

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

**WAP Enhancement & Innovation**

**Funding Opportunity Announcement (FOA) Number: DE-FOA-0002520**

**FOA Type: Modification 0001**

**CFDA Number: 81.042**

<b>FOA Issue Date:</b>	12/15/2021
<b>Submission Deadline for Concept Papers:</b>	02/03/2022 5:00pm ET
<b>Submission Deadline for Full Applications:</b>	03/28/2022 5:00pm ET
<b>Expected Submission Deadline for Replies to Reviewer Comments:</b>	04/29/2022 5:00pm ET
<b>Expected Date for EERE Selection Notifications:</b>	06/21/2022
<b>Expected Timeframe for Award Negotiations:</b>	June 2022 - Aug 2022

- Applicants must submit a Concept Paper by 5:00pm ET on the due date listed above to be eligible to submit a Full Application.
- 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
0001	01/19/2022	The purposes of this modification are to extend the Concept Paper deadline to Feb. 3, 2022 and the Full Application deadline to March 28, 2022.

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## I. Funding Opportunity Description

### A. Background and Context

#### i. Background and Purpose

The U.S. Department of Energy (DOE) Weatherization Assistance Program (WAP) was created in 1976 with the primary purpose to increase the energy efficiency of dwellings owned or occupied by low-income persons, reduce their total residential energy expenditures, and improve their health and safety, especially low-income persons who are particularly vulnerable such as the elderly, the disabled, families with children, high residential energy users and households with a high energy burden.<sup>1</sup> A network of 57 Grantees and 700 local organizations (Subgrantees) working with private contractors delivers WAP services to eligible residents in all 50 states, the District of Columbia, Indian lands of the Federally recognized tribes, and five U.S. Territories. For more information visit <https://www.energy.gov/eere/wap/weatherization-assistance-program>.

Within Public Law 116-260, signed December 27, 2020, Congress directed the DOE to establish a competitive program for “WAP Enhancement and Innovation” (E&I). Financial assistance is available to state, local, tribal and non-profit organizations<sup>2</sup>. A total of \$18.6 million is available from the FY 2021 appropriation with a maximum award amount of \$2 million. Through partnerships and leveraging of the DOE WAP and other funding sources, these awards will enable deep energy retrofits of low-income housing<sup>3</sup> in four topic areas: 1) place-based initiatives; 2) multifamily housing; 3) single family and manufactured housing; 4) workforce development. Applicants are encouraged to use awarded E&I funds in conjunction with DOE WAP formula awards and other funding sources to deploy demonstration projects that have potential to be scaled nationally, enhance the benefits realized by underserved communities, and ensure an equitable transition to a clean-energy economy.<sup>4</sup>

Building a clean-energy economy and addressing the climate crisis is a top priority of the Biden Administration. This Funding Opportunity Announcement (FOA) will advance the Biden Administration’s goals to achieve carbon pollution-free electricity by 2035 and “deliver an equitable, clean energy future, and put the United States on a path to achieve net-zero emissions, economy-wide, by no later than 2050”<sup>1</sup> to the benefit of all Americans. DOE is committed to pushing the frontiers of science and engineering, catalyzing clean energy jobs through

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<sup>1</sup> Executive Order 14008, “Tackling the Climate Crisis at Home and Abroad,” January 27, 2021.

<sup>2</sup> [42 U.S.C. 6864d\(b\)](#)

<sup>3</sup> See [10 CFR 440.3](#) for the definition of low-income. Each Grantee defines low income for their service territory in the annual [Weatherization Grant Application](#) (Master File Section V.1 Eligibility).

<sup>4</sup> [42 USC 6864d.\(e\)\(4\)](#)

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research, development, demonstration, and deployment (RDD&D), and ensuring environmental justice and inclusion of disadvantaged communities.

The activities to be funded under this FOA will support the government-wide approach to the climate crisis by driving the innovation that can lead to the deployment of energy efficiency retrofits and clean energy technologies, which are critical for climate protection. Specifically, this FOA will support the goals of carbon pollution-free electricity by 2035 and net zero GHG emissions by 2050 while also supporting quality jobs and economic growth by:

- Developing new place-based methods for targeting and delivering deep energy retrofits to benefit communities disproportionately impacted by high energy burden;
- Increasing the number of homes eligible for energy efficiency retrofits by making homes weatherization and electrification ready, while also ensuring healthy indoor environments;
- Growing community partnerships and leveraging additional funds to maximize the installation of renewable and new technologies; and,
- Supporting workforce development and creating pathways to careers in the home performance, energy efficiency, and renewable energy sectors by hiring and retaining individuals underrepresented in these industries.

## ii. **Technology Space and Strategic Goals**

The objective of this funding is to expand the impact of DOE's existing residential weatherization programs by utilizing leveraged resources and enhanced community partnerships to perform deep retrofits of low-income residential buildings and empower local community representation within the energy workforce. DOE seeks proposals that drive innovative approaches to program coordination and service delivery, while fostering the collaboration of dynamic and diverse teams. Teams must be led by a WAP Grantee, Subgrantee, or nonprofit entity.

## iii. **Diversity, Equity, and Inclusion**

It is the policy of the Biden Administration that:

[T]he Federal Government should pursue a comprehensive approach to advancing equity<sup>5</sup> for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality. Affirmatively advancing equity, civil rights, racial justice, and equal opportunity is the responsibility of the

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<sup>5</sup> The term "equity" means the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality.

whole of our Government. Because advancing equity requires a systematic approach to embedding fairness in decision-making processes, executive departments and agencies (agencies) must recognize and work to redress inequities in their policies and programs that serve as barriers to equal opportunity.

By advancing equity across the Federal Government, we can create opportunities for the improvement of communities that have been historically underserved, which benefits everyone.<sup>6</sup>

As part of this whole of government approach, this FOA seeks to encourage the participation of underserved communities<sup>7</sup> and underrepresented groups. Applicants are highly encouraged to include individuals from groups historically underrepresented<sup>8,9</sup> in weatherization on their project teams. As part of the application, applicants are required to describe how diversity, equity, and inclusion objectives will be incorporated in the project. Specifically, applicants are required to submit a Diversity, Equity, and Inclusion Plan that describes the actions the applicant will take to foster a welcoming and inclusive environment, support people from underrepresented groups in weatherization work and contracting opportunities, advance equity, and encourage the inclusion of individuals from these groups in the project; and the extent the project activities will be located in or benefit underserved communities ([See Section IV.D.](#)). The plan should include SMART (Specific, Measurable, Assignable, Realistic and Time-Related) milestones supported by metrics to measure the success of the proposed actions. This plan will be evaluated as part of the technical review process.

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<sup>6</sup> Executive Order 13985, “Advancing Racial Equity and Support for Underserved Communities Through the Federal Government” (Jan. 20, 2021).

<sup>7</sup> The term “underserved communities” refers to populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life, as exemplified by the list of in the definition of “equity.” E.O. 13985. For purposes of this FOA, as applicable to geographic communities, applicants can refer to economically distressed communities identified by the Internal Revenue Service as Qualified Opportunity Zones; communities identified as disadvantaged or underserved communities by their respective States; communities identified on the Index of Deep Disadvantage referenced at <https://news.umich.edu/newindex-ranks-americas-100-most-disadvantaged-communities/>, and communities that otherwise meet the definition of “underserved communities” stated above.

<sup>8</sup> According to the National Science Foundation’s 2019 report titled, “Women, Minorities and Persons with Disabilities in Science and Engineering”, women, persons with disabilities, and underrepresented minority groups—blacks or African Americans, Hispanics or Latinos, and American Indians or Alaska Natives—are vastly underrepresented in the STEM (science, technology, engineering and math) fields that drive the energy sector. That is, their representation in STEM education and STEM employment is smaller than their representation in the U.S. population. <https://nces.nsf.gov/pubs/nsf19304/digest/about-this-report> For example, in the U.S., Hispanics, African Americans and American Indians or Alaska Natives make up 24 percent of the overall workforce, yet only account for 9 percent of the country’s science and engineering workforce. DOE seeks to inspire underrepresented Americans to pursue careers in energy and support their advancement into leadership positions. <https://www.energy.gov/articles/introducing-minorities-energy-initiative>

<sup>9</sup> See also. Note that Congress recognized in section 305 of the American Innovation and Competitiveness Act of 2017, Public Law 114-329:

(1) [I]t is critical to our Nation’s economic leadership and global competitiveness that the United States educate, train, and retain more scientists, engineers, and computer scientists; (2) there is currently a disconnect between the availability of and growing demand for STEM-skilled workers; (3) historically, underrepresented populations are the largest untapped STEM talent pools in the United States; and (4) given the shifting demographic landscape, the United States should encourage full participation of individuals from underrepresented populations in STEM fields.

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Further, Minority Serving Institutions<sup>10</sup>, Minority Business Enterprises, Minority Owned Businesses, Woman Owned Businesses, Veteran Owned Businesses, or entities located in an underserved community that meet the eligibility requirements ([See Section III](#)) are encouraged to apply as the prime applicant or participate on an application as a proposed partner to the prime applicant. The Selection Official may consider the inclusion of these types of entities as part of the selection decision ([See Section V.C.](#)).

## B. Topic Areas

Through partnerships and leveraging of DOE WAP and other funding sources, this FOA will enable deep energy retrofits of low-income housing in four topic areas: 1) place-based initiatives; 2) multifamily housing; 3) single family and manufactured housing; 4) workforce development. Within the four topic areas, awardees will address activities and initiatives including, but not limited to, major home repairs, decarbonization and renewable energy, enhanced indoor air quality and healthy homes, and new methods for addressing barriers experienced by DOE WAP providers.

Applicants shall select one topic area and provide a detailed explanation of the project outcomes, objectives, activities, and performance measures. In addition to required reporting, all awardees will be expected to share new methods, success stories, and lessons learned for dissemination across the DOE WAP network.

**Table 1: E&I FOA Topic Area Summary**

<b>Topic Area</b>	<b>Housing Types</b>	<b>Desired Outcome</b>
<b>Place-based Initiatives</b>	Combination of any DOE WAP-eligible residential buildings	Improve the delivery of deep energy retrofits and maximize benefits to high energy burden and underserved communities.
<b>Multifamily Housing</b>	DOE WAP-eligible residential buildings with 5 or more units	Increase the number of multifamily buildings receiving comprehensive deep energy retrofits, and prepare households for the transition to clean energy, including electrification, while also reducing their energy burden and improving their health and safety.
<b>Single Family &amp; Manufactured Housing</b>	DOE WAP-eligible residential buildings with 1 to 4 units and manufactured homes	Increase the number of low-income homes receiving comprehensive deep energy retrofits, and prepare households for the transition to clean energy, including electrification, while

<sup>10</sup> Minority Serving Institutions (MSIs), including Historically Black Colleges and Universities/Other Minority Institutions) as educational entities recognized by the Office of Civil Rights (OCR), U.S. Department of Education, and identified on the OCR's Department of Education U.S. accredited postsecondary minorities' institution list. See <https://www2.ed.gov/about/offices/list/ocr/edlite-minorityinst.html>.

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		also reducing their energy burden and improving their health and safety.
<b>Workforce Development</b>	N/A	Hire, retain, and provide career planning and support for workers who are individuals from the community in which assistance is provided and from underrepresented groups in the home energy performance workforce.

**Topic Area 1: Place-based Initiatives**

For far too long, environmental and energy policy decisions have failed to adequately account for environmental injustice, including the disproportionate, disparate and cumulative impacts pollution and climate change have on low-income communities and communities of color.<sup>11</sup> To help address these injustices, the Biden Administration has established the Justice40 Initiative with the goal of delivering 40% of the overall benefits of climate investments to underserved communities and underrepresented groups.

This Topic Area shall support the Justice40 Initiative through funding new methods for exploring the delivery of DOE WAP services using place-based initiatives, including planning and implementation of deep energy retrofits and incorporating workforce development initiatives in these projects and communities.

Place-based work is inclusive of urban and rural areas and can range from a cluster of similar housing to geographic areas and communities of people experiencing common conditions. Applicants are encouraged to identify underserved communities using the definition provided in Section I.A.iii, or provide a detailed description and justification for use or development of alternate methods and tools for identifying and defining the scope of place-based projects.

Funds may be used to address barriers to community-scale and place-based work, including but not limited to:

- Growing partnerships to support complex projects and programs involving multiple tenants, building owners and other community stakeholders;
- Engaging the local community in designing and planning community-scale projects, including payment for their time and expertise;
- Developing tools and new methods for targeting and delivering deep energy retrofits to benefit communities disproportionately impacted by high energy burden;

<sup>11</sup> Shalanda Young, Brenda Mallory, Gina McCarthy, [“The Path to Achieving Justice40”](#)

- Partnering and building relationships with local workforce development boards, registered apprenticeships), research, or other local clean energy or construction employers and community-based organizations to market weatherization services and support career development of weatherization workers;
- Building the capacity of minority contractors to offer services beyond weatherization, such as home performance and energy efficiency;
- Developing protocols for identifying and preparing homes to become all-electric or electrification-ready, while also ensuring reduction in the household energy burden; and
- Developing innovative methods for braiding DOE awarded funds with leveraged resources to execute comprehensive deep energy retrofits, including enhanced health and safety measures and technologies such as heat pumps and renewable energy.

### **Topic Area 2: Multifamily Buildings (5+ units)**

To ensure an equitable transition to a clean energy economy, this Topic Area aims to increase the number of multifamily buildings receiving comprehensive, deep energy retrofits by making homes weatherization and electrification-ready, while also ensuring healthy indoor environments and protecting against displacement of current or other low-income residents<sup>12</sup>.

Multifamily buildings offer opportunities for energy efficiency upgrades that are a cost-effective approach to lowering operating expenses, maintaining affordability, and creating healthier, more comfortable living environments for low-income families. Weatherization is designed to take place with a whole *building as a system* approach,<sup>13</sup> and DOE policy allows for treatment of the full building as long as 66% of the units are occupied by income-eligible households.<sup>14</sup>

Multifamily buildings are defined as rental or owner-occupied buildings with 5 or more units. Benefits from weatherization services must accrue primarily to the low-income households occupying the buildings and protect against displacement of low-income households.

DOE awarded funds may be used to address barriers to serving this housing type, including but not limited to:

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<sup>12</sup> 10 CFR 440.22 (b)(3): The grantee has established procedures for dwellings which consist of a rental unit or rental units to ensure that:  
(i) The benefits of weatherization assistance in connection with such rental units, including units where the tenants pay for their energy through their rent, will accrue primarily to the low-income tenants residing in such units;  
(ii) For a reasonable period of time after weatherization work has been completed on a dwelling containing a unit occupied by an eligible household, the tenants in that unit (including households paying for their energy through their rent) will not be subjected to rent increases unless those increases are demonstrably related to matters other than the weatherization work performed

<sup>13</sup> [10 CFR 440.22\(b\)](#)

<sup>14</sup> [WPN 16-5](#); [10 CFR 440.22\(b\)\(2\)](#)

- Developing protocols for identifying and preparing homes to become all-electric or be electrification-ready, while also ensuring reduction in the household energy burden;
- Developing innovative methods for braiding DOE awarded funds with leveraged resources to execute comprehensive deep energy retrofits, including enhanced health and safety measures and technologies such as heat pumps and renewable energy;
- Developing new methods for identifying need, marketing to and coordinating with property owners, and determining eligibility to bring more multifamily buildings into the weatherization pipeline;
- Developing new methods and partnerships to shorten the timeframe for moving multifamily buildings through the retrofit process, from energy audit to completion and inspection; and
- Developing new methods for incorporating non-energy benefits in the cost-effectiveness calculation performed during the pre-weatherization energy audit, with potential to scale nationally.

### **Topic Area 3: Single Family and Manufactured Housing**

This Topic Area aims to increase the number of Single Family and Manufactured Housing buildings receiving comprehensive, deep energy retrofits by making homes weatherization and electrification-ready, while also ensuring healthy indoor environments.

For the purposes of this FOA, Single Family buildings are defined as rental or owner-occupied buildings with 1 to 4 units occupied by eligible low-income households. Weatherization is designed to take place with a whole *building as a system* approach,<sup>15</sup> and DOE policy allows for treatment of the full building as long as at least 50% of the units in 2 and 4 unit buildings are occupied by DOE WAP-eligible households and at least 66% of 3 unit buildings occupied by DOE WAP-eligible households.<sup>16</sup> A manufactured home is a structure that is transportable in one or more sections and is designed and constructed to the Federal Manufactured Construction and Safety Standards.<sup>17</sup>

Applications must describe how projects will increase the number of buildings weatherized, and the enhancements proposed for DOE WAP retrofits, which may include but is not limited to:

- Bringing previously unserved homes off deferral/waitlists and into the weatherization pipeline by addressing high-cost repairs and health and safety hazards;

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<sup>15</sup> [10 CFR 440.22\(b\)](#)

<sup>16</sup> [WPN 16-5](#); [10 CFR 440.22\(b\)\(2\)](#)

<sup>17</sup> For full definition see <https://www.hud.gov/sites/documents/41502C8HSGH.PDF>

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- Developing new methods for targeting services to high energy-burden households and coordination of outreach and marketing with community-based organizations, utility programs and other federally-funded low-income programs;
- Developing protocols for identifying and preparing homes to become all-electric or be electrification-ready, while also ensuring reduction in the household energy burden;
- Developing innovative methods for braiding DOE awarded funds with leveraged resources to execute comprehensive deep energy retrofits, including enhanced health and safety measures and technologies such as heat pumps and renewable energy; and
- Developing new methods for incorporating non-energy benefits in the cost-effectiveness calculation performed during the pre-weatherization energy audit, with potential to scale nationally.

#### **Topic Area 4: Workforce Development**

The DOE WAP supports approximately 8,500 jobs including program administrators at the state and federal level and program managers, support staff, and field workers at the local level. Many local weatherization providers also contract with small businesses in their community for services such as insulation and air sealing, heating and cooling system replacements, and electric and plumbing repairs. The DOE WAP is facing significant challenges hiring and retaining contractors and employees to work in the program.

Increasing workforce diversity is a priority for the Biden Administration and the DOE WAP is seeking improvements in this area. The 2019 National Association of State Energy Officials' (NASEO) US Energy and Employment Report (USEER) found "women and people of color are underrepresented across energy industry segments relative to the U.S. economy as a whole, highlighting the need for placement, training, and Human Resources programs that place an emphasis on diversity and access." The 2020 USEER reported that "women are a smaller portion of the workforce in [the US Energy Sectors], ranging from 23%-32%, compared to the overall economy, where women make up 47% of the workforce." The 2020 report also notes "specific racial categories are frequently underrepresented."

The purpose of this topic area is to recruit, hire, train, retain and support employees in their career development who are individuals from the community in which assistance is provided *and* from underrepresented groups in the home energy performance and energy efficiency workforce such as: minorities, women, veterans, individuals with disabilities, opportunity youth, returning citizens, and individuals who are socioeconomically disadvantaged. Applicants must describe

how wages<sup>18</sup> will be determined for weatherization workers that are comparable with similar occupations in the geographic area and whether workers will have a free and fair chance to join a union. Proposals should strive to shorten the administrative time from initial recruitment to field readiness of new hires, build a pipeline of fully-trained workers to higher-level careers within and beyond the WAP network, and utilize cost-effective, high-quality training models such as pre-apprenticeship and registered apprenticeship. Training may also be provided for innovative techniques and equipment installation, offering trainees an entry way to the broader clean energy job market. Proposals must outline how job placement will be obtainable for trainees in WAP, with potential also for placements in the home performance or clean energy industries. Applicants may propose workforce development initiatives and activities including but not limited to outreach and recruitment, job- and apprenticeship readiness programs, hiring and retention, developing registered apprenticeships, innovative approaches to mentoring, counseling, and coaching, stipends and wages for trainees, and developing formal partnerships or Memorandums of Understanding (MOUs) with workforce development organizations, labor organizations and unions, trade schools, technical colleges, as well as local agencies and community based organizations dedicated to reducing barriers to employment of underrepresented populations. Preference will be given to proposals that partner with unions and labor organizations, and utilize or provide entry to registered apprenticeships. Key performance metrics include the number of full-time equivalent (FTE) workers hired trained, certified and retained.<sup>19</sup>

Individuals shall be trained to implement the DOE WAP in accordance with all applicable federal rules and DOE procedures. Training shall be aligned with WAP installation standards and program requirements including energy auditing guidelines<sup>20</sup>, the Standard Work Specifications<sup>21</sup>, and Quality Control Inspections.<sup>22</sup>

- Training shall follow the Guidelines for Home Energy Professionals for Energy Auditor (EA) and Quality Control Inspector (QCI)<sup>23</sup> or Multi-Craft Core Curriculum (MC3)<sup>24</sup> or registered apprenticeship.
- Regarding the provision of comprehensive training,<sup>25</sup> coordination with a registered apprenticeship or an IREC-accredited training provider is preferred but not required. Applicants must provide the qualifications, accreditation, and expertise for proposed training providers when describing the project team.

<sup>18</sup> Resources for wage data include: [U.S. DOL O\\*NET](#); [U.S. BLS Wage Statistics](#); [Wages, Benefits and Change](#): A Supplemental Report to the Annual U.S. Energy and Employment Report; [MIT Living Wage Calculator](#); and, any relevant state or local income and employment data.

<sup>19</sup> [42 U.S.C. 6864d \(a\)\(5\)](#)

<sup>20</sup> [Weatherization Program Notice 19-4](#): Revised Energy Audit Approvals Procedures, Related Audit, and Material Approvals (January 17, 2019)

<sup>21</sup> National Renewable Energy Laboratory, "[Standard Work Specifications](#)."

<sup>22</sup> [Weatherization Program Notice 15-4](#): Quality Work Plan Requirement Update (October 21, 2014).

<sup>23</sup> US DOE EERE, "[Guidelines for Home Energy Professionals Accredited Training](#)"

<sup>24</sup> [Apprenticeship Readiness Programs](#), North America's Building Trades Unions

<sup>25</sup> [Weatherization Memorandum 034](#): Clarification of WPN 15-4; Definitions of Comprehensive Training (April 5, 2018).

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### FOA Objectives

In addition to the topic-specific objectives and outcomes listed above, the following objectives apply to all topic areas and future awards:

- **Leveraging Resources** to expand the reach of E&I funds, with a goal of at least a 2:1 ratio of leveraged resources to DOE awarded funds. Applicants shall strive to coordinate investments and leverage funds to maximize benefits. Leveraged resources may include federal or non-federal funding, financial contributions, volunteer labor, in-kind donations, and other resources provided by partner organizations.
- **Justice40** – Executive Order 14008 establishes the Justice40 Initiative with the goal of delivering 40% of the overall benefits of climate investments to underserved communities and underrepresented groups. All awardees will be required to identify underserved communities that will be addressed with E&I funds, using the definitions in Section A.iii. above, and measure and report the benefits realized in underserved communities (e.g., units completed, job training expenditures, household energy expenditures, and installed capacity of renewable energy).
- **Efficient use of E&I funds** to benefit the maximum possible number of households and participants. The DOE WAP Average Cost Per Unit (ACPU) as stated in 42 U.S.C. 6865(c) does **not** apply to E&I awards. However, applicants are expected to describe how project outcomes will be achieved within reasonable cost targets.
- **Scaleable solutions** to advance innovation and address barriers experienced by weatherization providers that can be shared and implemented nationwide.

### Allowable Activities

E&I funds may be used for any combination of the following activities as specified below. Proposals must detail the planned activities and any measures that will be installed in DOE WAP-eligible buildings.

- **Make Homes Weatherization and Electrification-Ready**

*Applicable Topic Areas: Place-based Initiatives, Multifamily, Single Family and Manufactured Housing*

The decision to defer or not provide WAP services is necessary when the condition of the home renders installation of energy efficiency measures either unsafe or ineffective. Deferral does not mean that assistance will never be available, but that work must be postponed until the problems can be resolved and the home can be made “weatherization ready”. For some households where other leveraged funds are not available and the homeowner is unable to afford the cost of repairs,

weatherization improvement is indefinitely on hold. Making homes weatherization-ready addresses a barrier to equitable delivery of WAP services. Native Americans, Latinx, Blacks, families living in manufactured housing, and renters are among the households facing the highest rates of repair needs.<sup>26</sup>

Although the causes and rates of deferrals vary by region and service territory, this is a barrier to weatherization nationwide. Common deferral reasons include the need for high cost roof repairs, electrical upgrades, plumbing repairs, remediation of environmental hazards beyond the scope of WAP including asbestos and vermiculite, and other major structural home repairs. To support the transition to a clean-energy economy, homes receiving electrical repairs may also be made electrification-ready by performing necessary updates and panel replacements to incentivize fuel switching, and to enable the safe installation of technologies such as heat pumps and solar photovoltaic systems. Applicants must detail the planned activities and specific measures that will be included in each topic area. If electrification is proposed, applicants must describe the parameters that will trigger making homes electrification-ready, which can include energy and non-energy benefits (like indoor air quality impacts), and how proposed electrification measures will support the goal of reducing energy burden for low-income households.

- **Renewable Energy and New Technologies**

*Applicable Topic Areas: Place-based Initiatives, Multifamily, Single Family and Manufactured Housing*

E&I funds may be used to install renewable energy systems as defined in 42 USC 6865(c)(6)(A) and energy efficiency technologies, including home energy management systems and smart devices. To the maximum extent possible, applicants are encouraged to develop and expand partnerships with other funding sources and federal programs; for example, utility and state-funded programs, the DOE WAP Sustainable Energy Resources for Consumers program and the National Community Solar Partnership.<sup>27</sup> Preference will be given to applications that secure leveraged resources for renewable energy and new technology, and as a result minimize the per-unit investment of E&I funds for these activities.

- **Healthy Homes and Indoor Environments**

*Applicable Topic Areas: Place-based Initiatives, Multifamily, Single Family and Manufactured Housing*

Proposals must aim to ensure healthy indoor environments by improving indoor air quality, accessibility, and enhancing measures and resources provided under the WAP. E&I funds may be utilized for the following activities, including but not limited to:

- Mold and moisture remediation and prevention;

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<sup>26</sup> Federal Reserve Bank of Philadelphia and PolicyMap, January 15, 2020. <https://housingmatters.urban.org/research-summary/cost-repair-americas-housing-stock-and-which-homes-need-it-most>

<sup>27</sup> US DOE EERE Solar Energy Technologies Office: <https://www.energy.gov/eere/solar/national-community-solar-partnership>

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- 
- Testing and treatment of suspected asbestos containing materials;
  - Addressing occupant health conditions (asthma, COPD, etc.);
  - Replacing equipment with emissions that threaten indoor air quality;
  - Lead paint testing and remediation; and,
  - Accessibility improvements such as removing trip and fall hazards.

Applicants must provide a detailed description of the activities and specific measures to be installed in homes, and any planned research involving low-income household residents. Awardees will be expected to demonstrate measurable improvements to low-income household indoor environments and report performance metrics by healthy homes measure type.

- **Best Practices and Monitoring**

*Applicable Topic Areas: All*

E&I funds may be used for the following activities, subject to limitations specified in this FOA:

- Innovative outreach and education regarding the benefits and availability of weatherization assistance and other assistance available;
- Quality control of work performed;
- Data collection, measurement, and verification;
- Program monitoring, oversight, evaluation, and reporting; and
- Labor, training, and technical assistance.

### **Additional Requirements**

*Applicable Topic Areas: All*

In addition to the topic-specific objectives listed above, the following requirements apply to all applications and future awards:

- All work under EERE funding agreements must be performed in the United States. See [Section IV.J.iii.](#)
- All work performed in homes using DOE awarded funds must comply with the Standard Work Specifications or DOE-approved Field Guide and applicable State and local codes.<sup>28</sup>
- All work performed in homes using E&I awarded funds will not be subject to the 15-year “reweatherization” requirement outlined in Section 1011(h) of the Energy Act of 2020. Dwelling units previously weatherized by WAP, LIHEAP, HUD, or USDA will be eligible for E&I-related activities.
- To ensure deep energy retrofits, all eligible low-income residential buildings utilizing E&I funds must also receive a whole-house energy efficiency retrofit aligned with DOE WAP rules and guidance, including a comprehensive final inspection.<sup>29</sup> Applicants shall describe how work will be coordinated with the

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<sup>28</sup> National Renewable Energy Laboratory, “[Standard Work Specifications.](#)”

<sup>29</sup> See 10 CFR 440 and [Weatherization Program Notices and Memorandums | Department of Energy](#)

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WAP Subgrantee to ensure the buildings are eligible for weatherization services. Applicants shall provide a timeline and process for integration of the E&I work with the energy efficiency retrofit. Preference will be given to proposals that streamline the application, energy auditing, and final inspection processes to result in process improvements and reduce the burden on the low-income household.

- The energy efficiency retrofit must meet all DOE requirements related to cost-effectiveness and use of a DOE-approved energy audit tool or priority list.<sup>30</sup> Proposals must describe how Applicants will determine and document cost-effectiveness using a DOE-approved audit tool or priority list to ensure the cumulative Savings-to-Investment Ratio, excluding E&I-funded measures, is 1.0 or greater.
- Training and Technical Assistance (T&TA) activities shall not duplicate T&TA completed under a formula-funded WAP award. Applicants must specify the amount of DOE awarded funds planned and detail the planned T&TA activities.
- WAP standards for allowable expenditures:
  - A maximum of 15% of the E&I award may be used for planning, management and administration; and
  - All awards are subject to the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards<sup>31</sup>.
- All applicants and partners must provide proof of liability insurance coverage. Liability insurance refers to the general contractor, or other policies that provide protection in case of personal injury or property damage resulting from weatherization services. E&I funds may be used to pay the appropriately allocated cost of liability insurance policy.
- Client eligibility must be verified according to the policies and procedures described in a currently approved WAP Grantee DOE Plan (Master File V.1.1.1 Approach to Determining Client Eligibility)<sup>32</sup> and consistent with [Weatherization Program Notice \(WPN\) 21-3](#) and [WPN 10-08](#). A client release is required prior to sharing any sensitive information. All households receiving E&I-funded measures must be referred to the local weatherization agency for full weatherization services. Applicants shall describe how clients will be selected for E&I-funded projects, any outreach completed to date and planned outreach activities, the WAP referral process, and the estimated timeline for completion of E&I work and corresponding WAP jobs.
- Awardees will be responsible for ongoing quality control and monitoring of work performed to ensure compliance with all local, state and federal rules and regulations. DOE will perform project monitoring such as regular desktop monitoring and onsite visits of selected awardees.

<sup>30</sup> See [10 CFR 440.21](#) and [Weatherization Program Notice 19-4](#)

<sup>31</sup> <https://ecfr.federalregister.gov/current/title-2/subtitle-A/chapter-II/part-200>

<sup>32</sup> The [Application Instructions](#) attached to WPN 21-1 provide additional detail on eligibility and the Master File.

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### 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 that include energy conservation measures (ECMs) allowed under a current DOE WAP State Plan.

### D. Authorizing Statutes

The programmatic authorizing statutes are:

- P.L. 116-260 – Consolidated Appropriations Act 2021; and
- Division Z - Energy Act of 2020, Title I - Efficiency, Sec. 1011, Sec. 414D Financial Assistance for WAP Enhancement and Innovation

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 \$18,600,000 of federal funding available for new awards under this FOA, subject to the availability of appropriated funds. EERE anticipates making approximately 12 to 16 awards under this FOA. EERE may issue one, multiple, or no awards. Individual awards may vary between \$500,000 and \$2,000,000.

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

Topic Area Number	Topic Area Title	Anticipated Number of Awards	Anticipated Minimum Award Size for Any One Individual Award (Fed Share)	Anticipated Maximum Award Size for Any One Individual Award (Fed Share)	Approximate Total Federal Funding Available for All Awards	Anticipated Period of Performance (months)
1	Place-based Initiatives	3-4	\$500,000	\$2,000,000	\$4,650,000	36
2	Multifamily Housing	3-4	\$500,000	\$2,000,000	\$4,650,000	36

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3	Single/Manufactured Housing	3-4	\$500,000	\$2,000,000	\$4,650,000	36
4	Workforce Development	3-4	\$500,000	\$2,000,000	\$4,650,000	36

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. Before the expiration of the initial budget period(s), EERE may perform a down-select among different recipients and provide additional funding only to a subset of recipients.

**ii. Period of Performance**

EERE anticipates making awards that will run for 36 months in length, comprised of one or more budget periods.

**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**

**i. Grant Awards**

Through financial assistance awards, EERE provides 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.

**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. Domestic Entities**

Per P.L. 116-260, eligibility is limited to current WAP grantees, subgrantees, and other nonprofit entities 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. 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.

DOE/NNSA FFRDCs are not eligible to apply for funding as they may be funded through a separate AOP to support the measurement and verification of these projects.

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.

### **ii. Foreign Entities**

Foreign entities, whether for-profit or otherwise, are not eligible for funding as a prime recipient under this FOA. A foreign entity may receive funding as a subrecipient.

### **iii. Incorporated Consortia**

Incorporated consortia, which may include domestic and/or foreign entities, are eligible to apply for funding as a 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.

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.

### **iv. Unincorporated Consortia**

Unincorporated Consortia, which may include domestic and foreign entities, are eligible to apply for funding as a subrecipient. The unincorporated consortia must designate one member to serve as the consortium representative. The 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 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 sharing is not required under this FOA.

## **C. Compliance Criteria**

**Concept Papers, 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 Concept Papers, 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 by the applicable deadline due to server/connection congestion.

### **i. Compliance Criteria**

#### *1. Concept Papers*

Concept Papers are deemed compliant if:

- The Concept Paper complies with the content and form requirements in [Section IV.C.](#) of the FOA; and
- The applicant successfully uploaded all required documents and clicked the "Submit" button in EERE Exchange by the deadline stated in this FOA.

#### *2. Full Applications*

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Full Applications are deemed compliant if:

- The applicant submitted a compliant Concept Paper;
- 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.

3. *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 non-DOE/NNSA Federally Funded Research and Development Centers Included as a Subrecipient**

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

1. *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.

2. *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 non-DOE/NNSA FFRDC through an interagency agreement with the sponsoring agency.

3. *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.

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## F. Limitation on Number of Concept Papers and Full Applications Eligible for Review

An entity may only submit one Concept Paper and one Full Application to this FOA. The Concept Paper and Full Application must address no more than one topic area identified in [Section I.B.](#) of the FOA. If an entity submits more than one Concept Paper and Full Application, 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 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 Concept Paper and one Full Application submitted under 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

## A. Application Process

The application process will include two phases: a Concept Paper phase and a Full Application phase. **Only applicants who have submitted an eligible Concept Paper will be eligible to submit a Full Application.**

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

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The Concept Paper, 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 Calibri 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 Concept Papers, Full Applications, and Replies to Reviewer Comments 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 Concept Paper, Full Application, or Reply to Reviewer Comments. Once the Concept Paper, 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 to any of these documents, the applicant must resubmit the Concept Paper, Full Application, or Reply to Reviewer Comments before the applicable deadline.

EERE urges applicants to carefully review their Concept Papers, Full Applications, and Replies to Reviewer Comments 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.

#### **i. Additional Information on EERE Exchange**

EERE Exchange is designed to enforce the deadlines specified in this FOA. The “Apply” and “Submit” buttons will automatically disable at the defined

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subject line.*

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](mailto:EERE-ExchangeSupport@hq.doe.gov)). The EERE Exchange helpdesk and/or the EERE Exchange system administrators will assist applicants in resolving issues.

## B. Application Forms

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

**TechnicalVolume\_Part\_1**

**TechnicalVolume\_Part\_2**

## C. Content and Form of the Concept Paper

To be eligible to submit a Full Application, applicants must submit a Concept Paper by the specified due date and time.

### i. Concept Paper Content Requirements

EERE will not review or consider ineligible Concept Papers (see [Section III](#) of the FOA).

Each Concept Paper must be limited to a single concept or technology. Unrelated concepts and technologies should not be consolidated into a single Concept Paper.

The Concept Paper must conform to the following content requirements:

#### All Topic Areas:

Section	Page Limit	Description
Cover Page	1 page maximum	The cover page should include the project title, the specific announcement Topic Area being addressed, both the technical and business points of contact, names of all team

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		member organizations, and any statements regarding confidentiality.
<b>Technical Description and Impacts</b>	2 pages maximum	<p>Applicants are required to describe succinctly:</p> <ul style="list-style-type: none"> <li>• The topic area and planned activities, including any relevant processes and procedures;</li> <li>• How the proposed project will address barriers and challenges experienced in workforce development and/or providing deep energy retrofits;</li> <li>• The applicant should describe the specific innovation of the proposed process, its advantages over current processes, and the overall impact to the WAP network if the project is successful;</li> <li>• Any previous validations of the solution, including relevant references and outcomes;</li> <li>• Data collection and dissemination needed to inform program design, the study framework and any required data, anticipated metrics and the timeline; and,</li> <li>• The impact that DOE WAP funding would have on the proposed project.</li> <li>• How the project will benefit underserved communities and how the benefit will be measured.</li> </ul>
<b>Addendum</b>	1 page maximum	<p>Applicants are required to describe succinctly the qualifications, experience, and capabilities of the proposed Project Team, including:</p> <ul style="list-style-type: none"> <li>• Whether the Project Director (PD) and Project Team have the skill and expertise needed to successfully execute the project plan;</li> <li>• Whether the applicant has prior experience which demonstrates an ability to perform tasks of similar risk and complexity;</li> <li>• Whether the applicant has worked together with its teaming partners on prior projects or programs; and</li> <li>• The contributions and resources each team member organization is committing to the project.</li> </ul> <p>Applicants may provide graphs, charts, or other data to supplement their Technology Description.</p>

EERE makes an independent assessment of each Concept Paper based on the criteria in [Section V.A.i.](#) of the FOA. EERE will encourage a subset of applicants to submit Full Applications. Other applicants will be discouraged from submitting a Full Application. An applicant who receives a “discouraged” notification may still submit a Full Application. EERE will review all eligible Full Applications. However, by discouraging the submission of a Full Application, EERE intends to convey its lack of programmatic interest in the proposed project in an effort to save the applicant the time and expense of preparing an application that is unlikely to be selected for award negotiations.

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EERE may include general comments provided from reviewers on an applicant’s Concept Paper in the encourage/discourage notification posted on EERE Exchange at the close of that phase.

## D. 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 have approximately 30 days from receipt of the Concept Paper Encourage/Discourage notification on EERE Exchange to prepare and submit a Full Application. Regardless of the date the applicant receives the Encourage/Discourage notification, the submission deadline for the Full Application remains the date and time stated on the FOA cover page.

All Full Application documents must be marked with the Control Number issued to the applicant. Applicants will receive a control number upon clicking the “Create Concept Paper” button in EERE Exchange, 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:

Component	File Format	Page Limit	File Name
Technical Volume	PDF	10	ControlNumber_LeadOrganization_TechnicalVolume
Resumes	PDF	1 page each	ControlNumber_LeadOrganization_Resumes
Letters of Commitment	PDF	1 page each	ControlNumber_LeadOrganization_LOCs
Statement of Project Objectives	MS Word	10	ControlNumber_LeadOrganization_SOPO
SF-424	PDF	n/a	ControlNumber_LeadOrganization_App424
Budget Justification Workbook	MS Excel	n/a	ControlNumber_LeadOrganization_Budget_Justification
Summary/Abstract for Public Release	PDF	1	ControlNumber_LeadOrganization_Summary

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Summary Slide	MS Powerpoint	1	ControlNumber_LeadOrganization_Slide
Subrecipient Budget Justification	MS Excel	n/a	ControlNumber_LeadOrganization_Subrecipient_Budget_Justification
DOE Work Proposal for FFRDC, if applicable (see DOE O 412.1A, Attachment 3)	PDF	n/a	ControlNumber_LeadOrganization_WP
Authorization from cognizant Contracting Officer for FFRDC	PDF	n/a	ControlNumber_LeadOrganization_FFRDCAuth
SF-LLL Disclosure of Lobbying Activities	PDF	n/a	ControlNumber_LeadOrganization_SF-LLL
Foreign Work Waiver	PDF	n/a	ControlNumber_LeadOrganization_Waiver
Diversity Equity and Inclusion Plan	PDF	5	ControlNumber_LeadOrganization_DEIP

**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:

**TechnicalVolume\_Part\_1**  
**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 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 10 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 Concept Paper. The Technical Volume must conform to the following content requirements:

SECTION/PAGE LIMIT	DESCRIPTION
<p><b>Cover Page (1)</b></p>	<p>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.</p>
<p><b>Project Overview</b> (Approximately 10% of the Technical Volume)</p>	<p>The Project Overview should contain the following information:</p> <ul style="list-style-type: none"> <li>• <b>Project Team:</b> The applicant should include a list of project members and evidence that the prime applicant is an existing WAP Grantee, Subgrantee, or nonprofit.</li> <li>• <b>Background:</b> The applicant should discuss the background of their organization, including the history, successes, and any past or current weatherization projects underway which are relevant to the technical topic being addressed in the Full Application.</li> <li>• <b>Project Goal:</b> The applicant should explicitly identify the targeted objectives and metrics and the factors required to achieve those metrics.</li> <li>• <b>DOE Impact:</b> 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.</li> </ul>
<p><b>Technical Description, Innovation, and Impact</b> (Approximately 30% of the Technical Volume)</p>	<p>The Technical Description should contain the following information:</p> <ul style="list-style-type: none"> <li>• <b>Relevance and Outcomes:</b> The applicant should provide a detailed description of the proposed project. This section should describe the relevance of the proposed project to the goals and objectives of the FOA. The applicant should clearly specify the expected outcomes of the project.</li> <li>• <b>Costs/Savings:</b> For topics 1, 2 and 3, the applicant should show calculations for determining the projected return on investment or payback, and any non-energy benefits included in the calculation.</li> </ul>

	<ul style="list-style-type: none"> <li>• <b>Justice 40:</b> The applicant should show how benefits to underserved communities will be calculated.</li> <li>• <b>Feasibility:</b> The applicant should demonstrate the technical feasibility of the proposed project and capability of achieving the anticipated performance targets, including a description of previous work done and prior results.</li> <li>• <b>Innovation and Impacts:</b> The applicant should describe the specific innovation of the proposed process, its advantages over current processes, and the potential for replication by the WAP network if the project is successful.</li> </ul>
<p><b>Workplan</b> (Approximately 40% of the Technical Volume)</p>	<p>The Workplan should include a summary of the Project Objectives, Technical Scope, Work Breakdown Structure (WBS), Milestones, and Project Schedule. A detailed SOPO is separately requested. The Workplan should contain the following information:</p> <ul style="list-style-type: none"> <li>• <b>Project Objectives:</b> 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.</li> <li>• <b>Technical Scope Summary:</b> 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, approximately annual milestones. The applicant should describe the specific expected end result of each performance period.</li> <li>• <b>WBS and Task Description Summary:</b> 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 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.</li> <li>• <b>Milestone Summary:</b> 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 Specific, Measurable, Achievable, Relevant, and Timely, and must demonstrate a technical achievement rather than simply completing a task. Unless otherwise specified in the</li> </ul>

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	<p>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.</p> <ul style="list-style-type: none"> <li>• <b>End of Project Goal:</b> 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.</li> <li>• <b>Project Schedule (Gantt Chart or similar):</b> The applicant should provide a schedule for the entire project, including task and subtask durations, and milestones.</li> <li>• <b>Project Management:</b> The applicant should discuss the team’s proposed management plan, including the following: <ul style="list-style-type: none"> <li>○ The overall approach to and organization for managing the work</li> <li>○ The roles of each project team member</li> <li>○ Any critical handoffs/interdependencies among project team members</li> <li>○ The technical and management aspects of the management plan, including systems and practices, such as financial and project management practices</li> <li>○ The approach to project risk management</li> <li>○ A description of how project changes will be handled</li> <li>○ If applicable, the approach to Quality Assurance/Control</li> <li>○ How communications will be maintained among project team members</li> </ul> </li> </ul>
<p><b>Technical Qualifications and Resources</b> (Approximately 20% of the Technical Volume)</p>	<p>The Technical Qualifications and Resources should contain the following information:</p> <ul style="list-style-type: none"> <li>• Describe the project team’s unique qualifications and expertise, including those of key subrecipients.</li> <li>• Describe the project team’s existing and leveraged resources that will facilitate the successful completion of the proposed project; include a justification of any new equipment requested as part of the project.</li> <li>• This section should also include relevant, previous work efforts, demonstrated innovations, and how these enable the applicant to achieve the project objectives.</li> </ul>



	<ul style="list-style-type: none"> <li>• Describe the time commitment of the key team members to support the project.</li> <li>• For multi-organizational or multi-investigator projects, describe succinctly:             <ul style="list-style-type: none"> <li>○ The roles and the work to be performed by each PD and Key Participant;</li> <li>○ Business agreements between the applicant and each PD and Key Participant;</li> <li>○ How the various efforts will be integrated and managed;</li> <li>○ Process for making decisions on scientific/technical direction;</li> <li>○ Publication arrangements;</li> <li>○ Intellectual Property issues; and</li> <li>○ Communication plans</li> </ul> </li> </ul>
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**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 subrecipients. If applicable, also include any letters of commitment from partners/end users (one-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

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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\_424”.

**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 slide summarizing the proposed project. This slide is used during the evaluation process.

The Summary Slide template requires the following information:

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

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- Any key graphics (illustrations, charts and/or tables);
- Project title, prime recipient, Principal Investigator, and Key Participant information; and
- Requested EERE funds and leveraged funds, if applicable.

Save the Summary Slide in a single Microsoft Powerpoint file using the following convention for the title “ControlNumber\_LeadOrganization\_Slide”.

**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. 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”.

**xii. 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.

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Save the SF-LLL in a single PDF file using the following convention for the title “ControlNumber\_LeadOrganization\_SF-LLL”.

### **xiii. Waiver Requests: Foreign Work (if applicable)**

#### **1. 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 Waiver in a single PDF file using the following convention for the title “ControlNumber\_LeadOrganization\_Waiver”.

### **xiv. Diversity, Equity and Inclusion Plan**

As part of the application, applicants are required to describe how diversity, equity, and inclusion objectives will be incorporated in the project. Specifically, applicants are required to submit a Diversity, Equity, and Inclusion Plan that describes the actions the applicant will take to foster a welcoming and inclusive environment, support people from groups underrepresented in STEM, advance equity, and encourage the inclusion of individuals from these groups in the project; and the extent the project activities will be located in or benefit underserved communities (also see [Section I.A.iii](#)). The plan should include SMART milestones supported by metrics to measure the success of the proposed actions.

The following is a non-exhaustive list of actions that can serve as examples of ways the proposed project could incorporate diversity, equity, and inclusion elements. These examples should not be considered either comprehensive or prescriptive. Applicants may include appropriate actions not covered by these examples.

- a. Include persons from groups underrepresented in the home performance industry as PI, co-PI, and/or other senior personnel;
- b. Include persons from groups underrepresented in STEM as student researchers or post-doctoral researchers;
- c. Include faculty or students from Minority Serving Institutions as PI/co-PI, senior personnel, and/or student researchers, as applicable;
- d. Enhance or collaborate with existing diversity programs at your home organization and/or nearby organizations;

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- e. Collaborate with students, researchers, and staff in Minority Serving Institutions;
- f. Disseminate results of research and development in Minority Serving Institutions or other appropriate institutions serving underserved communities;
- g. Implement evidence-based, diversity-focused education programs (such as implicit bias training for staff) in your organization;
- h. Identify Minority Business Enterprises, Minority Owned Businesses, Woman Owned Businesses and Veteran Owned Businesses to solicit as vendors and sub-contractors for bids on supplies, services and equipment.

Save the Diversity, Equity and Inclusion Plan in a single PDF file using the following convention for the title “ControlNumber\_LeadOrganization\_DEIP”.

## **E. Content and Form of Replies to Reviewer Comments**

If replies to reviewer comments are applicable, 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.

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<b>Optional</b>	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.
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## F. 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;
- 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.

## G. 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.

## H. Submission Dates and Times

All required submissions 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.

## I. Intergovernmental Review

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

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## J. 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.

#### 1. 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

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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)**

#### **1. 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.

#### **2. 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.

#### **3. 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 A 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.



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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**

Foreign travel costs are not allowable under this FOA.

**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. Concept Papers

Concept Papers are evaluated based on consideration the following factors. All sub-criteria are of equal weight.

##### **Concept Paper Criterion: Overall FOA Responsiveness and Viability of the Project (Weight: 100%)**

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

- The applicant clearly describes the proposed project, describes how the project is unique and innovative, and how the project will advance the WAP mission;
- The applicant has identified risks and challenges, including possible mitigation strategies, and has shown the impact that EERE funding and the proposed project would have on the WAP network;
- The applicant has the qualifications, experience, capabilities and other resources necessary to complete the proposed project; and
- The proposed work, if successfully accomplished, would clearly meet the objectives as stated in the FOA.

#### ii. Full Applications

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

##### **All Topic Areas:**

##### **Criterion 1: Technical Merit, Innovation, and Impact (40%)**

- Extent to which the application specifically and convincingly demonstrates how the applicant will deliver the proposed enhancement or innovation;
- Extent to which the proposed program or process is unique, innovative, and high impact;
- Extent to which the program or process can be adopted by other WAP Grantees and Subgrantees and/or nonprofits; and
- How the program or process supports the topic area and project objectives.

**Criterion 2: Project Approach and Implementation (30%)**

- 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;
- Degree to which success metrics and data will be generated to support monitoring, oversight, verification, and reporting of weatherization services; and
- Demonstrated understanding of the key technical risk areas involved in the proposed work and the quality of the mitigation strategies to address them.

**Criterion 3: Team and Resources (20%)**

- The capability of the Principal Investigator(s) and the proposed team to address all aspects of the proposed work with a high probability of success;
- The qualifications, relevant expertise, and time commitment of the individuals on the team;
- Degree to which the proposed project utilizes leveraged resources to achieve programmatic objectives;
- 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.

**Criterion 4: Diversity, Equity, and Inclusion (10%)**

This criterion involves consideration of the following factors:

- The quality and manner in which the measures incorporate diversity, equity and inclusion goals in the project; and,
- Extent to which the project benefits underserved communities.

**iii. 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:

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<https://energy.gov/management/downloads/merit-review-guide-financial-assistance-and-unsolicited-proposals-current>.

## C. Other Selection Factors

### i. 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, including proposed leveraged resources, optimizes the use of available EERE funding to achieve programmatic objectives;
- The degree to which the proposed project fosters well-paying job creation and job training, including a free and fair chance to join a union and collectively bargain;
- The degree to which the proposed project contributes to transitioning low-income residential buildings to net-zero greenhouse gas emissions;
- The degree to which the proposed project, or group of projects, represent a desired geographic distribution (considering past awards and current applications) including but not limited to regional and climate zone diversity and urban, suburban and rural localities;
- The degree to which the proposed project incorporates diversity, equity, and inclusion elements, including but not limited to team members from Minority Serving Institutions (e.g. Historically Black Colleges and Universities (HBCUs)/Other Minority Institutions), Minority Business Enterprises, Minority Owned Businesses, Woman Owned Businesses, Veteran Owned Businesses, or members within underserved communities;
- The degree to which the proposed project collectively represents diverse types and sizes of applicant organizations.
- The degree to which the project's solution or strategy will maximize deployment, replication, and long-term viability beyond the project period;
- The applicant's record of constructing, renovating, repairing, or making energy efficient single family, multifamily, or manufactured homes that are occupied by low-income persons, either directly or through affiliates, chapters, or other partners (using the most recent year for which data are available);
- The number of dwelling units occupied by low-income persons that the applicant has built, renovated, repaired, weatherized, or made more energy efficient in the 5 years preceding the date of the application;

- The qualifications, experience, and past performance of the applicant, including experience successfully managing and administering Federal funds; and
- The extent to which such applicant will utilize partnerships with existing WAP Grantees, Subgrantees, and regional coordination.

## **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. 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.

### **iii. 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 Concept Papers 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 Concept Paper or the Full Application is ineligible and not considered for further review.

#### **ii. Concept Paper Notifications**

EERE will notify applicants of its determination to encourage or discourage the submission of a Full Application. EERE will post these notifications to EERE Exchange.

Applicants may submit a Full Application even if they receive a notification discouraging them from doing so. By discouraging the submission of a Full Application, EERE intends to convey its lack of programmatic interest in the proposed project. Such assessments do not necessarily reflect judgments on the merits of the proposed project. The purpose of the Concept Paper phase is to save applicants the considerable time and expense of preparing a Full Application that is unlikely to be selected for award negotiations.

A notification encouraging the submission of a Full Application does not authorize the applicant to commence performance of the project. Please refer to [Section IV.J.ii.](#) of the FOA for guidance on pre-award costs.

#### **iii. 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.

**iv. 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.

**v. 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.

**vi. 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

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and receive an award if the application is selected. These requirements are as follows:

1. **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.**

2. **DUNS Number**

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

3. **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.

4. **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](https://www.fedconnect.net/FedConnect/Marketing/Documents/FedConnect_Ready_Set_Go.pdf).

5. **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 Concept Papers and Full Applications will not be accepted through Grants.gov.

6. **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

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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**

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.

**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

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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. Historic Preservation**

DOE must comply with the requirements of Section 106 of the National Historic Preservation Act (NHPA) prior to authorizing the use of Federal funds. Section 106 requires federal agencies to consider the effects on historic properties with projects they fund.

**viii. 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 contractors from lawfully reporting waste, fraud, or abuse to a designated investigative or law enforcement representative of a federal department or agency authorized to receive such information.
- 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

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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.

**ix. 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.

**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.

Quarterly and annual reporting will be completed within DOE WAP's existing reporting system, Performance and Accountability for Grants in Energy (PAGE).

**xiii. 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.

**xiv. 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.

**xv. Implementation of Executive Order 13798, Promoting Free Speech and Religious Liberty**

States, local governments, or other public entities may not condition sub-awards in a manner that would discriminate, or disadvantage sub-recipients based on their religious character.

**xvi. Table of Personnel**

If selected for award negotiations, the selected applicant must submit a list of personnel who are proposed to work on the project, both at the recipient and subrecipient level. The table should include the individuals' names, job titles,

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role in the project and their organization. Recipients will have an ongoing responsibility to notify DOE of changes to the personnel and submit an updated list during the life of the life of the award as there are changes to the personnel working on the project.

**xvii. Pending and Current Sources of Support**

Current and pending support is intended to allow the identification of potential duplication, overcommitment, potential conflicts of interest or commitment, and all other sources of support. If selected for award negotiations, the principal investigator and each senior/key person at the recipient and subrecipient level must provide a list of all sponsored activities, awards, and appointments, whether paid or unpaid; provided as a gift with terms or conditions or provided as a gift without terms or conditions; full-time, part-time, or voluntary; faculty, visiting, adjunct, or honorary; cash or in-kind; foreign or domestic; governmental or private-sector; directly supporting the individual's research or indirectly supporting the individual by supporting students, research staff, space, equipment, or other research expenses. All foreign government-sponsored talent recruitment programs must be identified in current and pending support. The information may be provided in the format approved by the National Science Foundation (NSF), which may be generated by the Science Experts Network Curriculum Vita (SciENCv), a cooperative venture maintained at <https://www.ncbi.nlm.nih.gov/sciencv/>, and is also available at <https://www.nsf.gov/bfa/dias/policy/nsfapprovedformats/cps.pdf>. The use of a format required by another agency is intended to reduce the administrative burden to researchers by promoting the use of common formats.

For every activity, list the following items:

- The sponsor of the activity or the source of funding
- The award or other identifying number
- The title of the award or activity. If the title of the award or activity is not descriptive, add a brief description of the research being performed that would identify any overlaps or synergies with the proposed research.
- The total cost or value of the award or activity, including direct and indirect costs and cost share. For pending proposals, provide the total amount of requested funding.
- The award period (start date – end date).
- The person-months of effort per year being dedicated to the award or activity
- If required to identify overlap, duplication of effort, or synergistic efforts, append a description of the other award or activity to the current and pending support.

- Details of any obligations, contractual or otherwise, to any program, entity, or organization sponsored by a foreign government must be provided on request to either the applicant institution or DOE.

## 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:

[WeatherizationFOA@ee.doe.gov](mailto:WeatherizationFOA@ee.doe.gov). Questions must be submitted not later than 3 business days prior to the application due date and time. Please note, feedback on individual concepts will not be provided through Q&A.

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

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

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Problems with EERE Exchange? Email [EERE-ExchangeSupport@hq.doe.gov](mailto:EERE-ExchangeSupport@hq.doe.gov) Include FOA name and number in subject line.*

## 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.

Concept Papers, 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 Concept Paper, Full Application, Reply to Reviewer Comments, and 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]

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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 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 Concept Papers, Full Applications, and 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:

Under 42 U.S.C. § 5908, title to subject inventions vests in the U.S. government and large businesses and foreign entities do not have the automatic right to elect to retain title to subject inventions. However, EERE may issue "class patent waivers" under which large businesses and foreign entities that meet certain stated requirements may elect to retain title to their subject inventions.

- 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.

## **K. Government Rights in Subject Inventions**

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

### **1. 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

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subject invention throughout the world. This license extends to contractors doing work on behalf of the government.

## 2. **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 retains unlimited rights in technical data produced under government financial assistance awards, including the right to distribute to the public. One exception to the foregoing is that invention disclosures may be protected from

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public disclosure for a reasonable time in order to allow for filing a patent application.

## **M. Copyright**

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

## **N. 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.

## **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

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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.

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## APPENDIX A – WAIVER REQUEST AND APPROVAL PROCESS: PERFORMANCE OF WORK IN THE UNITED STATES (FOREIGN WORK WAIVER)

### 1. 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 B – GLOSSARY

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

**Community** – A group of individuals living in geographic proximity to one another, or a geographically dispersed set of individuals (such as migrant workers or Native Americans) where either type of group experiences common conditions (OMB M-21-28).

**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.

**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/>.

**Manufactured Homes:** A structure that is transportable in one or more sections. In traveling mode, the home is eight feet or more in width and forty feet or more in length. A Manufactured Home is designed and constructed to the Federal Manufactured Construction and Safety Standards and is so labeled. When erected on site, the home is: at least 400 square feet; built and remains on a permanent chassis; and designed to be used as a dwelling with a permanent foundation built to FHA criteria. The structure must be designed for occupancy as a principal residence by a single family. <https://www.hud.gov/sites/documents/41502C8HSGH.PDF>

**Multifamily Buildings**—Rental or owner-occupied buildings with 5 or more units.

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

**Quality Control Inspector (QCI)** – A residential energy efficiency professional who ensures the completion, appropriateness, and quality of energy upgrade work by conducting a methodological audit/inspection of the building, performing safety and diagnostic tests, and observing the work. A committee of SMEs considered to be experts in the field created the Quality Control Inspector Job Task Analysis.

**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.

**Single Family**—Refers to one- to four-unit dwellings.

**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 non-DOE/NNSA FFRDC may be proposed as a subrecipient on another entity’s application.

**Savings-to-Investment Ratio (SIR)** – Result of dividing the present worth of the lifetime energy cost savings by the total present worth cost of the installed measure, including the discounted rate of the savings and fuel escalation rates. Each ECM must yield a SIR ratio of 1.0 or greater to be included in the package of weatherization measures, and the total package of weatherization measures must yield a cumulative SIR of 1.0 or greater to be allowable expenditures of WAP funds.

**Standard Work Specifications (SWS)** – For single-family, manufactured, and multifamily housing describe the minimum acceptable outcomes for weatherization or home performance upgrades — effective, durable, and safe energy-efficient improvements for the specific housing type.

## APPENDIX C – LIST OF ACRONYMS

COI	Conflict of Interest
DOE	Department of Energy
E&I	Weatherization Enhancement and Innovation
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
MC3	Multi-Craft Core Curriculum
MOU	Memorandum of Understanding
MPIN	Marketing Partner ID Number
NDA	Non-Disclosure Acknowledgement
NEPA	National Environmental Policy Act
NNSA	National Nuclear Security Agency
OMB	Office of Management and Budget
PD	Project Director
QCI	Quality Control Inspector
QWP	Quality Work Plan
SAM	System for Award Management
SIR	Savings-to-investment Ratio
SOPO	Statement of Project Objectives
SWS	Standard Work Specifications
T&TA	Training and Technical Assistance
UCC	Uniform Commercial Code
WAP	Weatherization Assistance Program
WBS	Work Breakdown Structure
WP	Work Proposal
WPN	Weatherization Program Notice

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