temperature Geothermal Applications 9
C. Applications Specifically Not of Interest 11
D. Authorizing Statutes 12

II. Award Information **12**

A. Award Overview 12
i. Estimated Funding 12
ii. Period of Performance 13
iii. New Applications Only 13
B. EERE Funding Agreements 13
i. Cooperative Agreements 13
ii. Funding Agreements with Federally Funded Research and Development Center (FFRDCs) 14

III. Eligibility Information **14**

A. Eligible Applicants 14
i. Individuals 14
ii. Domestic Entities 14
iii. Foreign Entities 14
iv. Incorporated Consortia 15
v. Unincorporated Consortia 15
B. Cost Sharing 16
i. Legal Responsibility 16
ii. Cost Share Allocation 17
iii. Cost Share Types and Allowability 17
iv. Cost Share Contributions by FFRDCs 18
v. Cost Share Verification 18
vi. Cost Share Payment 18
C. Compliance Criteria 19
i. Letters of Intent 19
ii. Full Applications 19
iii. Replies to Reviewer Comments 19
D. Responsiveness Criteria 19
E. Other Eligibility Requirements 20

i. Requirements for DOE/National Nuclear Security Agency (NNSA) Federally Funded Research and Development Centers (FFRDC) Listed as the applicant 20
ii. Requirements for DOE/NNSA and non-DOE/NNSA Federally Funded Research and Development Centers Included as a Subrecipient 20
F. Limitation on Number of Full Applications Eligible for Review 21
G. Questions Regarding Eligibility 21

IV. Application and Submission Information 21

A. Application Forms 23
B. Content and Form of the Letter of Intent 23
C. Content and Form of the Full Application 24
i. Full Application Content Requirements 24
ii. Technical Volume 25
iii. Resumes 30
iv. Letters of Commitment 30
v. Statement of Project Objectives (SOPO) 30
vi. SF-424: Application for Federal Assistance 30
vii. Budget Justification Workbook 31
viii. Summary/Abstract for Public Release 31
ix. Summary Slide 31
x. Subrecipient Budget Justification (if applicable) 32
xi. Budget for DOE/NNSA FFRDC (if applicable) 32
xii. Authorization for non-DOE/NNSA or DOE/NNSA FFRDCs (if applicable) 32
xiii. SF-LLL: Disclosure of Lobbying Activities (required) 32
xiv. Waiver Requests: Foreign Entities and Foreign Work (if applicable) 33
xv. U.S. Manufacturing Commitments 33
xvi. Data Management Plan (DMP) 34
xvii. Open Source Software Distribution Plan 35
xviii. Additional Requirements 35
D. Content and Form of Replies to Reviewer Comments 36
E. Post Selection Information Requests 37
F. Dun and Bradstreet Universal Numbering System (DUNS) Number and System for Award Management (SAM) 37
G. Submission Dates and Times 38
H. Intergovernmental Review 38
I. Funding Restrictions 38
i. Allowable Costs 38
ii. Pre-Award Costs 38
iii. Performance of Work in the United States (Foreign Work Waiver) 39
a. Requirement 39
b. Failure to Comply 39
c. Waiver 40
iv. Construction 40
v. Foreign Travel 40
vi. Equipment and Supplies 40
vii. Domestic Preference – Infrastructure Projects 41
viii. Lobbying 41
ix. Risk Assessment 41
x. Invoice Review and Approval 42

V. Application Review Information 42

A. Technical Review Criteria 42
i. Full Applications 42
ii. Criteria for Replies to Reviewer Comments 44
B. Standards for Application Evaluation 44
C. Other Selection Factors 45
Program Policy Factors 45
D. Evaluation and Selection Process 46
i. Overview 46
ii. Pre-Selection Interviews 46
iii. Pre-Selection Clarification 46
iv. Recipient Integrity and Performance Matters 47
v. Selection 48
E. Anticipated Notice of Selection and Award Negotiation Dates 48

VI. Award Administration Information 48

A. Award Notices 48
i. Ineligible Submissions 48
ii. Full Application Notifications 48
iii. Successful Applicants 48
iv. Alternate Selection Determinations 49
v. Unsuccessful Applicants 49
B. Administrative and National Policy Requirements 49
i. Registration Requirements 49
ii. Award Administrative Requirements 50
iii. Foreign National Access Under DOE Order 142.3A, "Unclassified Foreign Visits and Assignments Program" 51
iv. Subaward and Executive Reporting 51
v. National Policy Requirements 51
vi. Environmental Review in Accordance with National Environmental Policy Act (NEPA) 51
vii. Applicant Representations and Certifications 52
viii. Statement of Federal Stewardship 54
ix. Statement of Substantial Involvement 54
x. Subject Invention Utilization Reporting 54
xi. Intellectual Property Provisions 55
xii. Reporting 55
xiii. Go/No-Go Review 55
xiv. Conference Spending 56
xv. Uniform Commercial Code (UCC) Financing Statements 56

VII. Questions/Agency Contacts 57

VIII. Other Information 57

A. FOA Modifications 57
B. Government Right to Reject or Negotiate 57
C. Commitment of Public Funds 58
D. Treatment of Application Information 58
E. Evaluation and Administration by Non-Federal Personnel 59
F. Notice Regarding Eligible/Ineligible Activities 59
G. Notice of Right to Conduct a Review of Financial Capability 59
H. Requirement for Full and Complete Disclosure 59
I. Retention of Submissions 60

J. Title to Subject Inventions....60
K. Government Rights in Subject Inventions....61
L. Rights in Technical Data....62
M. Copyright....62
N. Export Control....62
O. Personally Identifiable Information (PII)....63
P. Annual Independent Audits....63

Appendix A – Cost Share Information....65

Appendix B – Sample Cost Share Calculation for Blended Cost Share Percentage....70

Appendix C – Waiver Requests and Approval Processes: 1. Foreign Entity Participation as the Prime Recipient; and 2. Performance of Work in the United States (Foreign Work Waiver)....72

Appendix D – Open Source Software....74

Appendix E – Glossary....78

Appendix F – Definition of Technology Readiness Levels....80

Appendix G – List of Acronyms....81

I. Funding Opportunity Description

A. Background and Context

i. Background and Purpose

The Geothermal Technologies Office (GTO), within the U.S. Department of Energy's (DOE) Office of Energy Efficiency and Renewable Energy (EERE), supports early-stage research and development (R&D) to strengthen the body of knowledge upon which industry can accelerate the development and deployment of innovative geothermal energy technologies.

GTO works to develop technologies to drive down the costs and risks of geothermal energy. Geothermal energy is a domestic energy resource from the heat of the earth, which represents a reliable, secure, clean, and nearly inexhaustible energy source.

This multi-topic funding opportunity aims to drive down costs and risks associated with the discovery of hidden geothermal systems in the Basin & Range region of the U.S., and to enhance energy system resilience through the utilization of Reservoir Thermal Energy Storage (RTES), Deep Direct-Use (DDU) and other geothermal direct use applications on military installations, hospital complexes, and other large energy end-uses across the U.S. such as university campuses.

ii. Technology Space

a) Exploration RD&D: Hidden Geothermal Systems in the Basin and Range

Over the past five years, the U.S. Department of Energy's Geothermal Technologies Office (GTO) has sponsored R&D to adapt the Play Fairway Analysis (PFA) technique from the oil and gas industry to the geothermal industry. PFA is a technique that targets the identification of undiscovered or "hidden" hydrothermal systems by incorporating the regional or basin-wide distribution of known geologic factors that control the occurrence of a particular species of geothermal system. By conducting PFA in unexplored or underexplored regions, or by using new play concepts in basins with known geothermal potential, GTO investments quantified and reduced uncertainty in geothermal exploration—ultimately yielding a potential 30 gigawatts of additional power from energy hidden deep in the Earth. That highly successful effort yielded many favorable prospects that will require further study to unlock that potential.

In FY 2020, the GTO Hydrothermal Program will build upon its emphasis on discovering hidden geothermal systems by sponsoring an integrated RD&D program focused on moving undiscovered resources through the phases of project development where risk is highest: pre-survey, exploration, and test drilling (Figure 1). Although these phases of project development may have

relatively low cumulative cost, they strongly influence a developer's accuracy in well targeting and the probability of success during more advanced drilling phases when costs accumulate rapidly. As elaborated in the *GeoVision* Report[1], geothermal cost-model inputs are highly interrelated, and improvements in exploration technologies that increase drilling success rate and/or lower drilling costs have a large impact on capital costs for conventional hydrothermal developments. Thus improved exploration has a direct impact on lowering overall development costs. Through this funding opportunity, GTO seeks to support the development of tools and processes that will enable this reduction in cost to levels that will accelerate deployment of the remaining resource as modeled in the *GeoVision* study.

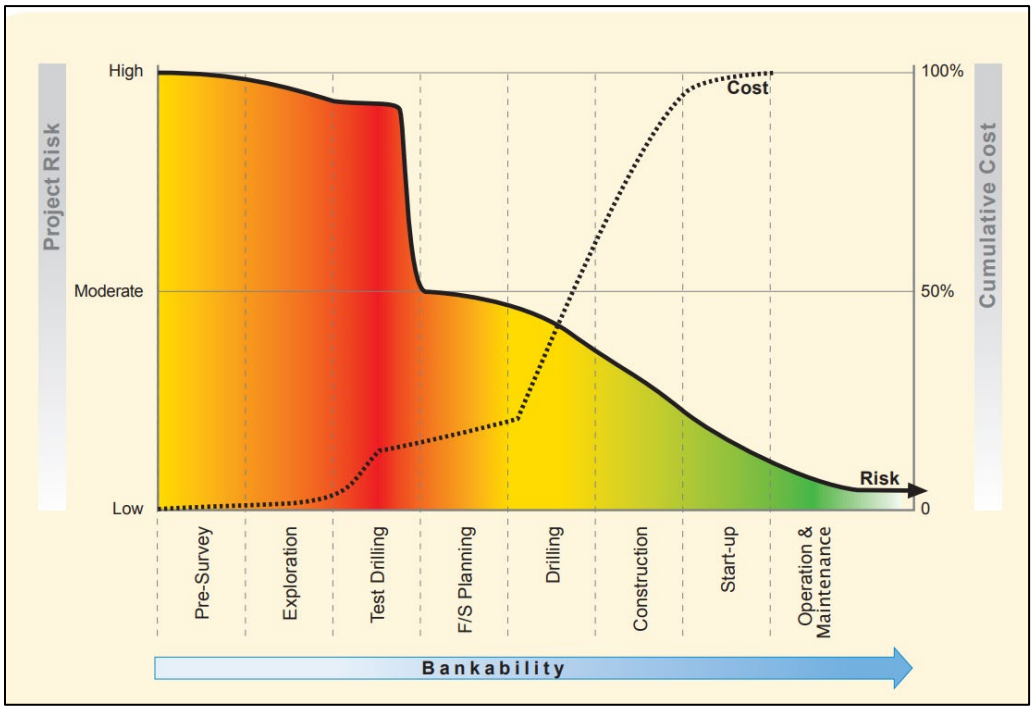

Figure 1. Gehringer, M., and V. Loksha. Geothermal handbook: planning and financing power generation. Energy Sector Management Assistance Program (ESMAP). Technical Report 002/12. World Bank Group, 2012.

b) Advanced Energy Storage Initiative: Bi-directional Energy Storage Using Low-Temperature Geothermal Applications

A recent study conducted by the National Renewable Energy Laboratory[2] estimated 46,500 MW thermal (MWth) of total beneficial heat is available from

[1] U.S. Department of Energy (DOE). 2019. GeoVision: Harnessing the Heat Beneath Our Feet. Washington D.C.: U.S. Department of Energy. DOE/EE-1306.

[2] McCabe, Kevin, et al. GeoVision Analysis Supporting Task Force Report: Thermal Applications. Quantifying Technical, Economic, and Market Potential of Geothermal District Heating Systems in the United States. No. NREL/TP-6A20-71715. National Renewable Energy Lab. (NREL), Golden, CO (United States), 2019.

geothermal resources below 150 degrees Celsius in the U.S. Preliminary estimates suggest that full utilization of this resource would equate to supplying nearly one quarter (23 percent), of the total U.S. residential heating demand over the next 30 years. In addition, this resource can enable new energy storage applications. Through this funding opportunity, GTO's Low Temperature Resources Program will build on findings reported in Deep Direct-Use Feasibility Studies that also include reservoir thermal energy storage.

Under GTO's FY 2017 FOA titled: Deep Direct-Use (DDU) Feasibility Studies DE-FOA-0001601, six teams were funded to conduct feasibility studies of DDU on military bases, university campuses, industrial and hospital complexes. DDU technologies are intended to help extend the development of low-temperature (< 150 deg C) geothermal resources beyond the Western U.S., where resource temperatures adequate for direct use district-scale heating and cooling of buildings are typically located at greater depths. The DDU project teams[3] estimated the levelized cost of heat (LCOH) for heating, and in some cases cooling, of large facilities or districts.

Reservoir Thermal Energy Storage (RTES) is a technology that is highly complementary to DDU for space heating: for example, excess thermal energy could be rejected to the ground while cooling a facility during the summer months, stored in a subsurface reservoir, and that thermal energy subsequently extracted in the winter months for space heating. A large-scale, fully integrated RTES or DDU geothermal system has never been implemented in the U.S. Although systems of this type are increasingly being developed in Europe, AESI targets new innovative geothermal district heating and cooling systems that are decentralized and bi-directional.[4] A key difference between the European and the AESI approach will be the deliberate design and optimization of system components (such as heat pumps and storage vessels); combined with increased overall system efficiencies such as incorporating a large variety of supply and demand profiles in the engineering design.

In addition to providing a renewable source of heat, development of these technologies can also enhance electrical grid reliability. Because DDU and RTES can meet the relatively modest temperature requirements of space heating and cooling applications, they can potentially offset demands on the grid that would otherwise manifest as electrical heating and/or cooling loads. In doing so, DDU and RTES provide a degree of flexibility and enhanced reliability by reducing these loads during periods of high demand.

[3] https://www.geothermal-library.org/index.php?q=Deep+Direct-Use&tl=&ty=&te=&al=&ay=&ae=&ds=&de=&mode=pubs&action=search&p=1&rpp=25&srt=yd
[4] https://www.adv-geosci.net/49/129/2019/

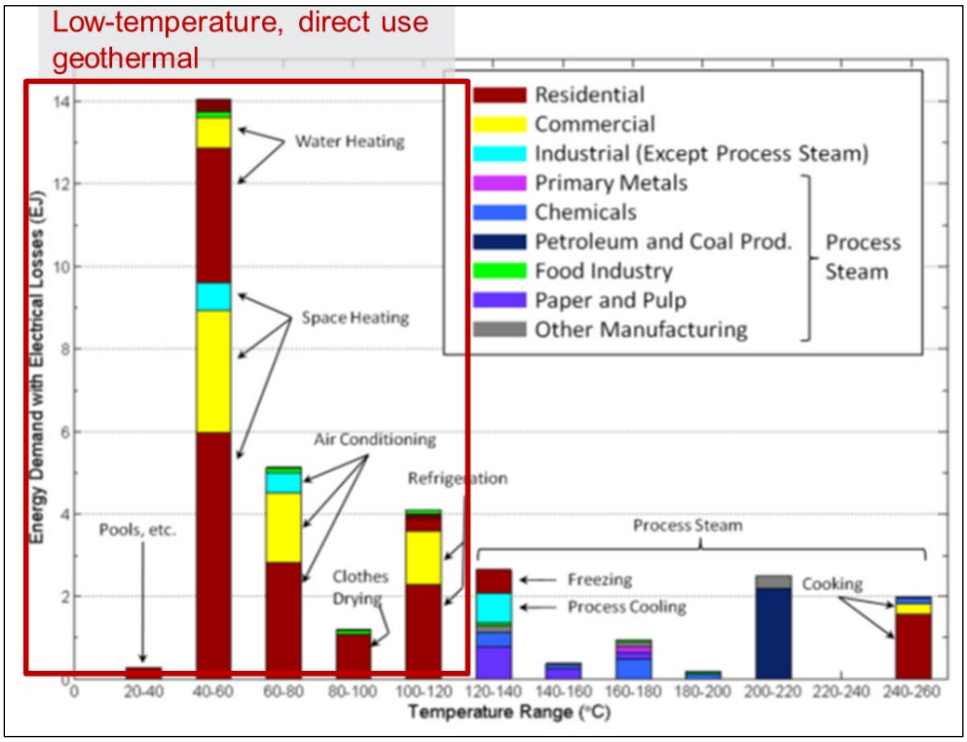

Figure 2. Fox et al. The thermal spectrum of low-temperature energy use in the United States. Energy and Environmental Science, 2011.

The concept for RTES, DDU and other geothermal dominated advanced energy storage systems is to engineer large-scale, multi-application geothermal direct-use projects that can replace or be installed in lieu of conventional district heating and cooling systems; along with other cascading thermal applications such as water heating, ice making, laundry drying, pool and sauna heating, etc. (See Figure 2). If the geothermal resource temperature is sufficiently high, the system could also be a combined heat and power (CHP) application, with the fluid generating electrical power prior to the RTES, DDU or other advanced energy storage application.

B. Topic Areas

i. Topic Area 1 – Exploration RD&D: Hidden Geothermal Systems in the Basin and Range

Research Objective: to stimulate the continued discovery and development of hidden geothermal resources in the Basin and Range by expanding the public body of exploration tools and knowledge.

The project selected under this funding opportunity will design, apply, and validate a complete workflow for discovering hidden geothermal resources in

the selected study area. The team will optimize the allocation of award funds across the project activities, with the concurrent goals of maximizing the identification of undiscovered resources, lowering risk and uncertainty for the overall resource portfolio, and validating the specific exploration methods and approach for the study area through some level of site-specific drilling.

Applicants shall carefully consider the size and location of their study area in light of the requirement for validation drilling and the total anticipated available funding. Project study areas are limited to the Basin and Range province[5] of the western U.S. and structural extensions thereof, e.g. the Snake River Plain of southern Idaho[6].

The project selected under this topic will include some combination of the activities in the bulleted list below, to varying degrees depending on the degree of exploration that has already been conducted in the area of study. Activity sequencing may also depend on the choice of study area; for example, a project could begin with exploratory drilling at well-characterized prospects, and then use those data and models to conduct a Play Fairway study of a broader area. It is up to the applicant to develop and clearly present the rationale behind these decisions and include any relevant supporting information in the application. If any of these activities will be omitted, it is up to the applicant to clearly explain the logic behind that decision as well.

- **Pre-Survey Reconnaissance** – The project team will identify and rank geothermal prospects through a Play Fairway Analysis or other appropriate method. The team shall thoroughly describe the play concept(s) that will be utilized for the pre-survey phase in their application. Applicants are strongly encouraged to build on existing geothermal PFA studies if one exists for the area of interest. If an existing PFA study is used as a starting point for the proposed project, a summary technical report for the study must be attached to the application and the scope of this activity should then be reduced as needed.
- **Pre-drilling Exploration** – The project team will select and apply the most appropriate techniques for each step of the exploration process. Where possible, the team will quantify the value added from each technique to aid in the identification of exploration best practices.

[5]https://en.wikipedia.org/wiki/Basin_and_Range_Province#/media/File:Basin_and_Range_Province_Boundaries_and_Landmarks.svg

[6] GTO may investigate other areas and play types through a complementary solicitation in FY 2020 that is open to the DOE National Laboratories only. That solicitation is designed to improve understanding of the occurrence of those play types through advanced subsurface imaging, in preparation for future exploratory drilling.

Value of Information[7] is one approach to this, although less rigorous methods are also acceptable. Applicants are encouraged to incorporate innovative exploration techniques where appropriate, including technologies developed through previous and ongoing GTO-sponsored work.

- **Conceptual Modeling** – In addition to the play concept(s) used in the pre-survey stage, the project team will develop multiple working site-specific conceptual models at appropriate stages of the project, and update them with new observations at pre-planned intervals. Applications shall include a description of how the conceptual models will be developed and updated throughout the project. Conceptual modeling approaches should follow recognized best practices, e.g., the general guidelines outlined by Cumming, 2018[8]. To the greatest degree possible, models should integrate observed and inferred information to graphically illustrate key conceptual elements and include a narrative describing their relationship to natural state reservoir hydrology.
- **Drilling activities** – Drilling is expected in both the exploration and test phases of the project. All drilling funded under this topic area will be categorized into one of the well types defined in Table 1, which are derived from the categories described by Beckers and Young, 2018[9]. Exploration drilling includes all wells of types 1, 2, or 3 and is considered to be an R&D activity for purposes of calculating the required minimum cost share. Test drilling includes all wells of Type 4 and is typically considered to be demonstration-scale. The applicant shall determine which type(s) of drilling are required to validate the selected exploration methodologies and include their rationale in the application. Type 5 wells will not be funded under this topic area.

[7] Trainor-Guitton, Whitney J., et al. "Value of MT inversions for geothermal exploration: accounting for multiple interpretations of field data & determining new drilling locations." *Geothermics* 66 (2017): 13-22.
[8] Cumming, William. "Geothermal resource conceptual models using surface exploration data." *Proceedings*. 2009.
[9] Beckers, Koenraad J., and Katherine R. Young. *Technical Requirements for Geothermal Resource Confirmation*. No. NREL/CP-5500-71740. National Renewable Energy Lab. (NREL), Golden, CO (United States), 2018.

Table 1. Well Types – Modified from Beckers & Young, (2018)

Well Type	*1*	*2*	*3*	*4*	*5*
Well Name	**Temperature-Gradient Hole (TGH)**	**Core Hole**	**Slim Hole *(into reservoir)***	**Standard-Completion Confirmation Well**	**Standard-Completion Production/ Injection Well**
Objective	Measure shallow temperature-by-depth profile	Obtain subsurface core samples	Assess temperature, pressure, chemistry, and geology	Conduct flow and interference test	Regular production/ injection
Range of Typical Measured Depth	150 to 1500 ft (46 to 457 m)	1,500 to 12,000 ft (457 to 3,658 m)	1,500 to 12,000 ft (457 to 3,658 m)	up to 12,000 ft (up to 3,658 m)	up to 12,000 ft (up to 3,658 m)
Final Hole Size	3–6” (0.08–0.15 m)	<6” (<0.15 m)	<6” (<0.15 m)	6–10” (0.15–0.25 m)	8–12” (0.20–0.30 m)

- **Metrics Development and Reporting** - Applications must propose metrics for tracking and reporting progress over the course of the project. This includes:
  - Changes in uncertainty as a result of the work being performed, for specific prospects as well as the overall portfolio.
  - Resource characteristics: The project team shall standardize terminology for reporting resource characteristics and project development status at the various sites under study.
  - The exploration Probability of Success (POS_{expl}) shall be estimated for each prospect in accordance with the method described by Cumming (2016) [10] and reported at appropriate decision points which are to be described in the application.
- **Market Transformation** – This RD&D initiative is intended to stimulate continued discovery and development of hidden geothermal resources by expanding the public body of geothermal exploration knowledge. One potential method of carrying out this activity would be to deliver a

[10] Cumming, William. "Resource conceptual models of volcano-hosted geothermal reservoirs for exploration well targeting and resource capacity assessment: Construction, pitfalls and challenges." Geothermal Resource Council Transactions 40 (2016): 623-637.

regional geologic playbook (e.g., the Utica Shale Play Book[11]) designed to support continued exploration for hidden resources in the selected study area. The playbook could also serve as a model for future development of regional geothermal exploration strategies for other study areas, both within the Basin and Range province and beyond.

The ideal content and intended audience of the geothermal playbook would be described in the application, and include:

- An exploration and development strategy for the study area that includes a description of the validated overall approach, specific recommended techniques for each step, recommendations for future exploration, and any other best practices uncovered through the course of the project.
- An inventory of leads and prospects in the study area, each with associated metrics describing the degree of exploration, P_S, and where possible, preliminary estimates of resource size calculated using the USGS volumetric[12] and/or power density-methods[13,14].
- A catalog of available datasets for the study area, and any data or Geographic Information System (GIS) web infrastructure that may be required to complement the DOE Geothermal Data Repository.

Applicants that do not propose development of a playbook are still required to include a market transformation plan that describes how the project would stimulate continued discovery of hidden resources beyond the project period.

Applicants who propose to focus on a study area that has seen recent privately-funded exploration activity shall assess the risk of their project dis-incentivizing private investment in exploration and, if necessary, make recommendations to mitigate that risk.

[11] Example playbook: http://www.wvgs.wvnet.edu/utica/playbook/index.aspx
[12] Garg, S.K. 2010. Appropriate use of USGS Volumetric "Heat In Place" Method and Monte Carlo Calculations. PROCEEDINGS, Thirty-Fourth Workshop on Geothermal Reservoir Engineering Stanford University, Stanford, California, February 1-3, 2010.
[13] Grant, M. A.: Geothermal Resource Management, Proceedings, World Geothermal Congress 2000, Kyushu-Tohoku, Japan (2000).
[14] Wilmarth, M. and Stimac, J.: Power Density in Geothermal Fields, Proceedings, World Geothermal Congress (2015).

ii. Topic Area 2 – Advanced Energy Storage Initiative (AESI): Bi-directional Energy Storage Using Low-Temperature Geothermal Applications

Research Objective: GTO seeks to move RTES, DDU, and other geothermal direct use and energy storage technologies forward from feasibility studies to the systems engineering phase, and to enable new, more resilient energy services that not only provide an alternative to grid-dependent heating and cooling but that also add resilience to the larger energy system in which they operate.

This FOA topic is broadly open beyond previous DOE awardees; however, any application that can include the supporting results of a previously completed techno-economic feasibility study may rank more favorably (see selection criteria for Topic 2 in Section V.A.i of this FOA).

In addition, Topic Area 2 addresses the EERE Advanced Energy Storage Initiative (AESI) crosscut topic pertaining to bi-directional energy storage. The AESI focuses on R&D that improves electric grid flexibility and grid services to cost-effectively improve grid reliability. Geothermal-specific AESI areas include flexible generation and bi-directional energy storage. This topic area focuses on bi-directional energy storage or technologies that can absorb, store and discharge energy such as reservoir thermal energy storage that in turn can support grid flexibility or direct end uses including buildings.

Awardees under this topic area will engineer, design, and test a geothermal direct use system that supports energy system resilience such as: reservoir thermal energy storage (RTES), deep direct-use (DDU), underground thermal energy storage (UTES), borehole thermal energy storage, or other form of bidirectional energy storage. The system shall be designed for heating and/or cooling of large-scale district facilities such as university campuses, industrial parks, or military installations. For the purposes of this FOA, a large-scale facility is defined as a space conditioned area greater than 10,000 square feet or having an annual thermal energy demand equal to or greater than 125 MMBTU. Any fluid temperature that can provide thermal energy to meet the intended purpose is considered applicable.

While the overall system engineering and design is required, testing and field validation is only needed for the subsurface components and well deliverability. The selected team(s) will be able to conduct resource characterization (e.g., demonstration of resource temperature, pressure, size as sustained MWth potential, permeability and flow rates, chemistry and scaling potential, and reservoir volume), and drill exploration and test wells similar to those outlined under Topic Area 1 (See Topic 1, Table 1. Well Types). The ultimate objective will include flow and/or injection testing (see Topic 1, Table 1, Well Type 4) to validate the design concept for production and/or storage of thermal energy.

Multiple technology development pathways exist that can meet the objectives described above, and several specific research opportunities are discussed below. This is not an exhaustive list, but these can be viewed as areas of particular interest to GTO.

One research opportunity related to RTES is the potential for heat storage in saline or brackish aquifers underlying freshwater aquifers. This concept may allow the use of largely undeveloped and relatively low-quality groundwater resources for matching of peak energy production with peak energy demand. U.S. Geological Survey-led RTES focus studies are underway for many metropolitan areas across regions of the United States that overlie brackish groundwater (see Figure 3). Cities are grouped (colored) by geologic region. Where a geologic region is smaller than a brackish groundwater region, the geologic region corresponds to a previously identified geologic unit with structural controls. Models have been developed for a subset of cities shown by stars, with the intention of modeling or extrapolating results for other metropolitan areas within each geologic region. Regions and cities were chosen to illustrate the potential for geothermal energy in many areas of the eastern U.S., and site selection was based on the presence of available information about the saline/brackish aquifers and local availability of hydrogeologic expertise.

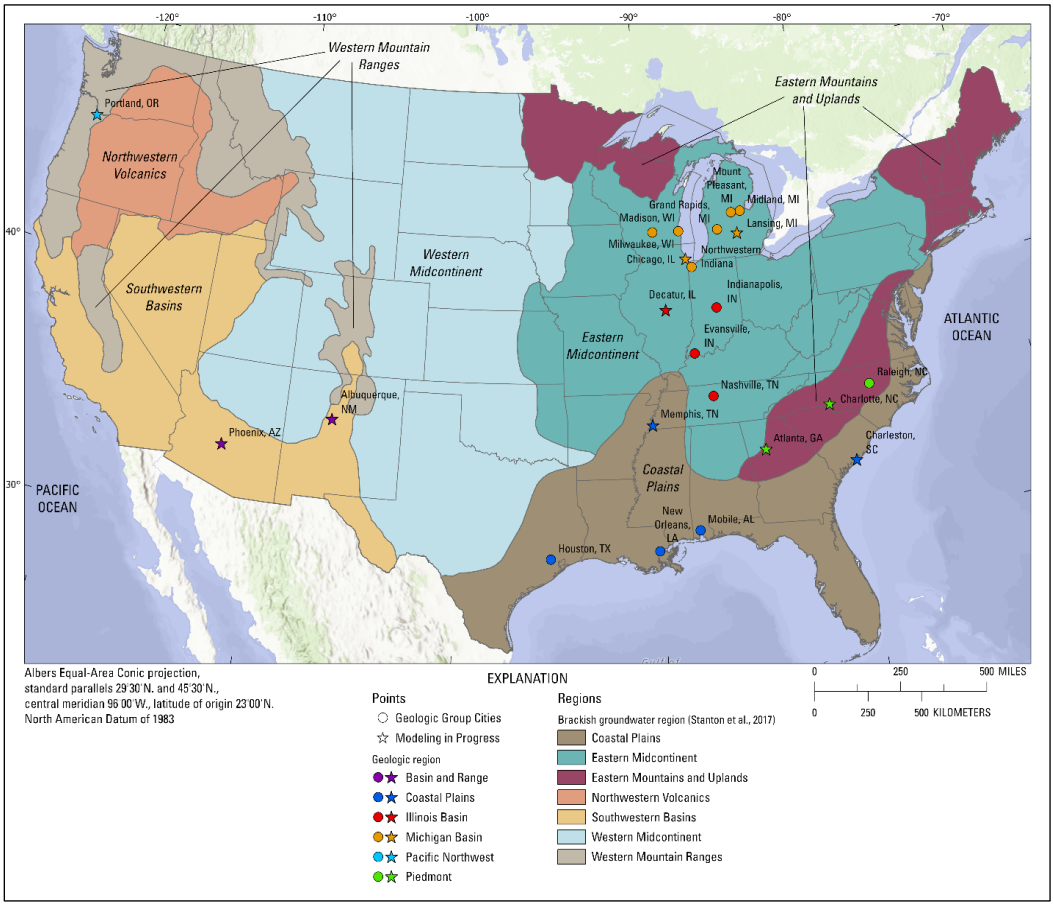

Figure 3. Stanton, J.S., Anning, D.W., Brown, C.J., Moore, R.B., McGuire, V.L., Qi, S.L., Harris, A.C., Dennehy, K.F., McMahon, P.B., Degnan, J.R., and Böhlke, J.K., 2017, Brackish groundwater in the United States: U.S. Geological Survey Professional Paper 1833, 185 p., https://doi.org/10.3133/pp1833.

Low-Temperature, DDU and RTES opportunities may also exist in certain sedimentary basins where legacy oil and gas drilling data can provide valuable technical information to identify and confirm potential resources.

Well-characterized areas with a high density of existing subsurface infrastructure exist in multiple areas of the U.S. In addition, existing deep wells may be utilized where they exist in close enough proximity to load centers.

Grid Resilience

The increasing demand for Departments and agencies to invest in critical infrastructure R&D that improves resilience to natural disasters and physical threats can be met by investing in DDU and advanced energy storage technology in partnership with other R&D departments such as the USGS and the US military, as well as multisector partnerships including research institutions, equipment and infrastructure manufacturers, and district energy managers. Net-zero energy campuses, military installations, hospital complexes, office building, hotels, and other large energy end-uses offer great opportunities to significantly expand the impact and reach of geothermal energy applications across the U.S. while simultaneously strengthening the nation's energy infrastructure and resiliency needs.

Projects should consider relevant resiliency measures to ensure that geothermal district energy systems enhance energy resiliency or the ability of the facility and district to withstand unplanned outages impacting critical infrastructure.

All work under EERE funding agreements must be performed in the United States. See Section IV.J.iii. and Appendix C.

C. Applications Specifically Not of Interest

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

- Applications that fall outside the technical parameters specified in Section I.A. and I.B. of the FOA
- Applications for proposed technologies that are not based on sound scientific principles (e.g., violates the laws of thermodynamics).
- Applications that are not relevant to geothermal energy

D. Authorizing Statutes

The programmatic authorizing statute is EPAct 2005, Section 931(a)(2)(C)(i, ii, iv, and v).

GEOTHERMAL—The Secretary shall conduct a program of research, development, demonstration, and commercial application for geothermal energy. The program shall focus on developing improved technologies for reducing the costs of geothermal energy installations, including technologies for:

i. Improving detection of geothermal resources;
ii. Decreasing drilling costs;
iii. Decreasing maintenance costs through improved materials;
iv. Increasing the potential for other revenue sources, such as mineral production; and
v. Increasing the understanding of reservoir life cycle and management.

Awards made under this announcement will fall under the purview of 2 Code of Federal Regulation (CFR) Part 200 as amended by 2 CFR Part 910.

II. Award Information

A. Award Overview

i. Estimated Funding

EERE expects to make a total of approximately $18,800,000 of federal funding available for new awards under this FOA, subject to the availability of appropriated funds. EERE anticipates making approximately 2-7 awards under this FOA. EERE may issue one, multiple, or no awards. Individual awards may vary between $500,000 and $10 million.

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

Topic Area 1:

Exploration RD&D: Hidden Geothermal Systems in the Basin and Range

EERE may issue one or more awards in this topic area, for up to $10 million.

Topic Area 2:

Advanced Energy Storage Initiative: Bi-directional Energy Storage Using Low-Temperature Geothermal Applications

EERE may issue approximately 1 - 6 awards in this topic area. Individual awards may vary between $500,000 and $8.8 million.

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.

ii. Period of Performance

EERE anticipates making awards that will run up to 24 - 60 months in length, comprised of one or more budget periods. Project continuation will be contingent upon several elements, including satisfactory performance and Go/No-Go decision review. For a complete list, see Section VI.B.xiv.

At the Go/No-Go decision points, EERE will evaluate project performance, project schedule adherence, the extent milestone objectives are met, compliance with reporting requirements, and overall contribution to the program goals and objectives. As a result of this evaluation, EERE may, at its discretion, authorize the following actions: (1) continue to fund the project, contingent upon the availability of funds appropriated by Congress for the purpose of this program and the availability of future-year budget authority; (2) recommend redirection of work under the project; (3) place a hold on federal funding for the project, pending further supporting data or funding; or (4) discontinue funding the project because of insufficient progress, change in strategic direction, or lack of funding.

iii. 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.

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.

i. 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.ix of the FOA for more information on what substantial involvement may involve.

ii. Funding Agreements with Federally Funded Research and Development Center (FFRDCs)

In most cases, FFRDCs are funded independently of the remainder of the project team. The FFRDC then executes an agreement with any non-FFRDC project team members to arrange work structure, project execution, and any other matters. Regardless of these arrangements, the entity that applied as the prime recipient for the project will remain the prime recipient for the project.

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 eligibility requirements, it will be considered ineligible and removed from further evaluation.

A. Eligible Applicants

i. Individuals

U.S. citizens and lawful permanent residents are eligible to apply for funding as a prime recipient or subrecipient.

ii. Domestic Entities

For-profit entities, educational institutions, and nonprofits that are incorporated (or otherwise formed) under the laws of a particular state or territory of the United States and have a physical location for business operations in the United States are eligible to apply for funding as a prime recipient or subrecipient. Nonprofit organizations described in section 501(c)(4) of the Internal Revenue Code of 1986 that engaged in lobbying activities after December 31, 1995 are not eligible to apply for funding.

State, local, and tribal government entities are eligible to apply for funding as a prime recipient or subrecipient.

DOE/NNSA FFRDCs are eligible to apply for funding as a prime recipient or subrecipient.

Non-DOE/NNSA FFRDCs are eligible to apply for funding as a subrecipient, but are not eligible to apply as a prime recipient.

Federal agencies and instrumentalities (other than DOE) are eligible to apply for funding as a subrecipient, but are not eligible to apply as a prime recipient.

iii. Foreign Entities

Foreign entities, whether for-profit or otherwise, are eligible to apply for funding under this FOA. Other than as provided in the "Individuals" or "Domestic Entities" sections above, all prime recipients receiving funding under this FOA must be incorporated (or otherwise formed) under the laws of a state or territory of the United States and have a physical location for business

operations in the United States. If a foreign entity applies for funding as a prime recipient, it must designate in the Full Application a subsidiary or affiliate incorporated (or otherwise formed) under the laws of a state or territory of the United States to be the prime recipient. The Full Application must state the nature of the corporate relationship between the foreign entity and domestic subsidiary or affiliate.

Foreign entities may request a waiver of the requirement to designate a subsidiary in the United States as the prime recipient in the Full Application (i.e., a foreign entity may request that it remains the prime recipient on an award). To do so, the applicant must submit an explicit written waiver request in the Full Application. Appendix C lists the necessary information that must be included in a request to waive this requirement. The applicant does not have the right to appeal EERE's decision concerning a waiver request.

In the waiver request, the applicant must demonstrate to the satisfaction of EERE that it would further the purposes of this FOA and is otherwise in the economic interests of the United States to have a foreign entity serve as the prime recipient. EERE may require additional information before considering the waiver request.

A foreign entity may receive funding as a subrecipient.

iv. Incorporated Consortia

Incorporated consortia, which may include domestic and/or foreign entities, are eligible to apply for funding as a prime recipient or subrecipient. For consortia incorporated (or otherwise formed) under the laws of a state or territory of the United States, please refer to "Domestic Entities" above. For consortia incorporated in foreign countries, please refer to the requirements in "Foreign Entities" above.

Each incorporated consortium must have an internal governance structure and a written set of internal rules. Upon request, the consortium must provide a written description of its internal governance structure and its internal rules to the EERE Contracting Officer.

v. Unincorporated Consortia

Unincorporated Consortia, which may include domestic and foreign entities, must designate one member of the consortium to serve as the prime recipient/consortium representative. The prime recipient/consortium representative must be incorporated (or otherwise formed) under the laws of a state or territory of the United States. The eligibility of the consortium will be determined by the eligibility of the prime recipient/consortium representative under Section III.A. of the FOA.

Upon request, unincorporated consortia must provide the EERE Contracting Officer with a collaboration agreement, commonly referred to as the articles of

collaboration, which sets out the rights and responsibilities of each consortium member. This agreement binds the individual consortium members together and should discuss, among other things, the consortium's:

- Management structure;
- Method of making payments to consortium members;
- Means of ensuring and overseeing members' efforts on the project;
- Provisions for members' cost sharing contributions; and
- Provisions for ownership and rights in intellectual property developed previously or under the agreement.

B. Cost Sharing

Cost share requirements differ between R&D and demonstration activities. R&D and demonstration activities are described in Section I of this FOA. The parameters listed in Table 1 are general guidelines, but the final determination on whether specific activities constitute R&D or demonstration will be made by DOE after reviewing detailed well plans. For projects awarded under Topic Area 1, all demonstration activities shall be confined to the final budget period of the project, and will be subject to negotiation after a Go/No-go.

For research and development activities, the cost share must be at least 20% of the total allowable costs, except for cases where the prime recipient is an institution of higher education or nonprofit institution (as defined in section 4 of the Stevenson–Wydler Technology Innovation Act of 1980 (15 U.S.C. 3703)), in which case the cost share requirement is reduced to 0%.

For demonstration and commercial application activities, the cost share must be at least 50% of the total allowable costs.

The sum of the government share, including FFRDC costs if applicable, and the recipient share of allowable costs equals the total allowable cost of the project. All cost share must come from non-federal sources unless otherwise allowed by law. (See 2 CFR 200.306 and 2 CFR 910.130 for the applicable cost sharing requirements.)

To assist applicants in calculating proper cost share amounts, EERE has included a cost share information sheet and sample cost share calculation as Appendices A and B to this FOA in addition to the information below.

i. Legal Responsibility

Although the cost share 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 paying the entire cost share. 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 share percentage of total expenditures incurred through the date of termination.

The prime recipient is solely responsible for managing cost share contributions by the project team and enforcing cost share obligation assumed by project team members in subawards or related agreements.

ii. Cost Share Allocation

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

iii. Cost Share Types and Allowability

Every cost share contribution must be allowable under the applicable federal cost principles, as described in Section IV.J.i. of the FOA. In addition, cost share must be verifiable upon submission of the Full Application.

Project teams may provide cost share in the form of cash or in-kind contributions. Cost share may be provided by the prime recipient, subrecipients, or third parties (entities that do not have a role in performing the scope of work). Vendors/contractors may not provide cost share. Any partial donation of goods or services is considered a discount and is not allowable.

Cash contributions include, but are not limited to: personnel costs, fringe costs, supply and equipment costs, indirect costs and other direct costs.

In-kind contributions are those where a value of the contribution can be readily determined, verified and justified but where no actual cash is transacted in securing the good or service comprising the contribution. Allowable in-kind contributions include, but are not limited to: the donation of volunteer time or the donation of space or use of equipment.

Project teams may use funding or property received from state or local governments to meet the cost share 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 share obligations including, but not limited to:

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

Project teams may not use the same cash or in-kind contributions to meet cost share requirements for more than one project or program.
Cost share 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 share are considered part of total project cost, the cost share dollars will be scrutinized under the same federal regulations as federal dollars to the project. Every cost share 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 200.306 as amended by 2 CFR 910.130 for additional cost sharing requirements.

iv. Cost Share Contributions by FFRDCs

Because FFRDCs are funded by the federal government, costs incurred by FFRDCs generally may not be used to meet the cost share requirement. FFRDCs may contribute cost share only if the contributions are paid directly from the contractor's Management Fee or another non-federal source.

v. Cost Share Verification

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

Upon selection for award negotiations, applicants are required to provide additional information and documentation regarding their cost share contributions. Please refer to Appendix A of the FOA.

vi. Cost Share Payment

EERE requires prime recipients to contribute the cost share amount incrementally over the life of the award. Specifically, the prime recipient's cost share for each billing period must always reflect the overall cost share ratio negotiated by the parties (i.e., the total amount of cost sharing on each invoice when considered cumulatively with previous invoices must reflect, at a minimum, the cost sharing percentage negotiated). As FFRDC funding will be provided directly to the FFRDC(s) by DOE, prime recipients will be required to provide project cost share at a percentage commensurate with the FFRDC costs, on a budget period basis, resulting in a higher interim invoicing cost share ratio than the total award ratio.

In limited circumstances, and where it is in the government's interest, the EERE Contracting Officer may approve a request by the prime recipient to meet its cost share requirements on a less frequent basis, such as monthly or quarterly. Regardless of the interval requested, the prime recipient must be up-to-date on cost share at each interval. Such requests must be sent to the Contracting Officer during award negotiations and include the following information: (1) a detailed

justification for the request; (2) a proposed schedule of payments, including amounts and dates; (3) a written commitment to meet that schedule; and (4) such evidence as necessary to demonstrate that the prime recipient has complied with its cost share obligations to date. The Contracting Officer must approve all such requests before they go into effect.

C. Compliance Criteria

Letters of Intent, Full Applications and Replies to Reviewer Comments must meet all compliance criteria listed below or they will be considered noncompliant. EERE will not review or consider noncompliant submissions, including Letters of Intent, Full Applications, and Replies to Reviewer Comments 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.

i. Letters of Intent

Letters of Intent are deemed compliant if:

- The applicant entered all required information and clicked the "Submit" button in EERE Exchange by the deadline stated in the FOA.

ii. Full Applications

Full Applications are deemed compliant if:

- The applicant submitted a Letter of Intent to Apply by the required deadline;
- The Full Application complies with the content and form requirements in Section IV.D. 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.

iii. Replies to Reviewer Comments

Replies to Reviewer Comments are deemed compliant if:

- The Reply to Reviewer Comments complies with the content and form requirements in Section IV.E. of the FOA; and
- The applicant successfully uploaded all required documents to 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. Other Eligibility Requirements

i. Requirements for DOE/National Nuclear Security Agency (NNSA) Federally Funded Research and Development Centers (FFRDC) Listed as the applicant

A DOE/NNSA FFRDC is eligible to apply for funding under this FOA if its cognizant Contracting Officer provides written authorization and this authorization is submitted with the application.

The following wording is acceptable for the authorization:

> Authorization is granted for the Laboratory to participate in the proposed project. The work proposed for the laboratory is consistent with or complementary to the missions of the laboratory, and will not adversely impact execution of the DOE assigned programs at the laboratory.
>
> (end of acceptable authorization)

If a DOE/NNSA FFRDC is selected for award negotiation, the proposed work will be authorized under the DOE work authorization process and performed under the laboratory's Management and Operating (M&O) contract.

ii. Requirements for DOE/NNSA and non-DOE/NNSA Federally Funded Research and Development Centers Included as a Subrecipient

DOE/NNSA and non-DOE/NNSA FFRDCs may be proposed as a subrecipient on another entity's application subject to the following guidelines:

a) Authorization for non-DOE/NNSA FFRDCs
The federal agency sponsoring the FFRDC must authorize in writing the use of the FFRDC on the proposed project and this authorization must be submitted with the application. The use of a FFRDC must be consistent with its authority under its award.

b) Authorization for DOE/NNSA FFRDCs
The cognizant Contracting Officer for the FFRDC must authorize in writing the use of the FFRDC on the proposed project and this authorization must be submitted with the application. The following wording is acceptable for this authorization:

> Authorization is granted for the Laboratory to participate in the proposed project. The work proposed for the laboratory is consistent with or complementary to the missions of the laboratory, and will not adversely impact execution of the DOE assigned programs at the laboratory.

c) Value/Funding

The value of and funding for the FFRDC portion of the work will not normally be included in the award to a successful applicant. Usually, DOE will fund a DOE/NNSA FFRDC contractor through the DOE field work proposal (WP) system and non-DOE/NNSA FFRDC through an interagency agreement with the sponsoring agency.

d) Cost Share

Although the FFRDC portion of the work is usually excluded from the award to a successful applicant, the applicant's cost share requirement will be based on the total cost of the project, including the applicant's, the subrecipient's, and the FFRDC's portions of the project.

e) Responsibility

The prime recipient will be the responsible authority regarding the settlement and satisfaction of all contractual and administrative issues including, but not limited to disputes and claims arising out of any agreement between the prime recipient and the FFRDC contractor.

F. Limitation on Number of Full Applications Eligible for Review

An entity may only submit one Full Application for each topic area of this FOA. If an entity submits more than one Full Application to the same topic area, EERE will request a determination from the applicant's authorizing representative as to which application should be reviewed. Any other submissions received listing the same entity as the applicant for the same topic area will not be eligible for further consideration. This limitation does not prohibit an applicant from collaborating on other applications (e.g., as a potential subrecipient or partner) so long as the entity is only listed as the applicant on one Full Application for each topic area of this FOA.

G. 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

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/, unless specifically stated otherwise. **EERE will not review or consider submissions submitted through means other than EERE Exchange, submissions submitted after the applicable deadline, or incomplete submissions**. EERE will not extend deadlines for applicants who

fail to submit required information and documents due to server/connection congestion.

A **Control Number** will be issued when an applicant begins the EERE Exchange application process. This control number must be included with all application documents, as described below.

The Full Application and Reply to Reviewer Comments 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; and
- 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 Letters of Intent and 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 Letter of Intent, Full Application, or Reply to Reviewer Comments. Once the Letter of Intent, Full Application, or Reply to Reviewer Comments is submitted in EERE Exchange, applicants may revise or update that submission until the expiration of the applicable deadline. If changes are made, the applicant must resubmit the Letter of Intent, Full Application, or Reply to Reviewer Comments before the applicable deadline.

EERE urges applicants to carefully review their Letters of Intent and Full Applications 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.ii of the FOA.

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 EERE 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 applicant should contact the EERE Exchange helpdesk for assistance (EERE-ExchangeSupport@hq.doe.gov). The EERE Exchange helpdesk and/or the EERE Exchange system administrators will assist applicants in resolving issues.

A. 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 the appropriate funding opportunity number.

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_Project_Part_1
ControlNumber_LeadOrganization_Project_Part_2

B. Content and Form of the Letter of Intent

To be eligible to submit a Full Application, applicants must submit a Letter of Intent by the specified due date and time. Letters of Intent will be used by EERE to plan for the merit review process. The letters should not contain any proprietary or sensitive business information. The letters will not be used for down-selection purposes, and do not commit an applicant to submit an application.

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

Each applicant must provide the following information as part of the Letter of Intent:

- Project Title;
- Lead Organization;
- Organization Type (Business < 500 Employees; Business > 1000 Employees; Business 500-1000 Employees; FFRDC; government-owned, government-operated; Non-Profit; University);
- Whether the application has been previously submitted to EERE;
- % of effort contributed by the Lead Organization;
- The project team, including:
    - The Principal Investigator for the prime recipient;

  - Team Members (i.e., subrecipients); and
  - Key Participants (i.e., individuals who contribute in a substantive, measureable way to the execution of the proposed project);
- Technical Topic or Area; and
- Abstract – The abstract provided should be not more than 200 words in length, and should provide a truncated explanation of the proposed project.

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 the following 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 upon submission of their Letter of Intent, and should include that control number in the file name of their Full Application submission (i.e., Control number_Applicant Name_Full Application).

i. Full Application Content Requirements

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

Each Full Application shall be limited to a single concept or technology. Unrelated concepts and technologies shall not be consolidated in a single Full Application. Full Applications must conform to the following requirements:

Submission	Components	File Name
Full Application (PDF, unless stated otherwise)	Technical Volume (PDF format. See Chart in Section IV.D.ii.)	ControlNumber_LeadOrganization_TechnicalVolume
	Resumes (PDF format. 1 page maximum per person)	ControlNumber_LeadOrganization_Resumes
	Letters of Commitment, if applicable (PDF format. 1 page maximum per letter)	ControlNumber_LeadOrganization_LOCs
	Statement of Project Objectives (SOPO) (Microsoft Word format. 10 page limit)	ControlNumber_LeadOrganization_SOPO
	SF-424 Application for Federal Assistance (PDF format)	ControlNumber_LeadOrganization_App424
	Budget Justification (Microsoft Excel format. Applicants must use the template available in EERE Exchange)	ControlNumber_LeadOrganization_Budget_Justification
	Summary for Public Release (PDF format. 1 page limit)	ControlNumber_LeadOrganization_Summary
	Summary Slide (Microsoft PowerPoint format. 1 page limit)	ControlNumber_LeadOrganization_Slide

	Subrecipient Budget Justification, if applicable (Microsoft Excel format. Applicants must use the template available in EERE Exchange)	ControlNumber_LeadOrganization_Subrecipient_Budget_Justification
	DOE WP for FFRDC, if applicable (PDF format. See DOE O 412.1A, Attachment 3)	ControlNumber_LeadOrganization_WP
	Authorization from cognizant Contracting Officer for FFRDC, if applicable (PDF format)	ControlNumber_LeadOrganization_FFRDCAuth
	SF-LLL Disclosure of Lobbying Activities (PDF format)	ControlNumber_LeadOrganization_SF-LLL
	Foreign Entity and Foreign Work waiver requests, if applicable (PDF format)	ControlNumber_LeadOrganization_Waiver
	Data Management Plan (Microsoft Word format)	ControlNumber_LeadOrganization_DMP
	Open Source Software Distribution Plan (PDF format)	ControlNumber_LeadOrganization_OSSDP
	Topic 1 only: Play Fairway summary report, not to exceed 100 pages (if applicable)	ControlNumber_LeadOrganization_PFA_Summary
	Topic 2 only: Feasibility study, not to exceed 160 pages including appendices (if applicable)	ControlNumber_LeadOrganization_DDU_Feasibility

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_TechnicalVolume_Part_1
ControlNumber_LeadOrganization_TechnicalVolume_Part_2

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

EERE provides detailed guidance on the content and form of each component below.

ii. 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.ii. of the FOA. Save the Technical Volume in a single PDF file using the following convention for the title: "ControlNumber_LeadOrganization_TechnicalVolume".

Applicants must provide sufficient citations and references to the primary research literature 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 20 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.ii of the FOA) when preparing the Technical Volume.

The Technical Volume should clearly describe and expand upon information provided in the Letter of Intent. The Technical Volume must conform to the following content requirements:

SECTION/PAGE LIMIT	DESCRIPTION
Cover Page	The cover page should include the project title, the specific FOA Topic Area being addressed, both 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)	The Project Overview should contain the following information: • Background: The applicant should discuss the background of their organization, including the history, successes, and current research and development status (i.e., the technical baseline) relevant to the technical topic being addressed in the Full Application. • Project Goal: The applicant should explicitly identify the targeted improvements to the baseline technology and the critical success factors in achieving that goal. • DOE Impact: The applicant should discuss the impact 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.

SECTION/PAGE LIMIT	DESCRIPTION
Technical Description, Innovation, and Impact (This section should constitute approximately 30% of the Technical Volume)	The Technical Description should contain the following information: • Relevance and Outcomes: The applicant should provide a detailed description of the technology, including the scientific and other principles and objectives that will be pursued during the project. This section should describe the relevance of the proposed project to the goals and objectives of the FOA, including the potential to meet specific DOE technical targets or other relevant performance targets. The applicant should clearly specify the expected outcomes of the project. • Feasibility: The applicant should demonstrate the technical feasibility of the proposed technology and capability of achieving the anticipated performance targets, including a description of previous work done and prior results. **Topic 2 only:** where applicable, an existing feasibility study for the project may be attached separately to the application as described in Section IV. C. of this FOA. • Innovation and Impacts: The applicant should describe the current state-of-the-art in the applicable field, the specific innovation of the proposed project, the advantages of proposed technology over current and emerging technologies, and the overall impact on advancing the state-of-the-art/technical baseline if the project is successful.
Workplan and Market Transformation Plan (This section should constitute approximately 40% of the Technical Volume)	The Workplan should include a summary of the Project Objectives, Technical Scope, Work Breakdown Structure (WBS), Milestones, Go/No-Go Decision Points, and Project Schedule. A detailed SOPO is separately requested. The Workplan should contain the following information: • Project Objectives: The applicant should provide a clear and concise (high-level) statement of the goals and objectives of the project as well as the expected outcomes. • Technical Scope Summary: The applicant should provide a summary description of the overall work scope and approach to achieve the objective(s). The overall work scope is to be divided by performance periods that are separated by discrete decision points (see below for more information on Go/No-Go decision points) every 12-18 months. The applicant should describe the specific expected end result of each performance period. • WBS and Task Description Summary: The Workplan should describe the work to be accomplished and how the applicant will achieve the milestones, will accomplish the final project goal(s), and will produce all deliverables. The Workplan is to be structured with a hierarchy of performance period (approximately annual), task and subtasks, which is typical of a standard WBS for any project. The Workplan shall contain a concise description of the specific activities to be conducted over the life of the project. The description shall be a full explanation and disclosure of the project being proposed (i.e., a statement such as “we will then complete a

SECTION/PAGE LIMIT	DESCRIPTION
	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. The summary provided should be consistent with the SOPO. The SOPO will contain a more detailed description of the WBS and tasks. • Milestone Summary: The applicant should provide a summary of appropriate milestones throughout the project to demonstrate success. A milestone may be either a progress measure (which can be activity based) or a SMART technical milestone. SMART milestones should be **S**pecific, **M**easurable, **A**chievable, **R**elevant, and **T**imely, and must demonstrate a technical achievement rather than simply completing a task. 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 with at least one SMART technical milestone per year (depending on the project, more milestones may be necessary to comprehensively demonstrate progress). The applicant should also provide the means by which the milestone will be verified. The summary provided should be consistent with the Milestone Summary Table in the SOPO. • Go/No-Go Decision Points: The applicant should provide a summary of project-wide Go/No-Go decision points at appropriate points in the Workplan. A Go/No-Go decision point is a risk management tool and a project management best practice to ensure that, for the current phase or period of performance, technical success is definitively achieved and potential for success in future phases or periods of performance is evaluated, prior to actually beginning the execution of future phases. At a minimum, each project must have at least one project-wide Go/No-Go decision point for each budget period (12 to 18-month period) of the project. See Section VI.B.xiv. The applicant should also provide the specific technical criteria to be used to evaluate the project at the Go/No-Go decision point. The summary provided should be consistent with the SOPO. Go/No-Go decision points are considered "SMART" and can fulfill the requirement for an annual SMART milestone. Go/No-go decision points require time for GTO review of project progress, negotiation of subsequent budget periods, environmental reviews, and award modifications. Applicants shall consider this in proposing Go/No-go points so that these reviews do not interfere with active field operations. • End of Project Goal: The applicant should provide a summary of the end of project goal(s). At a minimum, each project must have one SMART end of project goal. The summary provided should be consistent with the SOPO.

SECTION/PAGE LIMIT	DESCRIPTION

	• Project Schedule (Gantt Chart or similar): The applicant should provide a schedule for the entire project, including task and subtask durations, milestones, and Go/No-Go decision points.
	• Project Management: The applicant should discuss the team's proposed management plan, including the following:
	  ○ 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
	  ○ The technical and management aspects of the management plan, including systems and practices, such as financial and project management practices
	  ○ The approach to project risk management
	  ○ A description of how project changes will be handled
	  ○ If applicable, the approach to Quality Assurance/Control
	  ○ How communications will be maintained among project team members
	• **For Topic Area 1 only:** A market transformation plan is required that describes how the project will stimulate and support further exploration and development activity beyond the life of the project.
	• **For Topic Area 2 only:** Energy End Use Potential and Market Demand **–** Describe current energy demands of the selected site, to what degree the proposed project will reduce energy consumption of the facility, and cost vs. benefit of the proposed system.

Technical Qualifications and Resources (Approximately 20% of the Technical Volume)	The Technical Qualifications and Resources should contain the following information: • Describe the project team's unique qualifications and expertise, including those of key subrecipients. Describe the project team's existing equipment and facilities that will facilitate the successful completion of the proposed project; include a justification of any new equipment or facilities requested as part of the project. • This section should also include relevant, previous work efforts, demonstrated innovations, and how these enable the applicant to achieve the project objectives. • Describe the time commitment of the key team members to support the project. • Describe the technical services to be provided by DOE/NNSA FFRDCs, if applicable. • For multi-organizational or multi-investigator projects, describe succinctly: ○ The roles and the work to be performed by each PI and Key Participant

SECTION/PAGE LIMIT	DESCRIPTION
	○ Business agreements between the applicant and each PI and Key Participant ○ How the various efforts will be integrated and managed ○ Process for making decisions on scientific/technical direction ○ Publication arrangements ○ Intellectual Property issues ○ Communication plans

iii. Resumes

Applicants are required to submit one-page resumes for key participating team members. Multi-page resumes are not allowed. Save the resumes in a single PDF file using the following convention for the title "ControlNumber_LeadOrganization_Resumes".

iv. Letters of Commitment

Submit letters of commitment from all subrecipient and third party cost share providers. If applicable, also include any letters of commitment from partners/end users (1 page maximum per letter). Save the letters of commitment in a single PDF file using the following convention for the title "ControlNumber_LeadOrganization_LOCs".

v. Statement of Project Objectives (SOPO)

Applicants are required to complete a SOPO. A SOPO template is available on EERE Exchange at https://eere-Exchange.energy.gov/. The SOPO, including the Milestone Table, must not exceed 10 pages 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 SOPO in a single Microsoft Word file using the following convention for the title "ControlNumber_LeadOrganization_SOPO".

vi. 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".

vii. Budget Justification Workbook

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. 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".

viii. Summary/Abstract for Public Release

Applicants are required to submit a one-page summary/abstract of their project. The project summary/abstract must contain a summary of the proposed activity suitable for dissemination to the public. It should be a self-contained document that identifies the name of the applicant, the project director/principal investigator(s), the project title, the objectives of the project, a description of the project, including methods to be employed, the potential impact of the project (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".

ix. Summary Slide

Applicants are required to provide a single PowerPoint slide summarizing the proposed project. The slide must be submitted in Microsoft PowerPoint format. This slide is used during the evaluation process. Save the Summary Slide in a single file using the following convention for the title "ControlNumber_LeadOrganization_Slide".

The Summary Slide template requires the following information:

- A technology summary;
- A description of the technology's impact;
- Proposed project goals;

- Any key graphics (illustrations, charts, maps, and/or tables);
- The project's key idea/takeaway;
- Project title, prime recipient, Principal Investigator, and Key Participant information; and
- Requested EERE funds and proposed applicant cost share.

x. Subrecipient Budget Justification (if applicable)

Applicants must provide a separate budget justification for each subrecipient 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 subrecipient budget justification in a Microsoft Excel file using the following convention for the title "ControlNumber_LeadOrganization_Subrecipient_Budget_Justification".

xi. Budget for DOE/NNSA FFRDC (if applicable)

If a DOE/NNSA FFRDC contractor is to perform a portion of the work, the applicant must provide a DOE WP in accordance with the requirements in DOE Order 412.1A, Work Authorization System, Attachment 3, available at: https://www.directives.doe.gov/directives-documents/400-series/0412.1-BOrder-a/@@images/file. Save the WP in a single PDF file using the following convention for the title "ControlNumber_LeadOrganization_WP".

xii. Authorization for non-DOE/NNSA or DOE/NNSA FFRDCs (if applicable)

The federal agency sponsoring the FFRDC must authorize in writing the use of the FFRDC on the proposed project and this authorization must be submitted with the application. The use of a FFRDC must be consistent with the contractor's authority under its award. Save the Authorization in a single PDF file using the following convention for the title "ControlNumber_LeadOrganization_FFRDCAuth".

xiii. SF-LLL: Disclosure of Lobbying Activities (required)

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" (https://www.grants.gov/web/grants/forms/sf-424-individual-family.html) to ensure that non-federal funds have not been paid and will not be paid to any

person for influencing or attempting to influence any of the following in connection with the 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".

xiv. Waiver Requests: Foreign Entities and Foreign Work (if applicable)

a) Foreign Entity Participation:

As set forth in Section III.A.iii., all prime recipients receiving funding under this FOA must be incorporated (or otherwise formed) under the laws of a state or territory of the United States. To request a waiver of this requirement, the applicant must submit an explicit waiver request in the Full Application. Appendix C lists the necessary information that must be included in a request to waive this requirement.

b) Performance of Work in the United States (Foreign Work Waiver)

As set forth in Section IV.J.iii., all work under EERE funding agreements must be performed in the United States. This requirement does not apply to the purchase of supplies and equipment, so a waiver is not required for foreign purchases of these items. However, the prime recipient should make every effort to purchase supplies and equipment within the United States. Appendix C lists the necessary information that must be included in a foreign work waiver request.

Save the Waivers in a single PDF file using the following convention for the title "ControlNumber_LeadOrganization_Waiver".

xv. U.S. Manufacturing Commitments

EERE requires subject inventions (i.e., inventions conceived or first actually reduced to practice under EERE awards) to be substantially manufactured in the United States by project teams and their licensees, as described below. The applicant may request a modification or waiver of the U.S. manufacturing requirement.

1. Domestic Small Businesses, Educational Institutions and Nonprofits

Domestic small businesses (including small business concerns), domestic educational institutions, and nonprofits that are recipients or subrecipients

under EERE funding agreements must require their exclusive licensees to substantially manufacture the following products in the United States for any use or sale in the United States: (1) articles embodying subject inventions, and (2) articles produced through the use of subject inventions. This requirement does not apply to articles that are manufactured for use or sale overseas.

Domestic small businesses, domestic educational institutions and nonprofits must require their assignees to apply the same U.S. manufacturing requirements to their exclusive licensees.

These U.S. manufacturing requirements do not apply to nonexclusive licensees.

2. **Large Businesses, Foreign Entities, and State and Local Government Entities**

Large businesses and foreign entities that are recipients or subrecipients under EERE funding agreements that take title to subject inventions through a patent waiver are required to substantially manufacture the following products in the United States: (1) products embodying subject inventions, and (2) products produced through the use of subject invention(s). This requirement applies to products that are manufactured for use or sale in the United States or overseas.

Large businesses and foreign entities must apply the same U.S. manufacturing requirements to their assignees, licensees, and entities acquiring a controlling interest in the large business or foreign entity. Large businesses and foreign entities must require their assignees and entities acquiring a controlling interest in the large business or foreign entity to apply the same U.S. manufacturing requirements to their licensees.

3. **FFRDCs**

DOE FFRDCs are subject to the U.S. manufacturing requirements set forth in their M&O Contracts. All other FFRDCs are subject to the U.S. manufacturing requirements as set forth above, based on their size and for-profit status.

xvi. Data Management Plan (DMP)

For both Topic Areas 1 and 2, applicants are required to submit a DMP with their Full Application.

An applicant may select one of the template Data Management Plans (DMP) listed below. Alternatively, instead of selecting one of the template DMPs below, an applicant may submit another DMP provided that the DMP, at a minimum, (1)

describes how data sharing and preservation will enable validation of the results from the proposed work, how the results could be validated if data are not shared or preserved and (2) has a plan for making all research data displayed in publications resulting from the proposed work digitally accessible at the time of publications. DOE Public Access Plan dated July 24, 2014 provides additional guidance and information on DMPs.

Option 1 (when protected data is allowed): For the deliverables under the award, the recipient does not plan on making the underlying research data supporting the findings in the deliverables publicly-available for up to five (5) years after the data were first produced because such data will be considered protected under the award. The results from the DOE deliverables can be validated by DOE who will have access, upon request, to the research data. Other than providing deliverables as specified in the award, the recipient does not intend to publish the results from the project. However, in an instance where a publication includes results of the project, the underlying research data will be made available according to the policies of the publishing media. Where no such policy exists, the recipient must indicate on the publication a means for requesting and digitally obtaining the underlying research data. This includes the research data necessary to validate any results, conclusions, charts, figures, images in the publications.

Option 2: For any publication that includes results of the project, the underlying research data will be made available according to the policies of the publishing media. Where no such policy exists, the recipient must indicate on the publication a means for requesting and digitally obtaining the underlying research data. This includes the research data necessary to validate any results, conclusions, charts, figures, images in the publications.

Save the DMP in a single Microsoft Word file using the following convention for the title “ControlNumber_LeadOrganization_DMP”.

xvii. Open Source Software Distribution Plan

Applicants who anticipate developing software under the project are required to submit an Open Source Software Distribution Plan as part of their Full Application. This plan describes how software produced under this FOA will be distributed. Guidance for preparing an Open Source Software Distribution Plan is included in Appendix D of the FOA.

xviii. Additional Requirements

Topic Area 1: Applications for projects that will use an existing Play Fairway Analysis or other existing Pre-Survey study as the starting point for the project must attach a summary report of the analysis. The summary report must not

exceed 100 pages when printed using standard 8.5 x 11 paper with 1" margins (top, bottom, left, and right) with font not smaller than 10 point. Longer reports shall be truncated to 100 pages or less. Save the PFA Report in a single PDF file using the following convention for the title "ControlNumber_LeadOrganization_PFA_Summary".

Topic Area 2: Applications for projects that will use an existing feasibility study as the starting point must attach the feasibility study. GTO highly encourages the submission of previously completed feasibility studies demonstrating that the Levelized Cost of Heat (LCOH) making the specific proposed system economic to proceed to the next stage of engineering development. The report must not exceed 160 pages when printed using standard 8.5 x 11 paper with 1" margins (top, bottom, left, and right) with font not smaller than 10 point. Save the Existing Feasibility Study in a single PDF file using the following convention for the title "ControlNumber_LeadOrganization_DDU_Feasibility".

D. Content and Form of Replies to Reviewer Comments

EERE will provide applicants with reviewer comments following the evaluation of all eligible Full Applications. Applicants will have a brief opportunity to review the comments and to prepare a short Reply to Reviewer Comments responding to the comments however they desire or supplementing their Full Application. The Reply to Reviewer Comments is an optional submission; applicants are not required to submit a Reply to Reviewer Comments. EERE will post the Reviewer Comments in EERE Exchange. The expected submission deadline is on the cover page of the FOA; however, it is the applicant's responsibility to monitor EERE Exchange in the event that the expected date changes. The deadline will not be extended for applicants who are unable to timely submit their reply due to failure to check EERE Exchange or relying on the expected date alone. Applicants should anticipate having approximately three (3) business days to submit Replies to Reviewer Comments.

EERE will not review or consider ineligible Replies to Reviewer Comments (see Section III of the FOA). EERE will review and consider each eligible Full Application, even if no Reply is submitted or if the Reply is found to be ineligible.

Replies to Reviewer Comments must conform to the following content and form requirements, including maximum page lengths, described below. If a Reply to Reviewer Comments is more than three (3) pages in length, EERE will review only the first three (3) pages and disregard any additional pages.

SECTION	PAGE LIMIT	DESCRIPTION
Text	2 pages max	Applicants may respond to one or more reviewer comments or supplement their Full Application.
Optional	1 page max	Applicants may use this page however they wish; text, graphs, charts, or other data to respond to reviewer comments or supplement their Full Application are acceptable.

E. Post Selection Information Requests

If selected for award, EERE reserves the right to request additional or clarifying information regarding the following (non-exhaustive list):

- Indirect cost information;
- Other budget information;
- Commitment Letters from Third Parties Contributing to Cost Share, if applicable;
- Name and phone number of the Designated Responsible Employee for complying with national policies prohibiting discrimination (See 10 CFR 1040.5);
- Representation of Limited Rights Data and Restricted Software, if applicable; and
- Environmental Questionnaire.

F. Dun and Bradstreet Universal Numbering System (DUNS) Number and System for Award Management (SAM)

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: (1) Be registered in the SAM at https://www.sam.gov before submitting its application; (2) provide a valid DUNS number in its application; and (3) 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 will 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.

G. Submission Dates and Times

Letters of Intent, Full Applications, and Replies to Reviewer Comments must be submitted in EERE Exchange no later than 5 p.m. Eastern Time on the dates provided on the cover page of this FOA.

H. Intergovernmental Review

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

I. Funding Restrictions

i. Allowable Costs

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:

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

ii. 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 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.

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

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 pre-award costs incurred prior to receiving written authorization from the Contracting Officer. If the applicant elects to undertake activities that DOE determines 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 for their project 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 override these NEPA requirements to obtain the written authorization from the Contracting Officer prior to taking any action that may have an adverse effect on the environment or limit the choice of reasonable alternatives. Likewise, if an application 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.

iii. Performance of Work in the United States (Foreign Work Waiver)

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 whether 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 foreign work waiver, the applicant must submit a written waiver request to EERE. Appendix C lists the necessary information that must be included in a request for a foreign work waiver.

The applicant must demonstrate to the satisfaction of EERE that a waiver would further the purposes of the FOA and is in the economic interests of the United States. EERE may require additional information before considering a waiver request. Save the waiver request(s) in a single PDF file titled "ControlNumber_LeadOrganization_Waiver". The applicant does not have the right to appeal EERE's decision concerning a waiver request.

iv. Construction

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

v. Foreign Travel

If international travel is proposed for your project, please note that your organization must comply with the International Air Transportation Fair Competitive Practices Act of 1974 (49 USC 40118), commonly referred to as the "Fly America Act," and implementing regulations at 41 CFR 301-10.131 through 301-10.143. The law and regulations require air transport of people or property to, from, between, or within a country other than the United States, the cost of which is supported under this award, to be performed by or under a cost-sharing arrangement with a U.S. flag carrier, if service is available. Foreign travel costs are allowable only with the written prior approval of the Contracting Officer assigned to the award.

vi. 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. For-profit entity disposition requirements are set forth at 2 CFR 910.360. Property disposition requirements for other non-federal entities are set forth in 2 CFR 200.310 – 200.316.

vii. Domestic Preference – Infrastructure Projects

As appropriate and to the extent consistent with law, Applicants shall ensure that, to the greatest extent practicable, iron and aluminum as well as steel, cement, and other manufactured products (items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber) used in the proposed project shall be produced in the United States. This requirement shall flow down to all sub-awards including all contracts, subcontracts and purchase orders for work performed under the proposed project.

viii. 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" (https://www.grants.gov/web/grants/forms/sf-424-individual-family.html) to ensure that non-federal funds have not been paid and will not be paid to any person for influencing or attempting to influence any of the following in connection with the 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.

ix. 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 Office of Management and Budget (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.

x. Invoice Review and Approval

DOE employs a risk-based approach to determine the level of supporting documentation required for approving invoice payments. Recipients may be required to provide some or all of the following items with their requests for reimbursement:

- Summary of costs by cost categories;
- Timesheets or personnel hours report;
- Invoices/receipts for all travel, equipment, supplies, contractual, and other costs;
- UCC filing proof for equipment acquired with project funds by for-profit recipients and subrecipients;
- Explanation of cost share for invoicing period;
- Analogous information for some subrecipients; and
- Other items as required by DOE.

V. Application Review Information

A. Technical Review Criteria

i. Full Applications

Applications will be evaluated against the merit review criteria shown below. All sub-criteria are of equal weight.

Criterion 1: Technical Merit, Innovation, and Impact (50%)
This criterion involves consideration of the following sub-criteria:

Technical Merit and Innovation

- Extent to which the proposed technology or process is innovative;
- Degree to which the current state of the technology and the proposed advancement are clearly described;
- Extent to which the application specifically and convincingly demonstrates how the applicant will move the state-of-the-art to the proposed advancement; and

- Sufficiency of technical detail in the application to assess whether the proposed work is scientifically meritorious and revolutionary, including relevant data, calculations and discussion of prior work in the literature with analyses that support the viability of the proposed work.
- **Topic 1 only:** Degree to which the play concept(s) to be investigated are supported by existing data, modeling, and analysis
- **Topic 2 only:** Degree to which technical and economic feasibility of the proposed project and site have been supported with existing data, modeling, and analysis

Impact of Technology Advancement

- How the project supports the topic area objectives and target specifications and metrics; and
- The potential impact of the project on advancing the state-of-the-art.
- **Topic 2 only:** Degree to which the proposed project addresses end-use thermal energy consumption for the proposed site.

Criterion 2: Project Research and Market Transformation Plan (30%)
This criterion involves consideration of the following factors:

Research Approach, Workplan and SOPO

- Degree to which the approach and critical path have been clearly described and thoughtfully considered; and
- Degree to which the task descriptions are clear, detailed, timely, and reasonable, resulting in a high likelihood that the proposed Workplan and SOPO will succeed in meeting the project goals.

Identification of Technical Risks

- Discussion and demonstrated understanding of the key technical risk areas involved in the proposed work and the quality of the mitigation strategies to address them.

Baseline, Metrics, and Deliverables

- The level of clarity in the definition of the baseline, metrics, and milestones; and
- Relative to a clearly defined experimental baseline, the strength of the quantifiable metrics, milestones, and a mid-point deliverables defined in the application, such that meaningful interim progress will be made.

Market Transformation

- Identification of target market, competitors, and distribution channels for proposed technology along with known or perceived barriers to market penetration, including mitigation plan; and
- Comprehensiveness of market transformation plan including but not limited to product development and/or service plan, commercialization timeline, financing, product marketing, legal/regulatory considerations including intellectual property, infrastructure requirements, and product distribution.
- **Topic 1 only:** Degree to which the project will support and stimulate further discovery of hidden systems in the selected study area beyond the life of the project.

Criterion 3: Team and Resources (20%)
This criterion involves consideration of the following factors:

- The capability of the Principal Investigator(s) and the proposed project team to address all aspects of the proposed work – including complex field activities such as drilling – with a high probability of success. The qualifications, relevant expertise, and time commitment of the individuals on the team;
- The sufficiency of any facilities required to support the work;
- The degree to which the proposed team demonstrates the ability to facilitate and expedite further development and commercial deployment of the proposed technologies;
- The level of participation by project participants as evidenced by letter(s) of commitment and how well they are integrated into the Workplan; and
- The reasonableness of the budget and spend plan for the proposed project and objectives.

ii. Criteria for Replies to Reviewer Comments

EERE has not established separate criteria to evaluate Replies to Reviewer Comments. Instead, Replies to Reviewer Comments are attached to the original applications and evaluated as an extension of the Full Application.

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 "DOE Merit Review Guide for Financial Assistance," effective April 14, 2017, which

is available at: https://energy.gov/management/downloads/merit-review-guide-financial-assistance-and-unsolicited-proposals-current.

C. Other Selection Factors

Program Policy Factors

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

- The degree to which the proposed project exhibits technological diversity when compared to the existing DOE project portfolio and other projects selected from the subject FOA.
- The degree to which the proposed project, including proposed cost share, optimizes the use of available EERE funding to achieve programmatic objectives.
- The level of industry involvement and demonstrated ability to accelerate commercialization and overcome key market barriers.
- The degree to which the proposed project is likely to lead to increased employment and manufacturing in the United States.
- The degree to which the proposed project will accelerate transformational technological advances in areas that industry by itself is not likely to undertake because of technical and financial uncertainty.
- The degree to which the proposed project, or group of projects, represent a desired geographic distribution (considering past awards and current applications).
- The degree to which the proposed project collectively represents diverse types and sizes of applicant organizations.
- The degree to which the proposed project avoids duplication/overlap with other publicly or privately funded work.
- The degree to which the proposed project supports complementary efforts or projects, which, when taken together, will best achieve the research goals and objectives.
- The degree to which the proposed project enables new and expanding market segments.
- The degree to which the project's solution or strategy will maximize deployment or replication.
- The degree to which the project promotes increased coordination with nongovernmental entities for demonstration of technologies and research applications to facilitate technology transfer.
- Whether the proposed project will occur in a Qualified Opportunity Zone or otherwise advance the goals of Qualified Opportunity Zones. The goals

include spurring economic development and job creation in distressed communities throughout the United States.

D. Evaluation and Selection Process

i. 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.

ii. Pre-Selection Interviews

As part of the evaluation and selection process, EERE may invite one or more applicants to participate in Pre-Selection Interviews. Pre-Selection Interviews are distinct from and more formal than pre-selection clarifications (See Section V.D.iii of the FOA). The invited applicant(s) will meet with EERE representatives to provide clarification on the contents of the Full Applications and to provide EERE an opportunity to ask questions regarding the proposed project. The information provided by applicants to EERE through Pre-Selection Interviews contributes to EERE's selection decisions.

EERE will arrange to meet with the invited applicants in person at EERE's offices or a mutually agreed upon location. EERE may also arrange site visits at certain applicants' facilities. In the alternative, EERE may invite certain applicants to participate in a one-on-one conference with EERE via webinar, videoconference, or conference call.

EERE will not reimburse applicants for travel and other expenses relating to the Pre-Selection Interviews, nor will these costs be eligible for reimbursement as pre-award costs.

EERE may obtain additional information through Pre-Selection Interviews that will be used to make a final selection determination. EERE may select applications for funding and make awards without Pre-Selection Interviews. Participation in Pre-Selection Interviews with EERE does not signify that applicants have been selected for award negotiations.

iii. Pre-Selection Clarification

EERE may determine that pre-selection clarifications are necessary from one or more applicants. Pre-selection clarifications are distinct from and less formal than Pre-Selection Interviews. These pre-selection clarifications will solely be for

the purposes of clarifying the application, and will be limited to information already provided in the application documentation. The pre-selection clarifications may occur before, during or after the merit review evaluation process. Information provided by an applicant that is not necessary to address the pre-selection clarification question will not be reviewed or considered. Typically, a pre-selection clarification will be carried out through either written responses to EERE's written clarification questions or video or conference calls with EERE representatives.

The information provided by applicants to EERE through pre-selection clarifications is incorporated in their applications and contributes to the merit review evaluation and EERE's selection decisions. If EERE contacts an applicant for pre-selection clarification purposes, it does not signify that the applicant has been selected for negotiation of award or that the applicant is among the top ranked applications.

EERE will not reimburse applicants for expenses relating to the pre-selection clarifications, nor will these costs be eligible for reimbursement as pre-award costs.

iv. Recipient Integrity and Performance Matters

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 2 C.F.R. § 200.205.

v. 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 Negotiation Dates

EERE anticipates notifying applicants selected for negotiation of award and negotiating awards by the dates provided on the cover page of this FOA.

VI. Award Administration Information

A. Award Notices

i. Ineligible Submissions

Ineligible Letters of Intent and 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 Letter of Intent or the Full Application is ineligible and not considered for further review.

ii. 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.

iii. 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 60 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.J.ii. of the FOA for guidance on pre-award costs.

iv. 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.

v. 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

i. 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:

a) 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**.

b) DUNS Number
Obtain a DUNS number (including the plus 4 extension, if applicable) at http://fedgov.dnb.com/webform.

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

d) 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 https://www.fedconnect.net/FedConnect/Marketing/Documents/FedConnect_Ready_Set_Go.pdf.

e) 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 Letters of Intent and Full Applications will not be accepted through Grants.gov.

f) Electronic Authorization of Applications and Award Documents
Submission of an application and supplemental information under this FOA through electronic systems used by the DOE, including EERE Exchange and FedConnect.net, constitutes the authorized representative's approval and electronic signature.

ii. 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.

iii. Foreign National Access Under DOE Order 142.3A, "Unclassified Foreign Visits and Assignments Program"

All applicants selected for an award under this FOA may be required to provide information to DOE in order to satisfy requirements for foreign nationals' access to DOE sites, information, technologies, equipment, programs or personnel. A foreign national is defined as any person who is not a U.S. citizen by birth or naturalization. If a selected applicant (including any of its subrecipients, contractors or vendors) anticipates involving foreign nationals in the performance of its award, the selected applicant may be required to provide DOE with specific information about each foreign national to ensure compliance with the requirements for access approval. National laboratory personnel already cleared for site access may be excluded. Access approval for foreign nationals from countries identified on the U.S. Department of State's list of State Sponsors of Terrorism must receive final approval authority from the Secretary of Energy or the Secretary's assignee before they commence any work under the award.

iv. 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.

v. 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.

vi. 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 NEPA (42 U.S.C. 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 https://www.energy.gov/nepa.

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 recipient may be required to prepare the records and the costs to prepare the necessary records may be included as part of the project costs.

vii. Applicant Representations and Certifications

1. **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.

2. **Corporate Felony Conviction and Federal Tax Liability Representations**
   In submitting an application in response to this FOA, the applicant represents that:

   a. It is **not** a corporation that has been convicted of a felony criminal violation under any federal law within the preceding 24 months; and

   b. 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.

3. **Nondisclosure and Confidentiality Agreements Representations**
   In submitting an application in response to this FOA the applicant represents that:

   a. 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 contactors 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.

b. 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:

(1) *''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.''*

(2) The limitation above shall not contravene requirements applicable to Standard Form 312 Classified Information Nondisclosure Agreement (https://fas.org/sgp/othergov/sf312.pdf), Form 4414 Sensitive Compartmented Information Disclosure Agreement (https://fas.org/sgp/othergov/intel/sf4414.pdf), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

(3) 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.

viii. 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 unusual 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.

ix. 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:

1. EERE shares responsibility with the recipient for the management, control, direction, and performance of the project.

2. 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.

3. EERE may redirect or discontinue funding the project based on the outcome of EERE's evaluation of the project at the Go/No-Go decision point(s).

4. EERE participates in major project decision-making processes.

5. EERE will participate in decisions related to drilling activities through appointment of a technical monitoring team (TMT) for projects awarded under both topics. This includes final approval of drill targets and stop/redirect decisions during active drilling operations. EERE will participate in regular drilling status calls at pre-arranged intervals.

x. Subject Invention Utilization Reporting

In order to ensure that prime recipients and subrecipients holding title to subject inventions are taking the appropriate steps to commercialize subject inventions, EERE may require that each prime recipient holding title to a subject invention submit annual reports for ten (10) years from the date the subject invention was disclosed to EERE on the utilization of the subject invention and efforts made by prime recipient or their licensees or assignees to stimulate such utilization. The

reports must include information regarding the status of development, date of first commercial sale or use, gross royalties received by the prime recipient, and such other data and information as EERE may specify.

xi. 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.

xii. Reporting

Reporting requirements are identified on the Federal Assistance Reporting Checklist, attached to the award agreement. This helpful EERE checklist can be accessed at https://www.energy.gov/eere/funding/eere-funding-application-and-management-forms. See Attachment 2 Federal Assistance Reporting Checklist, after clicking on "Model Cooperative Agreement" under the Award Package section.

Daily reports will be required during active drilling operations for projects awarded under both topic areas. The recipient may also be asked to provide a Project Update Report, an Operating Plan, and/or a Peer Review Report. Newly generated data must also be submitted to the DOE Geothermal Data Repository.

xiii. Go/No-Go Review

Each project selected under this FOA will be subject to a periodic project evaluation referred to as a Go/No-Go Review. At the Go/No-Go decision points, EERE will evaluate project performance, project schedule adherence, meeting milestone objectives, compliance with reporting requirements, and overall contribution to the EERE program goals and objectives. Federal funding beyond the Go/No-Go decision point (continuation funding) is contingent upon (1) availability of federal funds appropriated by Congress for the purpose of this program; (2) the availability of future-year budget authority; (3) recipient's technical progress compared to the Milestone Summary Table stated in Attachment 1 of the award; (4) recipient's submittal of required reports; (5) recipient's compliance with the terms and conditions of the award; (6) EERE's Go/No-Go decision; (7) the recipient's submission of a continuation application; and (8) written approval of the continuation application by the Contracting Officer.

As a result of the Go/No-Go Review, DOE may, at its discretion, authorize the following actions: (1) continue to fund the project, contingent upon the availability of funds appropriated by Congress for the purpose of this program and the availability of future-year budget authority; (2) recommend redirection of work under the project; (3) place a hold on federal funding for the project,

pending further supporting data or funding; or (4) discontinue funding the project because of insufficient progress, change in strategic direction, or lack of funding.

The Go/No-Go decision is distinct from a non-compliance determination. In the event a recipient fails to comply with the requirements of an award, EERE may take appropriate action, including but not limited to, redirecting, suspending or terminating the award.

xiv. 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.

xv. Uniform Commercial Code (UCC) Financing Statements

Per 2 CFR 910.360 (Real Property and Equipment) when a piece of equipment is purchased by a for-profit recipient or subrecipient with federal funds, and when the federal share of the financial assistance agreement is more than $1,000,000, the recipient or subrecipient must:

Properly record, and consent to the Department's ability to properly record if the recipient fails to do so, UCC financing statement(s) for all equipment in excess of $5,000 purchased with project funds. These financing statement(s) must be approved in writing by the Contracting Officer prior to the recording, and they shall provide notice that the recipient's title to all equipment (not real property) purchased with federal funds under the financial assistance agreement is conditional pursuant to the terms of this section, and that the government retains an undivided reversionary interest in the equipment. The UCC financing statement(s) must be filed before the Contracting Officer may reimburse the recipient for the federal share of the equipment unless otherwise provided for in the relevant financial assistance agreement. The recipient shall further make any amendments to the financing statements or additional recordings, including appropriate continuation statements, as necessary or as the Contracting Officer may direct.

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: exploration@ee.doe.gov. Questions must be submitted not later than three (3) business days prior to the application due date and time. Please note, feedback on individual concepts will not be provided through Q&A. Please include the specific topic area in the subject line.

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 three (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 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. 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.

C. Commitment of Public Funds

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

D. Treatment of Application Information

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. Applicants are advised to not include any critically sensitive proprietary detail

If an application includes trade secrets or information that is commercial or financial, or information that is confidential or privileged, it is furnished to the Government in confidence with the understanding that the information shall be used or disclosed only for evaluation of the application. Such information will be withheld from public disclosure to the extent permitted by law, including the Freedom of Information Act. Without assuming any liability for inadvertent disclosure, EERE will seek to limit disclosure of such information to its employees and to outside reviewers when necessary for merit review of the application or as otherwise authorized by law. This restriction does not limit the Government's right to use the information if it is obtained from another source.

Letters of Intent, Full Applications, Replies to Reviewer Comments, and other submissions containing confidential, proprietary, or privileged information must be marked as described below. Failure to comply with these marking requirements may result in the disclosure of the unmarked information under the Freedom of Information Act 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.

The cover sheet of the Letter of Intent, Full Application, Reply to Reviewer Comments, or other submission must be marked as follows and identify the specific pages containing trade secrets, confidential, proprietary, or privileged information:

Notice of Restriction on Disclosure and Use of Data:
Pages [list applicable pages] of this document may contain trade secrets, confidential, proprietary, or privileged information that 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 confidential, proprietary, or privileged information must be marked as follows: "Contains Trade Secrets, Confidential, Proprietary, or Privileged Information Exempt from Public Disclosure." In addition, each line or paragraph containing proprietary, privileged, or trade secret information must be clearly marked with double brackets or highlighting.

E. Evaluation and Administration by Non-Federal Personnel

In conducting the merit review evaluation, the Go/No-Go Reviews and Peer Reviews, 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, including EERE contractors. The applicant, by submitting its application, consents to the use of non-federal reviewers/administrators. Non-federal reviewers must sign conflict of interest (COI) and non-disclosure acknowledgements (NDA) prior to reviewing an application. Non-federal personnel conducting administrative activities must sign an NDA.

F. 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.

G. 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).

H. 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.

I. Retention of Submissions

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

J. Title to Subject Inventions

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

- Domestic Small Businesses, Educational Institutions, and Nonprofits: Under the Bayh-Dole Act (35 U.S.C. § 200 et seq.), domestic small businesses, educational institutions, and nonprofits may elect to retain title to their subject inventions;

- All other parties: The federal Non-Nuclear Energy Act of 1974, 42. U.S.C. 5908, provides that the government obtains title to new inventions unless a waiver is granted (see below);

- Class Patent Waiver: DOE has issued a class waiver that applies to this FOA. Under this class waiver, domestic large businesses may elect title to their subject inventions similar to the right provided to the domestic small businesses, educational institutions, and nonprofits by law. In order to avail itself of the class waiver, a domestic large business must agree that any products embodying or produced through the use of a subject invention first created or reduced to practice under this program will be substantially manufactured in the United States.

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

K. Government Rights in Subject Inventions

Where prime recipients and subrecipients retain title to subject inventions, the U.S. government retains certain rights.

a) Government Use License

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

b) March-In Rights

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

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

- The owner or licensee has not taken or is not expected to take effective steps to achieve practical application of the invention within a reasonable time;
- The owner or licensee has not taken action to alleviate health or safety needs in a reasonably satisfied manner;
- The owner has not met public use requirements specified by federal statutes in a reasonably satisfied manner; or
- The U.S. manufacturing requirement has not been met.

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

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 normally retains unlimited rights in technical data produced under government financial assistance awards, including the right to distribute to the public. However, pursuant to special statutory authority, certain categories of data generated under EERE awards may be protected from public disclosure for up to five years after the data is generated ("Protected Data"). For awards permitting Protected Data, the protected data must be marked as set forth in the awards intellectual property terms and conditions and a listing of unlimited rights data (i.e., non-protected data) must be inserted into the data clause in the award. In addition, 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. In addition, for those awards requiring distribution of software as Open-Source Software (OSS), the additional information in Appendix D must be addressed in the application.

N. Export Control

The U.S. government regulates the transfer of information, commodities, technology, and software considered to be strategically important to the U.S. to protect national security, foreign policy, and economic interests without imposing undue regulatory burdens on legitimate international trade. There is a network of federal agencies and regulations that govern exports that are collectively referred to as "Export Controls". To ensure compliance with Export Controls, it is the prime

recipient's responsibility to determine when its project activities trigger Export Controls and to ensure compliance.

Export Controls may apply to individual projects, depending on the nature of the tasks. When Export Controls apply, the recipient must take the appropriate steps to obtain any required governmental licenses, monitor and control access to restricted information, and safeguard all controlled materials. Under no circumstances may foreign entities (organizations, companies or persons) receive access to export controlled information unless proper export procedures have been satisfied and such access is authorized pursuant to law or regulation.

Applicants are advised that some of the results of the research conducted under this FOA are expected to be restricted for proprietary reasons and not published or shared broadly within the scientific community.

O. Personally Identifiable Information (PII)

All information provided by the applicant must to the greatest extent possible exclude PII. The term "PII" refers to information which can be used to distinguish or trace an individual's identity, such as their name, social security number, biometric records, alone, or when combined with other personal or identifying information which is linked or linkable to a specific individual, such as date and place of birth, mother's maiden name. (See OMB Memorandum M-07-16 dated May 22, 2007, found at: https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/memoranda/2007/m07-16.pdf

By way of example, applicants must screen resumes to ensure that they do not contain PII such as personal addresses, personal landline/cell phone numbers, and personal emails. **Under no circumstances should Social Security Numbers (SSNs) be included in the application**. Federal agencies are prohibited from the collecting, using, and displaying unnecessary SSNs. (See, the Federal Information Security Modernization Act of 2014 (Pub. L. No. 113-283, Dec 18, 2014; 44 U.S.C. §3551).

P. Annual Independent Audits

If a for-profit entity is a prime recipient and has expended $750,000 or more of DOE awards 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 awards 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 subrecipients (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 SHARE INFORMATION

Cost Sharing or Cost Matching

The terms "cost sharing" and "cost matching" are often used synonymously. Even the DOE Financial Assistance Regulations, 2 CFR 200.306, 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 Sharing Is Calculated

As stated above, cost sharing is calculated as a percentage of the Total Project Cost. FFRDC costs must be included in Total Project Costs. The following is an example of how to calculate cost sharing amounts for a project with $1,000,000 in federal funds with a minimum 20% non-federal cost sharing requirement:

- Formula: Federal share ($) divided by federal share (%) = Total Project Cost
  Example: $1,000,000 divided by 80% = $1,250,000

- Formula: Total Project Cost ($) minus federal share ($) = Non-federal share ($)
  Example: $1,250,000 minus $1,000,000 = $250,000

- Formula: Non-federal share ($) divided by Total Project Cost ($) = Non-federal share (%)
  Example: $250,000 divided by $1,250,000 = 20%

What Qualifies For Cost Sharing

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

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

The specific rules applicable to:

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

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

General Cost Sharing Rules on a DOE Award

1. Cash Cost Share – encompasses all contributions to the project made by the recipient or subrecipient(s), for costs incurred and paid for during the project. This includes when an organization pays for personnel, supplies, equipment for their own company with organizational resources. If the item or service is reimbursed for, it is cash cost share. All cost share items must be necessary to the performance of the project.

2. In-Kind Cost Share – encompasses all contributions to the project made by the recipient or subrecipient(s) that do not involve a payment or reimbursement and represent donated items or services. In-Kind cost share items include volunteer personnel hours, donated existing equipment, donated existing supplies. The cash value and calculations thereof for all In-Kind cost share items must be justified and explained in the Cost Share section of the project Budget Justification. All cost share items must be necessary to the performance of the project. If questions exist, consult your DOE contact before filling out the In-Kind cost share section of the Budget Justification.

3. Funds from other federal sources MAY NOT be counted as cost share. This prohibition includes FFRDC subrecipients. Non-federal sources include any source not originally derived from federal funds. Cost sharing commitment letters from subrecipients must be provided with the original application.

4. Fee or profit, including foregone fee or profit, are not allowable as project costs (including cost share) under any resulting award. The project may only incur those costs that are allowable and allocable to the project (including cost share) as determined in accordance with the applicable cost principles prescribed in FAR Part 31 for For-Profit entities and 2 CFR Part 200 Subpart E - Cost Principles for all other non-federal entities.

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

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

(1) They are verifiable from the recipient's records.

(2) They are not included as contributions for any other federally-assisted project or program.

(3) They are necessary and reasonable for 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 FAR, 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; and

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

a. The certified value of the remaining life of the property recorded in the recipient's accounting records at the time of donation; or

b. The current fair market value. If there is sufficient justification, the Contracting Officer may approve the use of the current fair market value of the donated property, even if it exceeds the certified value at the time of donation to the project. The Contracting Officer may accept the use of any reasonable basis for determining the fair market value of the property.

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

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

(4) Valuing property donated by third parties.

a. Donated supplies may include such items as office supplies or laboratory supplies. Value assessed to donated supplies included in the cost sharing or matching share must be reasonable and must not exceed the fair market value of the property at the time of the donation.

b. Normally only depreciation or use charges for equipment and buildings may be applied. However, the fair rental charges for land and the full value of equipment or other capital assets may be allowed, when they will be consumed in the performance of the award or fully depreciated by the end of the award, provided that the Contracting Officer has approved the charges. When use charges are applied, values must be determined in accordance with the usual accounting policies of the recipient, with the following qualifications:

i. The value of donated space must not exceed the fair rental value of comparable space as established by an independent appraisal of

comparable space and facilities in a privately-owned building in the same locality.

ii. The value of loaned equipment must not exceed its fair rental value.

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

a. Volunteer services must be documented and, to the extent feasible, supported by the same methods used by the recipient for its own employees.

b. The basis for determining the valuation for personal services and property must be documented.

APPENDIX B – SAMPLE COST SHARE CALCULATION FOR BLENDED COST SHARE PERCENTAGE

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

Task	Proposed Federal Share	Federal Share %	Recipient Share %
Task 1 (R&D)	$1,000,000	80%	20%
Task 2 (R&D)	$500,000	80%	20%
Task 3 (Demonstration)	$400,000	50%	50%
Task 4 (Outreach)	$100,000	100%	0%

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

Each task must be calculated individually as follows:

Task 1
$1,000,000 divided by 80% = $1,250,000 (Task 1 Cost)
Task 1 Cost minus federal share = non-federal share
$1,250,000 - $1,000,000 = $250,000 (non-federal share)

Task 2
$500,000 divided 80% = $625,000 (Task 2 Cost)
Task 2 Cost minus federal share = non-federal share
$625,000 - $500,000 = $125,000 (non-federal share)

Task 3
$400,000 / 50% = $800,000 (Task 3 Cost)
Task 3 Cost minus federal share = non-federal share
$800,000 - $400,000 = $400,000 (non-federal share)

Task 4
Federal share = $100,000
Non-federal cost share is not mandated for outreach = $0 (non-federal share)

The calculation may then be completed as follows:

Tasks	$ Federal Share	% Federal Share	$ Non-Federal Share	% Non-Federal Share	Total Project Cost
Task 1	$1,000,000	80%	$250,000	20%	$1,250,000
Task 2	$500,000	80%	$125,000	20%	$625,000
Task 3	$400,000	50%	$400,000	50%	$800,000
Task 4	$100,000	100%	$0	0%	$100,000
Totals	$2,000,000		$775,000		$2,775,000

Blended Cost Share %
Non-federal share ($775,000) divided by Total Project Cost ($2,775,000) = 27.9% (non-federal)
Federal share ($2,000,000) divided by Total Project Cost ($2,775,000) = 72.1% (federal)

APPENDIX C – WAIVER REQUESTS AND APPROVAL PROCESSES: 1. FOREIGN ENTITY PARTICIPATION AS THE PRIME RECIPIENT; AND 2. PERFORMANCE OF WORK IN THE UNITED STATES (FOREIGN WORK WAIVER)

1. Waiver for Foreign Entity Participation as the Prime Recipient

As set forth in Section III.A.iii., all prime recipients receiving funding under this FOA must be incorporated (or otherwise formed) under the laws of a state or territory of the United States and have a physical location for business operations in the United States. To request a waiver of this requirement, an applicant must submit an explicit waiver request in the Full Application.

Overall, the applicant must demonstrate to the satisfaction of EERE that it would further the purposes of this FOA and is otherwise in the economic interests of the United States to have a foreign entity serve as the prime recipient. A request to waive the *Foreign Entity Participation as the prime recipient* requirement must include the following:

- Entity name;
- The rationale for proposing a foreign entity to serve as the prime recipient;
- Country of incorporation and the extent, if any, the entity is state owned or controlled;
- A description of the project's anticipated contributions to the US economy;
- How the project will benefit U.S. research, development and manufacturing, including contributions to employment in the U.S. and growth in new markets and jobs in the U.S.;
- How the project will promote domestic American manufacturing of products and/or services;
- A description of how the foreign entity's participation as the prime recipient is essential to the project;
- A description of the likelihood of Intellectual Property (IP) being created from the work and the treatment of any such IP; and
- Countries where the work will be performed (Note: if any work is proposed to be conducted outside the U.S., the applicant must also complete a separate request for waiver of the Performance of Work in the United States requirement).

EERE may require additional information before considering the waiver request.

The applicant does not have the right to appeal EERE's decision concerning a waiver request.

2. Waiver for Performance of Work in the United States (Foreign Work Waiver)

As set forth in Section IV.J.iii., all work under EERE funding agreements must be performed in the United States. This requirement does not apply to the purchase of supplies and equipment, so a waiver is not required for foreign purchases of these items. However, the prime recipient should make every effort to purchase supplies and equipment within the United States. 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 an explicit waiver request in the Full Application. A separate waiver request must be submitted for each entity proposing performance of work outside of the United States.

Overall, a waiver request must demonstrate to the satisfaction of EERE that it would further the purposes of this FOA and is otherwise in the economic interests of the United States to perform work outside of the United States. A request to waive the *Performance of Work in the United States* requirement must include the following:

- The rationale for performing the work outside the U.S. ("foreign work");
- A description of the work proposed to be performed outside the U.S.;
- An explanation as to how the foreign work is essential to the project;
- A description of the anticipated benefits to be realized by the proposed foreign work and the anticipated contributions to the US economy;
- The associated benefits to be realized and the contribution to the project from the foreign work;
- How the foreign work will benefit U.S. research, development and manufacturing, including contributions to employment in the U.S. and growth in new markets and jobs in the U.S.;
- How the foreign work will promote domestic American manufacturing of products and/or services;
- A description of the likelihood of Intellectual Property (IP) being created from the foreign work and the treatment of any such IP;
- The total estimated cost (DOE and recipient cost share) of the proposed foreign work;
- The countries in which the foreign work is proposed to be performed; and
- The name of the entity that would perform the foreign work.

EERE may require additional information before considering the waiver request.

The applicant does not have the right to appeal EERE's decision concerning a waiver request.

APPENDIX D – OPEN SOURCE SOFTWARE

Open Source Software Distribution Plan.

Applicants that are applying to one or more Topic Areas for which open source software distribution is required must submit a plan describing how software produced under this FOA will be distributed. For a DOE National Laboratory or a FFRDC, the data rights clause, including rights and requirements pertaining to computer software, in its M&O Contract shall apply and shall take precedence over any requirement set forth in this Appendix. The plan must include the following elements:

1. A complete description of any existing software that will be modified or incorporated into software produced under this FOA, including a description of the license rights. The license rights must allow the modified or incorporated software to be distributed as open source.

2. A discussion of the open source license that the applicant plans to use for the software it plans to produce under the FOA, and how that choice furthers the goals of this FOA. The discussion must also address how the license conforms to the conditions listed below.

3. A method for depositing the software in a source code repository.

4. A method for sharing and disseminating the software and other information to team members or others when multiple parties will contribute to the development of the software or the FOA requires that the software or other information be shared or disseminated to others.

Open Source Definition: Open source licenses must conform to all of the following conditions:

Free Redistribution
The license shall not restrict any party from selling or giving away the software as a component of an aggregate software distribution containing programs from several different sources. The license shall not require a royalty or other fee for such sale. The rights attached to the software must apply to all to whom the software is redistributed without the need for execution of an additional license by those parties.

Source Code
The program must include source code, and must allow distribution in source code as well as compiled form. Where some form of a product is not distributed with source code, there must be a well-publicized means of obtaining the source code for no more than a reasonable reproduction cost preferably, i.e., downloading via the Internet without charge. The source code must be the preferred form in which a programmer would modify the program.

Deliberately obfuscated source code and intermediate forms such as the output of a preprocessor or translator are not allowed.

Derived Works
The license must allow modifications and derived works, and permit the option of distributing the modifications and derived works under the same terms as the license of the original software.

Integrity of the Author's Source Code
The license may restrict source-code from being distributed in modified form only if the license allows the distribution of "patch files" with the source code for the purpose of modifying the program at build time. The license must explicitly permit distribution of software built from modified source code. The license may require derived works to carry a different name or version number from the original software.

No Restriction Against Fields of Endeavor
The license must not restrict anyone from making use of the program in a specific field of endeavor. For example, it may not restrict the program from being used in a business, or from being used for genetic research.

License Must Not Be Specific to a Product or Technology
The rights attached to the program must not depend on the program's being part of a particular software distribution. If the program is extracted from that distribution and used or distributed within the terms of the program's license, all parties to whom the program is redistributed should have the same rights as those that are granted in conjunction with the original software distribution. No provision of the license may be predicated on any individual technology or style of interface.

License Must Not Restrict Other Software
The license must not place restrictions on other software that is distributed along with the licensed software. For example, the license must not insist that all other programs distributed on the same medium must be open-source software.

Examples of Acceptable Licenses
Apache License, 2.0
http://www.apache.org/licenses

The 2.0 version of the Apache License was approved by the Apache Software Foundation (ASF) in 2004. The goals of this license revision were to reduce the number of frequently asked questions, to allow the license to be reusable without modification by any project (including non-ASF projects), to allow the license to be included by reference instead of listed in every file, to clarify the license on submission of contributions, to require a patent license on contributions that necessarily infringe the contributor's own patents, and to move comments regarding Apache and other inherited attribution notices to a location outside the license terms

The result is a license that is compatible with other open source licenses, while remaining true to and supportive of collaborative development across both nonprofit and commercial organizations.

All packages produced by the ASF are implicitly licensed under the Apache License, Version 2.0, unless otherwise explicitly stated.

GNU General or Public License (GPLv3)
http://www.gnu.org/licenses/gpl.html

The GNU General Public License (GNU GPL or simply GPL) is the most widely used free software license, originally written by Richard Stallman for the GNU Project.

The GPL is the first copyleft license for general use, which means that derived works must be distributed under the same license terms. Under this philosophy, the GPL grants the recipients of a computer program the rights of the free software definition and uses copyleft to ensure the freedoms are preserved, even when the work is changed or additions are made. This aspect distinguishes the GPL from permissive free software licenses, including the BSD licenses.
The license's copyright disallows modification of the license. Copying and distributing the license is allowed because the GPL requires recipients to get "a copy of this License along with the Program". According to the GPL FAQ, anyone can make a new license using a modified version of the GPL as long as he or she uses a different name for the license, does not mention "GNU", and removes the preamble, though the preamble can be used in a modified license if permission to use it is obtained from the Free Software Foundation (FSF).

GNU Library or “Lesser” General Public License (LGPLv3) http://www.gnu.org/licenses/lgpl.html

The GNU Lesser General Public License (formerly the GNU Library General Public License) or LGPL is a free software license published by the Free Software Foundation (FSF). It was designed as a compromise between the strong-copyleft GNU General Public License or GPL and permissive licenses such as the BSD licenses and the MIT License. The GNU Library General Public License (as the LGPL was originally named) was published in 1991, and adopted the version number 2 for parity with GPL version 2. The LGPL was revised in minor ways in the 2.1 point release, published in 1999, when it was renamed the GNU Lesser General Public License to reflect the FSF's position that not all libraries should use it. Version 3 of the LGPL was published in 2007 as a list of additional permissions applied to GPL version 3.

The LGPL places copyleft restrictions on the program governed under it but does not apply these restrictions to other software that merely link with the program. There are, however, certain other restrictions on this software.

The LGPL is primarily used for software libraries, although it is also used by some stand-alone applications, most notably Mozilla and OpenOffice.org.

The MIT License (MIT)
http://opensource.org/licenses/MIT

The MIT License is a free software license originating at the Massachusetts Institute of Technology (MIT). It is a permissive license, meaning that it permits reuse within proprietary software provided all copies of the licensed software include a copy of the MIT License terms. Such proprietary software retains its proprietary nature even though it incorporates software under the MIT License. The license is also GPL-compatible, meaning that the GPL permits combination and redistribution with software that uses the MIT License.

Software packages that use one of the versions of the MIT License include Expat, PuTTY, the Mono development platform class libraries, Ruby on Rails, Lua (from version 5.0 onwards), and the X Window System, for which the license was written.

Mozilla Public License 2.0 (MPL-2.0)
http://www.mozilla.org/MPL/2.0/

The Mozilla Public License (MPL) is a free and open source software license. Version 1.0 was developed by Mitchell Baker when she worked as a lawyer at Netscape Communications Corporation and version 1.1 at the Mozilla Foundation. Version 2.0 was developed in the open, overseen by Baker and led by Louis Villa. The MPL is characterized as a hybridization of the modified BSD license and GNU General Public License.

The MPL is the license for the Mozilla Application Suite, Mozilla Firefox, Mozilla Thunderbird and other Mozilla software. The MPL has been adapted by others as a license for their software, most notably Sun Microsystems, as the Common Development and Distribution License for OpenSolaris, the open source version of the Solaris 10 operating system, and by Adobe, as the license for its Flex product line.

APPENDIX E – GLOSSARY

Applicant – The lead organization submitting an application under the FOA.

Continuation application – A non-competitive application for an additional budget period within a previously approved project period. At least ninety (90) days before the end of each budget period, the Recipient must submit to EERE its continuation application, which includes the following information:

i. A report on the Recipient's progress towards meeting the objectives of the project, including any significant findings, conclusions, or developments, and an estimate of any unobligated balances remaining at the end of the budget period. If the remaining unobligated balance is estimated to exceed 20 percent of the funds available for the budget period, explain why the excess funds have not been obligated and how they will be used in the next budget period.

ii. A detailed budget and supporting justification if there are changes to the negotiated budget, or a budget for the upcoming budget period was not approved at the time of award.

iii. A description of any planned changes from the negotiated Statement of Project Objectives and/or Milestone Summary Table.

Cooperative Research and Development Agreement (CRADA) – a contractual agreement between a national laboratory contractor and a private company or university to work together on research and development. For more information, see https://www.energy.gov/gc/downloads/doe-cooperative-research-and-development-agreements

Federally Funded Research and Development Centers (FFRDC) - FFRDCs are public-private partnerships which conduct research for the United States government. A listing of FFRDCs can be found at http://www.nsf.gov/statistics/ffrdclist/.

Go/No-Go Decision Points – A decision point at the end of a budget period that defines the overall objectives, milestones and deliverables to be achieved by the recipient in that budget period. As of a result of EERE's review, EERE may take one of the following actions: 1) authorize federal funding for the next budget period; 2) recommend redirection of work; 3) discontinue providing federal funding beyond the current budget period; or 4) place a hold on federal funding pending further supporting data.

Project – The entire scope of the cooperative agreement which is contained in the recipient's Statement of Project Objectives.

Recipient or "Prime Recipient" – A non-federal entity that receives a federal award directly from a federal awarding agency to carry out an activity under a federal program. The term recipient does not include subrecipients.

Subrecipient – A non-federal entity that receives a subaward from a pass-through entity to carry out part of a federal program; but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other federal awards directly from a federal awarding agency. Also, a DOE/NNSA and non-DOE/NNSA FFRDC may be proposed as a subrecipient on another entity's application. See section III.E.ii.

APPENDIX F – DEFINITION OF TECHNOLOGY READINESS LEVELS

TRL 1:	Basic principles observed and reported
TRL 2:	Technology concept and/or application formulated
TRL 3:	Analytical and experimental critical function and/or characteristic proof of concept
TRL 4:	Component and/or breadboard validation in a laboratory environment
TRL 5:	Component and/or breadboard validation in a relevant environment
TRL 6:	System/subsystem model or prototype demonstration in a relevant environment
TRL 7:	System prototype demonstration in an operational environment
TRL 8:	Actual system completed and qualified through test and demonstrated
TRL 9:	Actual system proven through successful mission operations

APPENDIX G – LIST OF ACRONYMS

COI	Conflict of Interest
DDU	Deep Direct-Use
DEC	Determination of Exceptional Circumstances
DMP	Data Management Plan
DOE	Department of Energy
DOI	Digital Object Identifier
EERE	Energy Efficiency and Renewable Energy
FAR	Federal Acquisition Regulation
FFATA	Federal Funding and Transparency Act of 2006
FOA	Funding Opportunity Announcement
FOIA	Freedom of Information Act
FFRDC	Federally Funded Research and Development Center
GAAP	Generally Accepted Accounting Principles
GTO	Geothermal Technologies Office
LCOH	Levelized Cost of Heat
M&O	Management and Operating
MPIN	Marketing Partner ID Number
MYPP	Multi-Year Program Plan
NDA	Non-Disclosure Acknowledgement
NEPA	National Environmental Policy Act
NNSA	National Nuclear Security Agency
OMB	Office of Management and Budget
OSTI	Office of Scientific and Technical Information
PFA	Play Fairway Analysis
PII	Personal Identifiable Information
R&D	Research and Development
RFI	Request for Information
RFP	Request for Proposal
RTES	Reservoir Thermal Energy Storage
SAM	System for Award Management
SOPO	Statement of Project Objectives
SPOC	Single Point of Contact
TIA	Technology Investment Agreement
TRL	Technology Readiness Level
UCC	Uniform Commercial Code
WBS	Work Breakdown Structure
WP	Work Proposal