

**FINANCIAL ASSISTANCE  
FUNDING OPPORTUNITY ANNOUNCEMENT**



**U. S. Department of Energy  
Idaho Operations Office**

**Nuclear Energy University Programs  
General Scientific Infrastructure Support  
Funding Opportunity Number: DE-FOA-0000481  
Announcement Type: Initial  
CFDA Number: 81.121**

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|-----------------------------------|-----------------------|
| <b>Issue Date:</b>                | <b>02/28/2011</b>     |
| <b>Letter of Intent Due Date:</b> | <b>Not Applicable</b> |
| <b>Pre-Application Due Date:</b>  | <b>Not Applicable</b> |
| <b>Application Due Date:</b>      | <b>04/04/2011</b>     |

**Section I - FUNDING OPPORTUNITY DESCRIPTION** ..... 4

**Section II - AWARD INFORMATION** ..... 6

**A. TYPE OF AWARD INSTRUMENT** ..... 6

**B. ESTIMATED FUNDING** ..... 6

**C. MAXIMUM AND MINIMUM AWARD SIZE** ..... 6

**D. EXPECTED NUMBER OF AWARDS** ..... 6

**E. ANTICIPATED AWARD SIZE** ..... 6

**E. PERIOD OF PERFORMANCE** ..... 6

**F. TYPE OF APPLICATION** ..... 6

**Section III - ELIGIBILITY INFORMATION**..... 7

**A. ELIGIBLE APPLICANTS**..... 7

**B. COST SHARING AND MATCHING**..... 7

**C. OTHER ELIGIBILITY REQUIREMENTS**..... 7

**Section IV - APPLICATION AND SUBMISSION INFORMATION** ..... 7

**A. ADDRESS TO REQUEST APPLICATION PACKAGE** ..... 7

**B. LETTER OF INTENT AND PRE-APPLICATION**..... 7

**C. CONTENT AND FORM OF APPLICATION**..... 8

**D. SUBMISSIONS FROM SUCCESSFUL APPLICANTS** .....12

**E. SUBMISSION DATES AND TIMES**.....12

**F. INTERGOVERNMENTAL REVIEW** .....12

**G. FUNDING RESTRICTIONS**.....13

**H. OTHER SUBMISSION AND REGISTRATION REQUIREMENTS** .....13

**1. Where to Submit**.....13

**Section V - APPLICATION REVIEW INFORMATION** .....14

**A. CRITERIA** .....14

**B. REVIEW AND SELECTION PROCESS**.....15

**C. ANTICIPATED NOTICE OF SELECTION AND AWARD DATES** .....16

**Section VI - AWARD ADMINISTRATION INFORMATION**.....16

**A. AWARD NOTICES** .....16

**B. ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS**.....17

**C. REPORTING** .....17

**Section VII - QUESTIONS/AGENCY CONTACTS**.....18

**A. QUESTIONS** .....18

**B. AGENCY CONTACT** .....18

**Section VIII - OTHER INFORMATION**.....18

**A. MODIFICATIONS** .....18

**B. GOVERNMENT RIGHT TO REJECT OR NEGOTIATE** .....18

**C. COMMITMENT OF PUBLIC FUNDS .....18**

**D. PROPRIETARY APPLICATION INFORMATION .....19**

**E. EVALUATION AND ADMINISTRATION BY NON-FEDERAL PERSONNEL .....19**

**F. INTELLECTUAL PROPERTY DEVELOPED UNDER THIS PROGRAM .....19**

**G. NOTICE OF RIGHT TO REQUEST PATENT WAIVER .....20**

**H. NOTICE REGARDING ELIGIBLE/INELIGIBLE ACTIVITIES .....20**

**Section IX - APPENDICES/REFERENCE MATERIAL .....20**

## **Section I - FUNDING OPPORTUNITY DESCRIPTION**

### **DESCRIPTION**

This Funding Opportunity Announcement (FOA) is the fiscal year (FY) 2011 solicitation for Nuclear Energy University Programs (NEUP) General Scientific Infrastructure Support for the Department of Energy's (DOE) Office of Nuclear Energy (NE). This FOA supports the NE and NEUP missions and goals described below:

*The primary mission of the Office of Nuclear Energy is to advance nuclear power as a resource capable of meeting the Nation's energy, environmental and national security needs by resolving technical, cost, safety, proliferation resistance and security barriers through research, development and demonstrations as appropriate.*

*The Nuclear Energy University Programs mission is to engage the U.S. university community to conduct program directed, program supporting and mission supporting research and development; related infrastructure improvements; and student fellowship and scholarship support to build world class nuclear energy and workforce capability as an integral component of the Office of Nuclear Energy.*

The goal of NEUP is to support outstanding, cutting-edge, and innovative research at U.S. universities through the following:

- ◆ Administering NEUP R&D awards to support NE's goal of integrating R&D at universities, national laboratories and industry to revitalize nuclear education and support NE's R&D program objective as defined in the NE R&D Roadmap.
- ◆ Attracting the brightest students to the nuclear professions and supporting the Nation's intellectual capital in Nuclear Engineering and relevant Nuclear Science, such as Health Physics, Nuclear Materials Science, Radiochemistry, and Applied Nuclear Physics.
- ◆ Improving university and college infrastructures for conducting R&D and educating students.
- ◆ Supporting NE's goal of facilitating the transfer of knowledge from an aging nuclear workforce to next generation of workers.

The development of nuclear energy-related infrastructure and basic capabilities in the university and college community is necessary to promote R&D that supports nuclear science and engineering (NS&E), DOE-NE's mission, and the Nation's nuclear energy challenges. Accordingly, DOE intends to enable the education and training of nuclear scientists, engineers, and policy-makers, in graduate and undergraduate study and two-year programs, as well as R&D that is relevant to the Department and the nuclear energy industry in general.

This FOA includes a set of mandatory requirements and evaluation criteria that will be used in the selection of successful proposals.

This FOA is seeking applications from U.S. universities and colleges for equipment and instrumentation infrastructure to support nuclear energy-related engineering and science teaching and research laboratories.

The infrastructure requested by a university should be individual, discrete, and definable items or capabilities that will support, maintain, or enhance the university's or college's capacity to attract and teach high quality students interested in nuclear energy-related studies; build the university's or college's NS&E basic research or education capabilities; or enhance the university's or college's capability to perform R&D that is relevant to DOE-NE's R&D mission.

Under this FOA, applications can be submitted for all equipment and instrumentation and associated facility upgrades requests that support nuclear energy-related R&D or education. This includes, but is not limited to, equipment and instrumentation for specialized facilities, classrooms and laboratories, and non-reactor NS&E research. Infrastructure requests that support the sharing and use of equipment and instrumentation by multiple campuses of a university or multiple universities are encouraged. Equipment and associated upgrades specifically for research reactors are the subject of a separate FOA (DE-FOA-0000469).

An application may include the purchase, set-up, and vendor installation costs for equipment and instrumentation, as well as building modifications that immediately support the installation and operation of the equipment. The application cannot include hiring or other human capital costs or the operation and maintenance of equipment. It also cannot include non-standard installation costs for equipment and instrumentation that are beyond the vendor's standard installation cost. Personnel or indirect university costs incurred for equipment installation or building modifications are not allowed.

Institution-specific costs, not specific to the equipment or instrumentation, are the responsibility of the university. For example, if a vendor needs to meet safety and health requirements to access the campus or a facility, then these costs are the responsibility of the university.

Only one application can be submitted in response to this FOA and in accordance with the requirements set forth in this announcement. The application may include multiple pieces of equipment that are needed to support the University's nuclear energy-related capabilities.

Funds available in response to this FOA are restricted to equipment or activities supporting research, teaching and education. Applications for equipment that increases operational profit are not allowed.

## **Section II - AWARD INFORMATION**

### **A. TYPE OF AWARD INSTRUMENT**

Grants

DOE anticipates awarding grants under this FOA.

### **B. ESTIMATED FUNDING**

Amount for New Awards

Up to \$6 million is expected to be available for new awards under this announcement. However, it must be emphasized that the overall Federal funding profile is highly uncertain for FY 2011 and thus, funding of grants under this FOA at \$6 million should be considered a “best case” condition that may be subject to reduction depending on the outcome of final Congressional appropriations for the NE program. Conversely, if additional funds become available later in FY 2011, DOE may make additional awards from applications submitted under this request.

### **C. MAXIMUM AND MINIMUM AWARD SIZE**

**Ceiling** (i.e., the maximum amount for an individual award made under this announcement): Up to \$300,000

**Floor** (i.e., the minimum amount for an individual award made under this announcement): None

### **D. EXPECTED NUMBER OF AWARDS**

DOE anticipates making up to 24 awards under this announcement depending on project size and funding availability

### **E. ANTICIPATED AWARD RANGE**

DOE anticipates the awards will be in the \$200,000 to \$300,000 range for the total project period

### **F. PERIOD OF PERFORMANCE**

DOE anticipates making awards with an estimated project period of one (1) year. Additional time, if needed, may be requested and justified in the application.

### **G. TYPE OF APPLICATION**

DOE will accept only new applications under this announcement.

### **Section III - ELIGIBILITY INFORMATION**

#### **A. ELIGIBLE APPLICANTS**

In accordance with 10 CFR 600.6(b), eligibility for award is restricted to U.S. universities, colleges, community colleges, and trade schools. Minority-serving institutions (e.g., Historically Black Colleges and Universities, Hispanic Serving Institutions, Tribal Serving Institutions) are encouraged to apply. The following link provides the list of minority serving institutions:

<http://www.ed.gov/about/offices/list/ocr/edlite-minorityinst.html>.

#### **B. COST SHARING/ MATCHING**

##### **Cost Sharing Encouraged**

Cost sharing is encouraged but not required. Cost matching up to \$50,000 of additional Government funding is available with a 1:1 ratio of matching funds for installation and/or facility upgrades *directly* supportive of the equipment indicated in the application.

#### **C. OTHER ELIGIBILITY REQUIREMENTS**

None

### **Section IV - APPLICATION AND SUBMISSION INFORMATION**

#### **A. ADDRESS TO REQUEST APPLICATION PACKAGE**

##### **Apply at Grants.gov**

Application forms and instructions are available at **Grants.gov**. To access these materials, go to <http://www.grants.gov>, select "Apply for Grants," and then select "Download Application Package." Enter the CFDA and/or the funding opportunity number located on the cover of this announcement and then follow the prompts to download the application package.

#### **B. LETTERS OF INTENT AND PRE-APPLICATIONS**

Letters of Intent are not required.

Pre-applications are not required.

## **C. CONTENT AND FORM OF APPLICATION**

Applicants must complete the mandatory forms and any applicable optional forms (e.g., SF-LLL- Disclosure of Lobbying Activities) in accordance with the instructions on the forms and the additional instructions below. Files that are attached to the forms must be in Adobe Portable Document Format (PDF) unless otherwise specified in this announcement.

### **1. SF 424 - Application for Federal Assistance**

Complete this form first to populate data in other forms. Complete all required fields in accordance with the pop-up instructions on the form. The list of certifications and assurances referenced in Field 21 can be found on the DOE Financial Assistance Forms Page at [http://management.energy.gov/business\\_doe/business\\_forms.htm](http://management.energy.gov/business_doe/business_forms.htm) under Certifications and Assurances.

#### **Project/Performance Site Location(s)**

Indicate the primary site where the work will be performed. If a portion of the project will be performed at any other site(s), identify the site location(s) in the blocks provided.

Note that the Project/Performance Site Congressional District is entered in the format of the 2 digit state code followed by a dash and a 3 digit Congressional district code, for example VA-001. Hover over this field for additional instructions.

Use the Next Site button to expand the form to add additional Project/Performance Site Locations.

#### **Project Narrative File - Mandatory Other Attachment**

The project narrative must not exceed eight (8) pages, including cover page, table of contents, charts, graphs, maps, photographs, and other pictorial presentations, when printed using standard 8.5" by 11" paper with 1 inch margins (top, bottom, left, and right) single spaced. EVALUATORS WILL REVIEW ONLY THE NUMBER OF PAGES SPECIFIED IN THE PRECEDING SENTENCE. The font must not be smaller than 11 point. Do not include any Internet addresses (URLs) that provide information necessary to review the application. See Section VIII.D for instructions on how to mark proprietary application information. Save the information in a single file named "Project.pdf," and click on "Add Mandatory Other Attachment" to attach.

#### **The project narrative must include:**

**Project Objectives.** This section should provide a clear, concise statement of the specific objectives/aims of the proposed project. Briefly describe the NS&E program(s) at your school; if you do not have a current program, describe your plans to establish such a program. Provide a narrative that describes how your application will further NS&E

R&D and education. Discuss the proposed objectives and goals for use of the equipment. Discuss how the request enables the institution's learning mission; and how the request fills current infrastructure gaps and/or complements existing infrastructure capabilities.

Merit Review Criterion Discussion. The section should be formatted to address each of the merit review criterion and sub-criterion listed in Section V.A. Provide sufficient information so that reviewers will be able to evaluate the application in accordance with these merit review criteria. **DOE WILL EVALUATE AND CONSIDER ONLY THOSE APPLICATIONS THAT ADDRESS SEPARATELY EACH MERIT REVIEW CRITERION AND SUB-CRITERION.**

Project Timetable: This section should outline as a function of time all the important activities or phases of the project.

Roles of Participants: Describe the capabilities and qualifications of the Principal Investigator and application team to accomplish the proposed work.

Facilities And Other Resources: Identify the facilities (e.g., office, laboratory, computer, etc.) to be used at each performance site listed and, if appropriate, indicate their capacities, pertinent capabilities, relative proximity, and extent of availability to the project. Describe only those resources that are directly applicable to the proposed work. Provide any information describing the other resources available to the project such as machine and electronics shops.

Equipment: Itemize the requested equipment and instrumentation including, as available, specifications such as type, size, and other key attributes.

Utilization: Provide a narrative that describes how your application will allow for student and faculty usage, both within the institution and by other entities or institutions. Provide a measure of the amount of use expected for the requested equipment and instrumentation. If there is a preexisting capability, provide a description of how readily accessible and/or currently utilized the resource is by other entities or institutions.

Cost Sharing/Matching: If applying for cost matching, describe the amount of cost matching being provided by the University and the purpose for which it will be used. The matching funds are to be used for installation and/or facility upgrades that are *directly* supportive of the equipment purchased through the award. As stated in Section III.B, additional funding provided by DOE will be directly proportional to the university cost match (1:1) up to a DOE maximum of \$50,000.

It is required that university contributions to this award be actual financial support and not support or funds that could be construed to be “in-kind”. Applicants must indicate that the matching support being proposed is a cash commitment.

The matching cash contribution must have been generated in response to this announcement. Universities should not include contributions in their applications which were not a direct result of this announcement. *Any violation of this intent may give DOE cause to withdraw its funds.*

At the time the proposal is submitted, the applicant must provide firm funding commitment letters from all contributing university elements regarding funds to match DOE's contribution of up to \$50,000. If more than one university element will provide funds, this information should be summarized in a table format. The commitment letter(s), which indicate the amount and nature of the matching funds, should be included as an attachment to the application. Letters must be signed by a person authorized to commit the expenditure of funds by the entity and be provided in a PDF format. Save the letters in a portable document format (pdf) file named "FCL" and attach to the Other Attachment Files. Commitment letters are not included in the eight (8) page limitation.

### **Project Summary/Abstract File**

The project summary/abstract must contain a summary of the proposed activity suitable for dissemination to the public. It should be a self-contained document that identifies the name of the applicant, the 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 (i.e., benefits, outcomes), and major participants (for collaborative projects). This document must not include any proprietary or sensitive business information as the Department may make it available to the public if an award is made. The project summary must not exceed one (1) page when printed using standard 8.5" by 11" paper with 1" margins (top, bottom, left and right) single spaced with font no smaller than 11 point. Save this information in a file named "Summary.pdf," and click on "Add Optional Other Attachment" to attach.

### **SF 424 A Excel, Budget Information - Non-Construction Programs File**

Applicants must provide a separate budget for each year of support requested and a cumulative budget for project period. Use the SF 424 A Excel, "Budget Information - Non Construction Programs" form on the DOE Financial Assistance Forms Page at [http://management.energy.gov/business\\_doe/business\\_forms.htm](http://management.energy.gov/business_doe/business_forms.htm).

Applicants may request funds under any of the Object Class Categories as long as the item and amount are necessary to perform the proposed work, meet all the criteria for allowability under the applicable Federal cost principles, and are not prohibited by the funding restrictions in this announcement (See Section IV, G). Save the information in a single file named "SF424A.xls," and click on "Add Optional Other Attachment" to attach.

### **Budget Justification File**

Applicants must justify the costs proposed in each Object Class Category/Cost Classification category (e.g.; provide a list of equipment and cost of each item; and provide any other information you wish to support your budget). **Applicants must submit vendor quotes or referenced costs (catalog pricing) for any single item over \$25,000.** Current vendor quotes will be required for equipment or services exceeding \$25,000 prior to award. Provide the name of your cognizant/oversight agency, if you have one, and the name and phone number of the individual responsible for negotiating

your indirect rates. If cost sharing is required, applicants must have a letter from each third party contributing cost sharing (i.e., a party other than the organization submitting the application) stating that the third party is committed to providing a specific minimum dollar amount of cost sharing. In the budget justification, identify the following information for each third party contributing cost sharing: (1) the name of the organization; (2) the proposed dollar amount to be provided; (3) the amount as a percentage of the total project cost; and (4) the proposed cost sharing - cash, services, or property. By submitting your application, you are providing assurance that you have signed letters of commitment. Successful applicants will be required to submit these signed letters of commitments. Save the budget justification information in a single file named "Budget.pdf," and click on "Add Optional Other Attachment" to attach.

**Current and Pending Support**

Identify funding that is pending or has been awarded, for similar activities related to nuclear infrastructure/ curriculum within the last three years. Please identify by source and amount requested/awarded. Save the information in a file named "Support.pdf" click on "Add Optional Other Attachment" to attach.

**Awardee Points of Contact (POC) Data Input Sheet**

Applicants must complete a POC Data Input Sheet for each sub-grant area. See Attachment B for fillable Excel document. Save the information in a file named "POC.xls: click on "Add Optional Other Attachment" to attach.

**2. SF-LLL Disclosure of Lobbying Activities**

If applicable, complete SF-LLL. Applicability: If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the grant/cooperative agreement, you must complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying."

**Summary of Required Forms/Files**

Applications must include the following documents:

**Summary of Required Forms/Files –  
Your application must include the following documents:**

| Name of Document                           | Format | File Name |
|--|--------|-----------|
| Application for Federal Assistance – SF424 | Form   | N/A       |
| Project/Performance Site Location(s)       | Form   | N/A       |

|  |       |             |
|--|-------|-------------|
| Other Attachments Form: Attach the following files to this form: | Form  | N/A         |
| Project Narrative File   | PDF   | Project.pdf |
| Project Summary/Abstract File                                    | PDF   | Summary.pdf |
| SF 424A File - Budget Information for Non-Construction Programs  | Excel | SF424A.xls  |
| Budget Justification File  | PDF   | Budget.pdf  |
| Current and Pending Support                                      | PDF   | Support.pdf |
| Completed Awardee Point of Contact Data Sheet                    | PDF   | POC.pdf     |
| Financial Commitment Letter(s), if applicable                    | PDF   | FCL.pdf     |
| SF-LLL Disclosure of Lobbying Activities, if applicable.         | Form  | N/A         |

#### **D. SUBMISSIONS FROM SUCCESSFUL APPLICANTS**

DOE reserves the right to request from successful applicants additional or clarifying information for any reason deemed necessary, including, but not limited to:

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

#### **E. SUBMISSION DATES AND TIMES**

**Pre-application Due Date:** Pre-applications are not required.

**Applications Due Date: April 04, 2011, 8:00 PM EDT**

Applications must be received by April 04, 2011, no later than 8:00 PM Eastern Daylight Time. Applicants are encouraged to transmit applications well before the deadline. APPLICATIONS RECEIVED AFTER THE DEADLINE WILL NOT BE REVIEWED OR CONSIDERED FOR AWARD.

#### **F. INTERGOVERNMENTAL REVIEW**

**Program Not Subject to Executive Order 12372**

This program is not subject to Executive Order 12372 - Intergovernmental Review of Federal Programs.

## **G. FUNDING RESTRICTIONS**

**Cost Principles.** Costs must be allowable, allocable and reasonable in accordance with the applicable Federal cost principles referenced in 10 CFR 600. The cost principles for commercial organization are in FAR Part 31.

**Pre-award Costs.** Recipients may charge to an award resulting from this announcement pre-award costs that were incurred within the ninety (90) calendar-day period immediately preceding the effective date of the award, if the costs are allowable in accordance with the applicable Federal cost principles referenced in 10 CFR 600. Recipients must obtain the prior approval of the contracting officer for any pre-award costs that are for periods greater than this 90 day calendar period.

Pre-award costs are incurred at the applicant's risk. DOE is under no obligation to reimburse such costs if for any reason the applicant does not receive an award or if the award is made for a lesser amount than the applicant expected.

## **H. OTHER SUBMISSION AND REGISTRATION REQUIREMENTS**

### **1. Where to Submit**

#### **APPLICATIONS MUST BE SUBMITTED THROUGH GRANTS.GOV TO BE CONSIDERED FOR AWARD.**

Submit electronic applications through the "Apply for Grants" function at [www.Grants.gov](http://www.Grants.gov). If you have problems completing the registration process or submitting your application, call Grants.gov at 1-800-518-4726 or send an email to [support@grants.gov](mailto:support@grants.gov).

### **2. Registration Process**

#### **One Time Registration Process**

You must COMPLETE the one-time registration process (all steps) before you can submit your first application through Grants.gov (See [www.grants.gov/GetStarted](http://www.grants.gov/GetStarted)). We recommend that you start this process at least three weeks before the application due date. It may take 21 days or more to complete the entire process. Use the Grants.gov Organizational Registration Checklists at <http://www.grants.gov/assets/OrganizationRegCheck.pdf> to guide you through the process. **IMPORTANT:** During the CCR registration process, you will be asked to designate an E-Business Point of Contact (EBIZ POC). The EBIZ POC must obtain a special password called "Marketing Partner Identification Number" (MPIN). When you

have completed the process, you should call the Grants.gov Helpdesk at 1-800-518-4726 to verify that you have completed the final step (i.e., Grants.gov registration).

### **3. Application Receipt Notices**

After an application is submitted, the Authorized Organization Representative (AOR) will receive a series of four e-mails. It is extremely important that the AOR watch for and save each of the emails. It may take up to two (2) business days from application submission to receipt of email Number 2. The titles of the four e-mails are:

Number 1 - Grants.gov Submission Receipt Number

Number 2 - Grants.gov Submission Validation Receipt for Application Number

Number 3 - Grants.gov Grantor Agency Retrieval Receipt for Application Number

Number 4 - Grants.gov Agency Tracking Number Assignment for Application Number

## **Section V - APPLICATION REVIEW INFORMATION**

### **A. CRITERIA**

#### **1. Initial Review Criteria**

##### **Application Award Eligibility**

Prior to a comprehensive merit evaluation, DOE will perform an initial review to determine that (1) the applicant is eligible for an award; (2) the information required by the funding opportunity announcement has been submitted; and (3) the proposed project is responsive to the objectives of the funding opportunity announcement. Applications that fail to pass the initial review will not be forwarded for merit review and will be eliminated from further consideration.

#### **2. Merit Review Criteria**

The following evaluation criteria and weights will be used to evaluate applications submitted under this FOA:

Rating criteria include demonstrations of increasing or enhancing research or teaching capabilities.

- a. (50%) Potential of the requested equipment, instrumentation, modification or service to improve or expand the research and training capabilities;
- b. (20%) Adequacy of the number and qualifications of key persons developing and carrying out the project, and the qualification of project personnel assessing project results and disseminating findings.
- c. (20%) Amount of student and faculty usage of the capabilities, and the amount and variety of research and/or services actually provided by the facility; and

- d. (10%) Reasonableness of the proposed costs of the equipment or instrumentation to achieve the proposed objectives. (*Current vendor quotations for the specific equipment or service are required prior to award.*)

### **3. Other Selection Factors**

The selection official may also consider the following program policy factors in the selection process:

- Degree to which proposed project optimizes use of available DOE funding to achieve NEUP goals and objectives.
- Application selection may optimize appropriate mix of projects to achieve NEUP goals and objectives.
- Other Cost/Budget considerations.
- Existing NS&E Program, or realistic plan to establish NS&E program.
- Minority serving institutions that submit a competitive application.

## **B. REVIEW AND SELECTION PROCESS**

### **1. Merit Review**

#### **Applications Subject to Merit Review**

Applications that pass the initial review will be subjected to a merit review in accordance with the guidance provided in the "Department of Energy Merit Review Guide for Financial Assistance." This guide is available under Financial Assistance, Regulations and Guidance at <http://www.management.energy.gov/documents/meritrev.pdf>.

### **2. Selection**

#### **Selection Official Consideration**

The Selection Official will consider the merit review recommendation and other selection factors.

### **3. Discussions and Award**

#### **Government Discussions with Applicant**

The Government may enter into discussions with applicants for any reason deemed necessary, including but not limited to: (1) the budget is not appropriate or reasonable for the requirement; (2) only a portion of the application is selected for award; (3) the Government needs additional information to determine that the recipient is capable of complying with the requirements in 10 CFR 600; and/or (4) special terms and conditions

are required. Failure to resolve satisfactorily the issues identified by the Government will preclude award to the applicant.

## **C. ANTICIPATED NOTICE OF SELECTION AND AWARD DATES**

### **Selection and Award Date**

DOE anticipates notifying applicants selected for award by June 2011 and making awards by August 2011.

## **Section VI - AWARD ADMINISTRATION INFORMATION**

### **A. AWARD NOTICES**

#### **1. Notice of Selection**

##### **Selected Applicants Notification**

DOE will notify applicants selected for award. This notice of selection is not an authorization to begin performance. (See Section IV.G with respect to the allowability of pre-award costs.)

##### **Non-selected Notification**

Organizations whose applications are not selected will be advised as promptly as possible. This notice will explain why the application was not selected.

#### **2. Notice of Award**

##### **Notice of Award**

A Notice of Financial Assistance Award issued by the contracting officer is the authorizing award document. It normally includes either as an attachment or by reference: (1) Special Terms and Conditions; (2) Applicable program regulations, if any; (3) Application as approved by DOE.; (4) DOE assistance regulations at 10 CFR part 600, or, for Federal Demonstration Partnership (FDP) institutions, the FDP terms and conditions; (5) National Policy Assurances To Be Incorporated As Award Terms; (6) Budget Summary; and (7) Federal Assistance Reporting Checklist, which identifies the reporting requirements.

For grants and cooperative agreements made to universities, non-profits and other entities subject to Title 2 CFR the Award also includes the Research Terms and Conditions located at <http://www.nsf.gov/bfa/dias/policy/rtc/index.jsp>.

## **B. ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS**

### **1. Administrative Requirements**

The administrative requirements for DOE grants and cooperative agreements are contained in 10 CFR 600 (See: <http://ecfr.gpoaccess.gov>). Grants and cooperative agreements made to universities, non-profits and other entities subject to Title 2 of the CFR and are subject to the Research Terms and Conditions located on the National Science Foundation web site at <http://www.nsf.gov/bfa/dias/policy/rtc/index.jsp>.

### **DUNS AND CCR REQUIREMENTS**

Additional administrative requirements for DOE grants and cooperative agreements are contained in 2 CFR Part 25 (See: <http://ecfr.gpoaccess.gov>). Prime awardees must keep their data at CCR current. Subawardees at all tiers must obtain DUNS numbers and provide the DUNS to the prime awardee before the subaward can be issued.

### **SUBAWARD AND EXECUTIVE REPORTING**

Additional administrative requirements necessary for DOE grants and cooperative agreements to comply with the Federal Funding and Transparency Act of 2006 (FFATA) are contained in 2 CFR Part 170. (See: <http://ecfr.gpoaccess.gov>). Prime awardees must register with the new FSRS database and report the required data on their first tier subawardees. Prime awardees must report the executive compensation for their own executives as part of their registration profile in the CCR.

### **2. Special Terms and Conditions and National Policy Requirements**

Special Terms and Conditions and National Policy Requirements. The DOE Special Terms and Conditions for Use in Most Grants and Cooperative Agreements are located at [http://management.energy.gov/business\\_doe/business\\_forms.htm](http://management.energy.gov/business_doe/business_forms.htm).

The National Policy Assurances To Be Incorporated As Award Terms are located at <http://www.nsf.gov/bfa/dias/policy/rtc/appc.pdf>.

Intellectual Property Provisions. The standard DOE financial assistance intellectual property provisions applicable to the various types of recipients are located at [http://www.gc.doe.gov/financial\\_assistance\\_awards.htm](http://www.gc.doe.gov/financial_assistance_awards.htm).

## **C. REPORTING**

Reporting requirements are identified on the Federal Assistance Reporting Checklist, DOE F 4600.2, attached to the award agreement. For a sample Checklist, see <http://www.management.energy.gov/documents/DOEF4600pt292009.pdf>.

## **Section VII - QUESTIONS/AGENCY CONTACTS**

### **A. QUESTIONS**

Questions regarding the content of the announcement must be submitted through the FedConnect portal. You must register with FedConnect to respond as an interested party to submit questions, and to view responses to questions. It is recommended that you register as soon after release of the FOA as possible to have the benefit of all responses. DOE will try to respond to a question within 3 business days, unless a similar question and answer have already been posted on the website.

Questions and comments concerning this FOA shall be submitted not later than five calendar days prior to the application due date. Questions submitted after that date may not allow the Government sufficient time to respond.

Questions relating to the registration process, system requirements, how an application form works, or the submittal process must be directed to Grants.gov at 1-800-518-4726 or support@grants.gov. DOE cannot answer these questions

### **B. AGENCY CONTACT**

Name: Janet K. Surrusco  
E-mail: surrusjk@id.doe.gov

## **Section VIII - OTHER INFORMATION**

### **A. MODIFICATIONS**

Notices of any modifications to this announcement will be posted on Grants.gov and the FedConnect portal. You can receive an email when a modification or an announcement message is posted by registering with FedConnect as an interested party for this FOA. It is recommended that you register as soon after release of the FOA as possible to ensure you receive timely notice of any modifications or other announcements.

### **B. GOVERNMENT RIGHT TO REJECT OR NEGOTIATE**

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

### **C. COMMITMENT OF PUBLIC FUNDS**

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

#### **D. PROPRIETARY APPLICATION INFORMATION**

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

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

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

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

#### **E. EVALUATION AND ADMINISTRATION BY NON-FEDERAL PERSONNEL**

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

#### **F. INTELLECTUAL PROPERTY DEVELOPED UNDER THIS PROGRAM**

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

certain conditions. (See "Notice of Right to Request Patent Waiver" in paragraph G below.)

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

#### **G. NOTICE OF RIGHT TO REQUEST PATENT WAIVER**

Applicants may request a waiver of all or any part of the rights of the United States in inventions conceived or first actually reduced to practice in performance of an agreement as a result of this announcement, in advance of or within 30 days after the effective date of the award. Even if such advance waiver is not requested or the request is denied, the recipient will have a continuing right under the award to request a waiver of the rights of the United States in identified inventions, i.e., individual inventions conceived or first actually reduced to practice in performance of the award. Any patent waiver that may be granted is subject to certain terms and conditions in 10 CFR 784 <http://www.gc.doe.gov/documents/patwaivclau.pdf>.

Domestic small businesses and domestic nonprofit organizations will receive the patent rights clause at 37 CFR 401.14, i.e., the implementation of the Bayh-Dole Act. This clause permits domestic small business and domestic nonprofit organizations to retain title to subject inventions. Therefore, small businesses and nonprofit organizations do not need to request a waiver.

#### **H. NOTICE REGARDING ELIGIBLE/INELIGIBLE ACTIVITIES**

Eligible activities under this program 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.

### **Section IX - APPENDICES/REFERENCE MATERIAL**

#### **APPENDICES/REFERENCE MATERIAL**

Appendix A: Sample Reporting Requirements Checklist

Appendix B: Awardee Points of Contact Data Input Sheet