

**FINANCIAL ASSISTANCE  
FUNDING OPPORTUNITY ANNOUNCEMENT**



**ADVANCED RESEARCH PROJECTS AGENCY – ENERGY (ARPA-E)  
U.S. DEPARTMENT OF ENERGY**

**OPEN 2018**

Announcement Type: ~~Initial Announcement~~ **Modification 01**  
Funding Opportunity No. DE-FOA- 0001858  
CFDA Number 81.135

<b>Funding Opportunity Announcement (FOA) Issue Date:</b>	December 13, 2017
<b>First Deadline for Questions to <a href="mailto:ARPA-E-CO@hq.doe.gov">ARPA-E-CO@hq.doe.gov</a>:</b>	5 PM ET, Friday, February 2, 2018
<b>Submission Deadline for Concept Papers:</b>	5 PM ET, Monday, February 12, 2018
<b>Second Deadline for Questions to <a href="mailto:ARPA-E-CO@hq.doe.gov">ARPA-E-CO@hq.doe.gov</a>:</b>	5 PM ET, TBD
<b>Submission Deadline for Full Applications:</b>	5 PM ET, TBD
<b>Submission Deadline for Replies to Reviewer Comments:</b>	5 PM ET, TBD
<b>Expected Date for Selection Notifications:</b>	TBD
<b>Total Amount to Be Awarded</b>	Approximately \$100 million, subject to the availability of appropriated funds.
<b>Anticipated Awards</b>	ARPA-E may issue one, multiple, or no awards under this FOA. Awards may vary between \$500,000 and \$10 million.

- For eligibility criteria, see Section III.A of the FOA.
- For cost share requirements under this FOA, see Section III.B of the FOA.
- To apply to this FOA, Applicants must register with and submit application materials through ARPA-E eXCHANGE (<https://arpa-e-foa.energy.gov/Registration.aspx>). For detailed guidance on using ARPA-E eXCHANGE, see Section IV.H.1 of the FOA.
- Applicants are responsible for meeting each submission deadline. Applicants are strongly encouraged to submit their applications at least 48 hours in advance of the submission deadline.
- For detailed guidance on compliance and responsiveness criteria, see Sections III.C.1 through III.C.4 of the FOA.

*Questions about this FOA? Check the Frequently Asked Questions available at <http://arpa-e.energy.gov/faq>. For questions that have not already been answered, email [ARPA-E-CO@hq.doe.gov](mailto:ARPA-E-CO@hq.doe.gov) (with FOA name and number in subject line); see FOA Sec. VII.A. Problems with ARPA-E eXCHANGE? Email [ExchangeHelp@hq.doe.gov](mailto:ExchangeHelp@hq.doe.gov) (with FOA name and number in subject line).*

## **MODIFICATIONS**

All modifications to the Funding Opportunity Announcement (FOA) are highlighted in yellow in the body of the FOA.

<b>Mod. No.</b>	<b>Date</b>	<b>Description of Modifications</b>
01	01/19/2018	<ul style="list-style-type: none"><li>Revised Content and Form requirements of Concept Papers. See Section IV.C of the FOA and Concept Paper Template.</li></ul>

Questions about this FOA? Check the Frequently Asked Questions available at <http://arpa-e.energy.gov/faq>. For questions that have not already been answered, email [ARPA-E-CO@hq.doe.gov](mailto:ARPA-E-CO@hq.doe.gov) (with FOA name and number in subject line); see FOA Sec. VII.A. Problems with ARPA-E eXCHANGE? Email [ExchangeHelp@hq.doe.gov](mailto:ExchangeHelp@hq.doe.gov) (with FOA name and number in subject line).

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## **REQUIRED DOCUMENTS CHECKLIST**

For an overview of the application process, see Section IV.A of the FOA.

For guidance regarding requisite application forms, see Section IV.B of the FOA.

For guidance regarding the content and form of Concept Papers, Full Applications, and Replies to Reviewer Comments, see Sections IV.C, IV.D, and IV.E of the FOA.

SUBMISSION	COMPONENTS	OPTIONAL/ MANDATORY	FOA SECTION	DEADLINE
Concept Paper	<ul style="list-style-type: none"><li>• Each Applicant must submit a Concept Paper in Adobe PDF format by the stated deadline. The Concept Paper must not exceed 4 pages in length and must include the following:<ul style="list-style-type: none"><li>○ Concept Summary</li><li>○ Innovation and Impact</li><li>○ Proposed Work</li><li>○ Team Organization and Capabilities</li></ul></li></ul>	Mandatory	IV.C	5 PM ET, Monday, February 12, 2018
Full Application	[TO BE INSERTED BY FOA MODIFICATION IN MAY 2018]	Mandatory	IV.D	5 PM ET, TBD
Reply to Reviewer Comments	[TO BE INSERTED BY FOA MODIFICATION IN MAY 2018]	Optional	IV.E	5 PM ET, TBD

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## I. FUNDING OPPORTUNITY DESCRIPTION

### A. AGENCY OVERVIEW

The Advanced Research Projects Agency – Energy (ARPA-E), an organization within the Department of Energy (DOE), is chartered by Congress in the America COMPETES Act of 2007 (P.L. 110-69), as amended by the America COMPETES Reauthorization Act of 2010 (P.L. 111-358) to:

- “(A) to enhance the economic and energy security of the United States through the development of energy technologies that result in—
- (i) reductions of imports of energy from foreign sources;
  - (ii) reductions of energy-related emissions, including greenhouse gases; and
  - (iii) improvement in the energy efficiency of all economic sectors; and
- (B) to ensure that the United States maintains a technological lead in developing and deploying advanced energy technologies.”

ARPA-E issues this Funding Opportunity Announcement (FOA) under the programmatic authorizing statute codified at 42 U.S.C. § 16538. The FOA and any awards made under this FOA are subject to 2 C.F.R. Part 200 as amended by 2 C.F.R. Part 910.

ARPA-E funds research on and the development of high-potential, high-impact energy technologies that are too early for private-sector investment. The agency focuses on technologies that can be meaningfully advanced with a modest investment over a defined period of time in order to catalyze the translation from scientific discovery to early-stage technology. For the latest news and information about ARPA-E, its programs and the research projects currently supported, see: <http://arpa-e.energy.gov/>.

***ARPA-E funds transformational research.*** Existing energy technologies generally progress on established “learning curves” where refinements to a technology and the economies of scale that accrue as manufacturing and distribution develop drive down the cost/performance metric in a gradual fashion. This continual improvement of a technology is important to its increased commercial deployment and is appropriately the focus of the private sector and it can be spurred by early-stage R&D supported by the applied energy offices in DOE. By contrast, ARPA-E supports high-risk, potentially transformative research that has the potential to create fundamentally new learning curves. ARPA-E R&D projects typically start with cost/performance estimates for the proposed technology that are well above the level of the competitive incumbent technology. Given the high risk inherent in these projects, many will fail to progress, but some may succeed in generating a new learning curve with a projected cost/performance metric that is significantly lower than that of the incumbent technology.

**ARPA-E funds technology with the potential to be disruptive in the marketplace.** The mere creation of a new learning curve does not ensure market penetration. Rather, the ultimate value of a technology is determined by the marketplace, and impactful technologies ultimately become disruptive – that is, they are widely adopted and displace existing technologies from the marketplace or create entirely new markets. ARPA-E understands that definitive proof of market disruption takes time, particularly for energy technologies. Therefore, ARPA-E funds the development of technologies that, if technically successful, have the clear disruptive potential, e.g., by demonstrating capability for manufacturing at competitive cost and deployment at scale.

**ARPA-E funds applied research and development.** The Office of Management and Budget defines “applied research” as an “original investigation undertaken in order to acquire new knowledge...directed primarily towards a specific practical aim or objective” and defines “development” as “creative and systematic work, drawing on knowledge gained from research and practical experience, which is directed at producing new products or processes or improving existing products or processes.”<sup>1</sup> Applicants interested in receiving financial assistance for basic research should contact the DOE’s Office of Science (<http://science.energy.gov/>). Office of Science national scientific user facilities (<http://science.energy.gov/user-facilities/>) are open to all researchers, including ARPA-E applicants and awardees. These facilities provide advanced tools of modern science including accelerators, colliders, supercomputers, light sources and neutron sources, as well as facilities for studying the nanoworld, the environment, and the atmosphere. Projects focused on early-stage R&D for the improvement of technology along defined roadmaps may be more appropriate for support through the DOE applied energy offices including: the Office of Energy Efficiency and Renewable Energy (<http://www.eere.energy.gov/>), the Office of Fossil Energy (<http://fossil.energy.gov/>), the Office of Nuclear Energy (<http://www.energy.gov/ne/office-nuclear-energy>), and the Office of Electricity Delivery and Energy Reliability (<http://energy.gov/oe/office-electricity-delivery-and-energy-reliability>).

## **B. PROGRAM BACKGROUND**

This FOA marks the fourth OPEN solicitation in the history of ARPA-E. The previous OPEN solicitations were conducted at the inception of the agency in 2009 and again in 2012 and 2015. OPEN 2018 therefore continues the three-year periodic cycle for ARPA-E OPEN solicitations. An OPEN solicitation provides a vitally important mechanism for the support of innovative energy R&D that complements the other primary mechanism, which is through the solicitation of research projects in focused technology programs.

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<sup>1</sup> OMB Circular A-11  
([https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/assets/a11\\_current\\_year/a11\\_2017.pdf](https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/assets/a11_current_year/a11_2017.pdf)), Section 84, pgs. 3-4.



ARPA-E's focused programs target specific areas of technology that the agency has identified, through extensive interaction with the appropriate external stakeholders, as having significant potential impact on one or more of the Mission Areas described in Section I.A of the FOA. Awards made in response to the solicitation for focused programs support the aggressive technical targets established in that solicitation. Taken in total, ARPA-E's focused technology programs cover a significant portion of the spectrum of energy technologies and applications.

ARPA-E's OPEN FOAs ensure that the agency does not miss opportunities to support innovative energy R&D that falls outside of the topics of the focused technology programs or that develop after focused solicitations have closed. OPEN FOAs provide the agency with a remarkable sampling of new and emerging opportunities across the complete spectrum of energy applications and allow the agency to "take the pulse" of the energy R&D community. OPEN FOAs have been and will continue to be the perfect complement to the agency's focused technology programs – a unique combination of approaches for supporting the most innovative and current energy technology R&D. Indeed, one third of the sixty projects featured in the first two volumes describing ARPA-E impacts stem from OPEN solicitations (<https://arpa-e.energy.gov/?q=site-page/arpa-e-impact>). Potential applicants to this FOA are strongly encouraged to examine the OPEN projects in these two volumes and all of the projects supported in the previous three OPEN solicitations (<https://arpa-e.energy.gov/?q=site-page/open>) for examples of the creative and innovative R&D ARPA-E seeks in its OPEN solicitations.

### **C. PROGRAM OBJECTIVES**

The objective of an ARPA-E OPEN FOA is simple, yet comprehensive: to support high-risk R&D leading to the development of potentially disruptive new technologies across the full spectrum of energy applications. ARPA-E seeks to support early-stage, but potentially transformational research in all areas of energy R&D, covering transportation and stationary applications. Areas of research responsive to this FOA include (but are not limited to) electricity generation by both conventional and renewable means; electricity transmission, storage, and distribution; energy efficiency for buildings, manufacturing and commerce, and personal use; and all aspects of transportation, including the production and distribution of both renewable and non-renewable fuels, electrification, and energy efficiency in transportation.

Because of the enormous breadth of energy technologies solicited under an OPEN FOA, it is impossible to provide the well-defined technical targets contained in an ARPA-E FOA for a focused technology program. Rather, ARPA-E asks applicants to address the potential impact of the proposed technology on the agency's Mission Areas: reducing imported energy, reducing energy-related emissions, and improving energy efficiency. The critical question for applicants to consider in assessing potential impact is: "If it works, will it matter?" In a FOA for a focused

technology program, this question has already been answered by ARPA-E. If an applicant can demonstrate that the proposed technology can achieve the technical targets specified in the FOA for a focused program, the agency believes that the technology can have significant impact on the agency's missions. In an OPEN FOA, the burden of demonstrating potential impact lies solely upon the applicant, who must make the strongest possible case for why the proposed technology will matter – that it has the potential to change our energy future.

**D. TECHNICAL CATEGORIES AND SUBCATEGORIES OF INTEREST**

Applications are sought that address one or more of ARPA-E's Mission Areas through the type of high-risk, transformational research described in Section I.A of this FOA. Concepts may span multiple disciplinary boundaries. In order to organize the submissions to this FOA for the purposes of merit review, ARPA-E requires that each Concept Paper and Full Application identify a Technical Subcategory or Subcategories for the proposed technology from the list provided below. Applicants may select a single Technical Subcategory or multiple Technical Subcategories for their proposed technology, as appropriate. The Applicant may select multiple Technical Subcategories from the same Technical Category or different Technical Categories.

The list of Technical Subcategories is intended to encompass the majority of energy-related technologies. If the proposed technology does not fall within any of the Technical Subcategories below, the Applicant should select from Category 7, "Other Energy Technologies," Subcategory L, "Other Energy Technologies Not Listed Above."

<b>CATEGORY</b>	<b>SUBCATEGORY</b>	<b>DESCRIPTION</b>	
<b>CATEGORY 1: GRID</b>	<b><u>Subcategory A:</u></b> Grid Transmission	Technologies for the electricity transmission system (>69 kV) planning and operations, including both AC and DC systems.	
	<b><u>Subcategory B:</u></b> Grid Distribution	Technologies for the electricity distribution system ( $\leq$ 69 kV) planning and operations including both AC and DC systems.	
	<b><u>Subcategory C:</u></b> Modeling, Software, Algorithms, And Control For The Grid	Modeling, algorithms, or control methodologies that improve grid planning, operations, or markets.	
	<b><u>Subcategory D:</u></b> Batteries - Grid Scale	Grid scale battery technologies.	
	<b><u>Subcategory E:</u></b> Grid Scale (Non-Battery) Storage	Non-battery technologies for grid-scale storage such as: pumped-hydro, compressed air, high angular velocity flywheels, etc.	
	<b><u>Subcategory F:</u></b> Grid Reliability	Technologies that maintain the efficient function of the grid during unusual events, particularly in the context of increasing renewable energy sources and/or distributed generation.	
	<b><u>Subcategory G:</u></b> Grid – Other	Grid technologies that do not fit into one of the above categories.	
	<b>CATEGORY 2: TRANSPORTATION</b>	<b><u>Subcategory A:</u></b> Alternative Fuels (Non-Bio)	Technologies that create fuels that are substitutes for gasoline/diesel, but are not bio based.
		<b><u>Subcategory B:</u></b> Engines - Transportation	Technologies for improved internal combustion engines and other engine types (e.g., turbines) specifically for transportation applications.
		<b><u>Subcategory C:</u></b> Electric Motors – Transportation	Technologies for improved electric motors specifically for transportation applications.
<b><u>Subcategory D:</u></b> Fuel Cells - Transportation		Technologies for improved fuel cells specifically for transportation applications.	
<b><u>Subcategory E:</u></b>			

	<b>Advanced Vehicle Designs And Materials</b>	Advanced or alternative vehicle designs and/or key enabling technologies. Examples could include ultralightweight vehicles, advanced components, new vehicle designs and architectures, etc.
	<b><u>Subcategory F:</u> Transportation Management</b>	Technologies for traffic management, transportation behavior, self-driving cars and other advanced transportation management scenarios.
	<b><u>Subcategory G:</u> Power Electronics - Transportation</b>	Technologies that include advances in semiconductor materials, substrates, circuit topologies, magnetic materials, inductors, dielectric materials, capacitors, transistors, device packaging, etc. or optimizations of electronic systems applied specifically to transportation applications..
	<b><u>Subcategory H:</u> Non-Vehicular Transportation</b>	Technologies for advanced airplanes, human powered vehicles, marine vessels, trains, etc.
	<b><u>Subcategory I:</u> Batteries - Transportation</b>	Technologies for improved batteries for a wide range of vehicle applications, including hybrid electric vehicles (HEVs), plug-in hybrid electric vehicles (PHEVs), and battery electric vehicles (EVs).
	<b><u>Subcategory J:</u> Non-Battery Storage For Transportation</b>	Technologies that apply thermal storage, and non-battery electric storage, such as supercapacitors and others specifically for transportation application.
	<b><u>Subcategory K:</u> Transportation - Other</b>	Transportation energy technologies that do not fit one of the above categories,
<b>CATEGORY 3: BUILDING EFFICIENCY</b>	<b><u>Subcategory A:</u> Combined Heat and Power</b>	Technologies for new Combined Heat and Power (CHP) designs/scenarios.
	<b><u>Subcategory B:</u> Building Heating and Cooling</b>	Technologies that improve the efficiency of building heating and cooling systems.
	<b><u>Subcategory C:</u> Building Energy Demand Management</b>	Demand response and/or management technologies such as smart meters, other building energy conservation technologies such as automatic control systems.

	<b><u>Subcategory D:</u></b>	Energy efficient and environmentally-friendly advanced lighting technologies.
	<b>Lighting</b>	
	<b><u>Subcategory E:</u></b>	Building designs leading to better energy efficiency; technologies that could be applied to windows, insulation, roofing, etc.
	<b>Building Envelope</b>	
	<b><u>Subcategory F:</u></b>	Building energy efficiency technologies that do not fit into one of the categories above.
	<b>Building Efficiency - Other</b>	
<b><u>CATEGORY 4:</u></b> <b>POWER GENERATION AND ENERGY PRODUCTION:</b> <b>FOSSIL/NUCLEAR</b>	<b><u>Subcategory A:</u></b>	Improved generation designs which use a combination of technologies (for example- fuel cells and turbines) with fossil fuels.
	<b>Combined Processes - Generation with Fossil Fuels</b>	
	<b><u>Subcategory B:</u></b>	Improved engines/turbines for generation applications using fossil fuels.
	<b>Stationary Engines/Turbines For Generation with Fossil Fuels</b>	
	<b><u>Subcategory C:</u></b>	Improved fuel cells intended to be coupled with generation sources using fossil fuels.
	<b>Stationary Fuel Cells For Generation with Fossil Fuels</b>	
	<b><u>Subcategory D:</u></b>	Technologies that enhance fission, fusion, or materials specifically for safe nuclear power generation.
	<b>Nuclear Power Generation And Materials</b>	
	<b><u>Subcategory E:</u></b>	Technologies for carbon capture, use, and storage.
	<b>Carbon Capture, Use, And Storage</b>	
	<b><u>Subcategory F:</u></b>	Technologies/tools for resource identification, classification, and modeling, as well as technologies to extract conventional and unconventional fossil resources. This subcategory can include sensors and imaging technologies, predictive models and algorithms, drills, pumps, etc.
	<b>Exploration And Extraction (Non-Geothermal) Of Conventional and Unconventional Fossil Resources</b>	
<b><u>Subcategory G:</u></b>	Technologies that improve the planning and operation of power generation with fossil fuels.	
<b>Planning And Operations For Generation with Fossil Fuels</b>		

	<b><u>Subcategory H:</u></b> <b>Combustible Gas Infrastructure</b>	Technologies for storage, transportation, handling, and/or monitoring of combustible gases. This could include tanks, pipelines, pumps, sensors, etc.	
	<b><u>Subcategory I:</u></b> <b>Chemical and Biological Conversions From Fossil Fuels</b>	Technologies that improve chemical or biological conversions of fossil resources such as gas to liquids (GTL), coal to liquids (CTL), and other forms of energy transduction.	
	<b><u>Subcategory J:</u></b> <b>Water Conservation In Power Generation</b>	Technologies that will enable significant water savings in the generation of power, such as water recovery/recirculation systems or dry cooling of power plants.	
	<b><u>Subcategory K:</u></b> <b>Generation with Fossil Fuels – Other</b>	Generation technologies that do not fit into one of the categories above.	
	<b>CATEGORY 5: POWER GENERATION: RENEWABLE</b>	<b><u>Subcategory A:</u></b> <b>Wind - Energy Capture</b>	Technologies that lead to better capture of wind resources. This could include different configurations, blade designs and materials. Also in this category could be tools for wind resource identification, classification, and modeling.
		<b><u>Subcategory B:</u></b> <b>Wind - Energy Conversion</b>	Technologies that lead to better conversion of wind power into useable energy, such as generators and magnetic materials, electronics, etc. specifically designed for wind energy.
<b><u>Subcategory C:</u></b> <b>Geothermal Energy</b>		Geothermal heat technologies including pumps, proppants, induced seismicity, enhanced geothermal systems (EGS), drilling, resource identification (sensors, models, tracers), zonal isolation techniques, robust equipment, low temperature generation, etc.	
<b><u>Subcategory D:</u></b> <b>Hydro Energy</b>		Technologies for capturing and/or converting hydrokinetic energy such as ocean, osmotic, tidal, etc., Technologies for hydro resource identification and modeling.	
<b><u>Subcategory E:</u></b> <b>Solar - PV/CPV</b>		Technologies for solar PV/CPV systems including materials, cell configurations, optical solar concentrators, BOS and other technologies for solar cells that convert light into electricity or	

		fuel. Technologies to enable for cheaper installation or solar PV resource identification and modeling.	
	<b><u>Subcategory F:</u></b> <b>Solar - Non-PV</b>	Technologies for non-PV conversion of solar energy including solar thermal conversion (materials, configurations, concentrators, and BOS), direct conversion of solar energy to fuels through thermal or catalytic routes, and other technologies that use or convert solar energy without PV conversion.	
	<b><u>Subcategory G:</u></b> <b>Power Electronics - Renewable Generation</b>	Technologies that include advances in semiconductor materials, substrates, circuit topologies, magnetic materials, inductors, dielectric materials, capacitors, transistors, device packaging, etc. applied to renewable power generation.	
	<b><u>Subcategory H:</u></b> <b>Renewable Power - Other</b>	Renewable energy technologies that do not fit one of the above categories.	
<b><u>CATEGORY 6:</u></b> <b>BIOENERGY</b>	<b><u>Subcategory A:</u></b> <b>Biomass Production</b>	Technologies that improve biomass characteristics, such as yield and sustainability, and decrease cost of production and/or water use.	
	<b><u>Subcategory B:</u></b> <b>Biofuel Production - Biological Methods</b>	Technologies that utilize a biological agent in one or more principal step(s) of feedstock conversion to fuels.	
	<b><u>Subcategory C:</u></b> <b>Biofuel Production - Nonbiological Methods</b>	Technologies that do not utilize any biological agent in the conversion of organic feedstock to fuels, such as thermochemical and hybrid approaches or biomimetics.	
	<b><u>Subcategory D:</u></b> <b>Bioenergy Supply Chain</b>	Technologies critical to supply chain development, such as feedstock collection and handling.	
	<b><u>Subcategory E:</u></b> <b>Bioenergy - Other</b>	Technologies for bioenergy which do not fit in one of the above subcategories. Including but not limited to bioreactors, balance of plant, bioproducts, microbial fuel cells, sensors.	
	<b><u>CATEGORY 7:</u></b>	<b><u>Subcategory A:</u></b> <b>Water Production/Reuse</b>	Technologies that enable cost-effective and energy efficient ways of providing fresh water.

<b>OTHER ENERGY TECHNOLOGIES</b>	<b><u>Subcategory B:</u></b>	Thermal energy storage technologies that can apply to multiple applications.
	<b>Thermal Energy Storage</b>	
	<b><u>Subcategory C:</u></b>	Technologies that enable energy-efficient manufacturing capabilities or methods or that use advanced manufacturing to enable new energy technologies.
	<b>Advanced Manufacturing</b>	
	<b><u>Subcategory D:</u></b>	Technologies that improve the energy efficiency of appliances and consumer electronics, including but not limited to: refrigerators, washers, dryers, televisions, stoves, personal computers, phones, etc.
	<b>Appliance And Consumer Electronics Efficiency (End Use)</b>	
	<b><u>Subcategory E:</u></b>	Technologies to improve the energy efficiency of large-scale computers, data centers, and computational infrastructure.
	<b>Data Centers And Computation</b>	
	<b><u>Subcategory F:</u></b>	Technologies that improve the energy efficiency of producing industrial materials, including but not limited to glass, paper, iron, steel, plastics, aluminum, etc.
	<b>Industrial Efficiency – Materials</b>	
	<b><u>Subcategory G:</u></b>	Technologies that improve the energy efficiency of industrial processes which are not covered by other subcategories.
	<b>Industrial Efficiency – Other</b>	
	<b><u>Subcategory H:</u></b>	Technologies for heat recovery including but not limited to thermoelectrics, Stirling engines, heat exchangers, conversion of waste heat, bottoming cycles, heat capture methods, materials, devices, etc.
	<b>Heat Recovery</b>	
<b><u>Subcategory I:</u></b>	Materials designed specifically to withstand extremely high temperatures in order to enable new energy generation technologies.	
<b>High Temperature Materials</b>		
<b><u>Subcategory J:</u></b>	Technologies that enable the development of new semiconductor materials or the use of semiconductor materials in innovative applications.	
<b>Semiconductors</b>		
<b><u>Subcategory K:</u></b>	Technologies for portable power applications such as piezoelectrics, portable fuel cells, batteries, etc.	
<b>Portable Power</b>		
<b><u>Subcategory L:</u></b>		



	<b>Other Energy Technologies Not Listed Above</b>	
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## **II. AWARD INFORMATION**

### **A. AWARD OVERVIEW**

ARPA-E expects to make approximately \$100 million available for new awards under this FOA, subject to the availability of appropriated funds. ARPA-E anticipates making approximately 30-50 awards under this FOA. ARPA-E may issue one, multiple, or no awards.

Individual awards may vary between \$500,000 and \$10 million.

The period of performance for funding agreements may not be less than 18 months and may not exceed 36 months.

ARPA-E encourages applications stemming from ideas that still require proof-of-concept R&D efforts as well as those for which some proof-of-concept demonstration already exists.

Submissions requiring proof-of-concept R&D can propose a project with the goal of delivering on the program metric at the conclusion of the period of performance. These submissions must contain an appropriate cost and project duration plan that is described in sufficient technical detail to allow reviewers to meaningfully evaluate the proposed project. If awarded, such projects should expect a rigorous go/no-go milestone early in the project associated with the proof-of-concept demonstration. Alternatively, submissions requiring proof-of-concept R&D can propose a project with the project end deliverable being an extremely creative, but partial solution. However, the Applicants are required to provide a convincing vision how these partial solutions can enable the realization of the program metrics with further development.

Applicants proposing projects for which some initial proof-of-concept demonstration already exists should submit concrete data that supports the probability of success of the proposed project.

ARPA-E will provide support at the highest funding level only for applications with significant technology risk, aggressive timetables, and careful management and mitigation of the associated risks.

ARPA-E will accept only new applications under this FOA. Applicants may not seek renewal or supplementation of their existing awards through this FOA.

ARPA-E plans to fully fund your negotiated budget at the time of award.

## **B. ARPA-E FUNDING AGREEMENTS**

Through Cooperative Agreements, Technology Investment Agreements, and similar agreements, ARPA-E provides financial and other support to projects that have the potential to realize ARPA-E's statutory mission. ARPA-E does not use such agreements to acquire property or services for the direct benefit or use of the U.S. Government.

Congress directed ARPA-E to "establish and monitor project milestones, initiate research projects quickly, and just as quickly terminate or restructure projects if such milestones are not achieved."<sup>2</sup> Accordingly, ARPA-E has substantial involvement in the direction of every Cooperative Agreement, as described in Section II.C below.

### **1. COOPERATIVE AGREEMENTS**

ARPA-E generally uses Cooperative Agreements to provide financial and other support to Prime Recipients.<sup>3</sup>

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

ARPA-E encourages Prime Recipients to review the Model Cooperative Agreement, which is available at <http://arpa-e.energy.gov/arpa-e-site-page/award-guidance>.

### **2. FUNDING AGREEMENTS WITH FFRDCs/DOE LABS, GOGOs, AND FEDERAL INSTRUMENTALITIES**

Any Federally Funded Research and Development Centers (FFRDC) involved as a member of a Project Team must provide the information requested in the "FFRDC Lab Authorization" and "Field Work Proposal" section of the Business Assurances & Disclosures Form, which is submitted with the Applicant's Full Application.

When a FFRDC/DOE Lab (including the National Energy Technology Laboratory or NETL) is the *lead organization* for a Project Team, ARPA-E executes a funding agreement directly with the FFRDC/DOE Lab and a single, separate Cooperative Agreement with the rest of the Project Team. Notwithstanding the use of multiple agreements, the FFRDC/DOE Lab is the lead organization for the entire project, including all work performed by the FFRDC/DOE Lab and the rest of the Project Team.

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<sup>2</sup> U.S. Congress, Conference Report to accompany the 21<sup>st</sup> Century Competitiveness Act of 2007, H. Rpt. 110-289 at 171-172 (Aug. 1, 2007).

<sup>3</sup> The Prime Recipient is the signatory to the funding agreement with ARPA-E.

When a FFRDC/DOE Lab is a *member* of a Project Team, ARPA-E executes a funding agreement directly with the FFRDC/DOE Lab and a single, separate Cooperative Agreement with the rest of the Project Team. Notwithstanding the use of multiple agreements, the Prime Recipient under the Cooperative Agreement is the lead organization for the entire project, including all work performed by the FFRDC/DOE Lab and the rest of the Project Team.

Funding agreements with DOE/NNSA FFRDCs take the form of Work Authorizations issued to DOE/NNSA FFRDCs through the DOE/NNSA Field Work Proposal system for work performed under Department of Energy Management & Operation Contracts. Funding agreements with non-DOE/NNSA FFRDCs, GOGOs (including NETL), and Federal instrumentalities (e.g., Tennessee Valley Authority) will be consistent with the sponsoring agreement between the U.S. Government and the Laboratory. Any funding agreement with a FFRDC or GOGO will have similar terms and conditions as ARPA-E's Model Cooperative Agreement (<http://arpa-e.energy.gov/arpa-e-site-page/award-guidance>).

Non-DOE GOGOs and Federal agencies may be proposed to provide support to the project team members on an applicant's project, through a Cooperative Research and Development Agreement (CRADA) or similar agreement.

### **3. TECHNOLOGY INVESTMENT AGREEMENTS**

ARPA-E may use its "other transactions" authority under the America COMPETES Reauthorization Act of 2010 or DOE's "other transactions" authority under the Energy Policy Act of 2005 to enter into Technology Investment Agreements (TIAs) with Prime Recipients. ARPA-E may negotiate a TIA when it determines that the use of a standard cooperative agreement, grant, or contract is not feasible or appropriate for a project.

A TIA is more flexible than a traditional financial assistance agreement. In using a TIA, ARPA-E may modify standard Government terms and conditions. See 10 C.F.R. § 603.105 for a description of a TIA.

In general, TIAs require a cost share of 50%. See Section III.B.2 of the FOA.

#### **C. STATEMENT OF SUBSTANTIAL INVOLVEMENT**

ARPA-E is substantially involved in the direction of projects from inception to completion. For the purposes of an ARPA-E project, substantial involvement means:

- Project Teams must adhere to ARPA-E's agency-specific and programmatic requirements.
- ARPA-E may intervene at any time in the conduct or performance of work under an award.

- ARPA-E does not limit its involvement to the administrative requirements of an award. Instead, ARPA-E has substantial involvement in the direction and redirection of the technical aspects of the project as a whole.
- During award negotiations, ARPA-E Program Directors and Prime Recipients mutually establish an aggressive schedule of quantitative milestones and deliverables that must be met every quarter. In addition, ARPA-E will negotiate and establish “Go/No-Go” milestones for each project. If the Prime Recipient fails to achieve any of the “Go/No-Go” milestones or technical milestones and deliverables as determined by the ARPA-E Contracting Officer, ARPA-E may – at its discretion - renegotiate the statement of project objectives or schedule of technical milestones and deliverables for the project. In the alternative, ARPA-E may suspend or terminate the award in accordance with 2 C.F.R. §§ 200.338 and 200.339.
- ARPA-E may provide guidance and/or assistance to the Prime Recipient to accelerate the commercial deployment of ARPA-E-funded technologies. Guidance and assistance provided by ARPA-E may include coordination with other Government agencies and nonprofits to provide mentoring and networking opportunities for Prime Recipients. ARPA-E may also organize and sponsor events to educate Prime Recipients about key barriers to the deployment of their ARPA-E-funded technologies. In addition, ARPA-E may establish collaborations with private and public entities to provide continued support for the development and deployment of ARPA-E-funded technologies.

### **III. ELIGIBILITY INFORMATION**

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

This FOA is open to U.S. universities, national laboratories, industry and individuals.

##### **1. INDIVIDUALS**

U.S. citizens or permanent residents may apply for funding in their individual capacity as a Standalone Applicant,<sup>4</sup> as the lead for a Project Team,<sup>5</sup> or as a member of a Project Team. However, ARPA-E will only award funding to an entity formed by the Applicant.

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<sup>4</sup> A Standalone Applicant is an Applicant that applies for funding on its own, not as part of a Project Team.

<sup>5</sup> The term “Project Team” is used to mean any entity with multiple players working collaboratively and could encompass anything from an existing organization to an ad hoc teaming arrangement. A Project Team consists of the Prime Recipient, Subrecipients, and others performing or otherwise supporting work under an ARPA-E funding agreement.

## **2. DOMESTIC ENTITIES**

For-profit entities, educational institutions, and nonprofits<sup>6</sup> that are incorporated in the United States, including U.S. territories, are eligible to apply for funding as a Standalone Applicant, as the lead organization for a Project Team, or as a member of a Project Team.

FFRDCs/DOE Labs are eligible to apply for funding as the lead organization for a Project Team or as a member of a Project Team that includes institutions of higher education, companies, research foundations, or trade and industry research collaborations, but not as a Standalone Applicant.

State, local, and tribal government entities are eligible to apply for funding as a member of a Project Team, but not as a Standalone Applicant or as the lead organization for a Project Team.

Federal agencies and instrumentalities (other than DOE) are eligible to apply for funding as a member of a Project Team, but not as a Standalone Applicant or as the lead organization for a Project Team.

## **3. FOREIGN ENTITIES**

U.S. incorporated subsidiaries of foreign entities, whether for-profit or otherwise, are eligible to apply for funding under this FOA as a Standalone Applicant, as the lead organization for a Project Team, or as a member of a Project Team, subject to the requirements in 2 Code of the Federal Regulation (CFR) 910.124, which includes requirements that the entity's participation in this FOA's Program be in the economic interest of the U.S. The Full Application must state the nature of the corporate relationship between the foreign entity and domestic subsidiary or affiliate.

Entities not incorporated in the U.S., whether for-profit or otherwise, are not eligible to apply for funding, but may be proposed by an Applicant as a member of a Project Team.

All work under an ARPA-E award must be performed in the U.S. The Applicants may request a waiver of this requirement in the Business Assurances & Disclosures Form, which is submitted with the Full Application and can be found at <https://arpa-e-foa.energy.gov/>. Please refer to the Business Assurances & Disclosures Form for guidance on the content and form of the request.

Also, refer to Section VIII.G.3, which addresses U.S. manufacturing requirements for inventions arising from research projects funded by this Program.

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<sup>6</sup> 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 as a Prime Recipient or Subrecipient.

#### **4. CONSORTIUM ENTITIES**

Consortia, which may include domestic and foreign entities, must designate one member of the consortium as the consortium representative to the Project Team. The consortium representative must be incorporated in the United States. The eligibility of the consortium will be determined by reference to the eligibility of the consortium representative under Section III.A of the FOA. Each consortium must have an internal governance structure and a written set of internal rules. Upon request, the consortium entity must provide a written description of its internal governance structure and its internal rules to the Contracting Officer ([ARPA-E-CO@hq.doe.gov](mailto:ARPA-E-CO@hq.doe.gov)).

Unincorporated consortia must provide the 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 collaboration agreement binds the individual consortium members together and shall include 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<sup>7</sup>**

Applicants are bound by the cost share proposed in their Full Applications.

##### **1. BASE COST SHARE REQUIREMENT**

ARPA-E generally uses Cooperative Agreements to provide financial and other support to Prime Recipients (see Section II.B.1 of the FOA). Under a Cooperative Agreement or Grant, the Prime Recipient must provide at least 20% of the Total Project Cost<sup>8</sup> as cost share, except as provided in Sections III.B.2 or III.B.3 below.<sup>9</sup>

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<sup>7</sup> Please refer to Section VI.B.3-4 of the FOA for guidance on cost share payments and reporting.

<sup>8</sup> The Total Project Cost is the sum of the Prime Recipient share and the Federal Government share of total allowable costs. The Federal Government share generally includes costs incurred by GOGOs and FFRDCs.

<sup>9</sup> Energy Policy Act of 2005, Pub.L. 109-58, sec. 988.

## **2. INCREASED COST SHARE REQUIREMENT**

Large businesses are strongly encouraged to provide more than 20% of the Total Project Cost as cost share. ARPA-E may consider the amount of cost share proposed when selecting applications for award negotiations (see Section V.B.1 of the FOA).

Under a Technology Investment Agreement, the Prime Recipient must provide at least 50% of the Total Project Cost as cost share. ARPA-E may reduce this minimum cost share requirement, as appropriate.

## **3. REDUCED COST SHARE REQUIREMENT**

ARPA-E has reduced the minimum cost share requirement for the following types of projects:

- A domestic educational institution or domestic nonprofit applying as a Standalone Applicant is required to provide at least 5% of the Total Project Cost as cost share.
- Small businesses – or consortia of small businesses - will provide 0% cost share from the outset of the project through the first 12 months of the project (hereinafter the “Cost Share Grace Period”).<sup>10</sup> If the project is continued beyond the Cost Share Grace Period, then at least 10% of the Total Project Cost (including the costs incurred during the Cost Share Grace Period) will be required as cost share over the remaining period of performance.
- Project Teams where a small business is the lead organization and small businesses perform greater than or equal to 80%, but less than 100%, of the total work under the funding agreement (as measured by the Total Project Cost) the Project Team are entitled to the same cost share reduction and Cost Share Grace Period as provided above to Standalone small businesses or consortia of small businesses.<sup>11</sup>
- Project Teams composed exclusively of domestic educational institutions, domestic nonprofits, and/or FFRDCs are required to provide at least 5% of the Total Project Cost as cost share.

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<sup>10</sup> Small businesses are generally defined as domestically incorporated entities that meet the criteria established by the U.S. Small Business Administration’s (SBA) “Table of Small Business Size Standards Matched to North American Industry Classification System Codes” (NAICS) (<http://www.sba.gov/content/small-business-size-standards>). Applicants that are small businesses will be required to certify in the Business Assurances & Disclosures Form that their organization meets the SBA’s definition of a small business under at least one NAICS code.

<sup>11</sup> See the information provided in previous footnote.



- Project Teams where domestic educational institutions, domestic nonprofits, small businesses, and/or FFRDCs perform greater than or equal to 80%, of the total work under the funding agreement (as measured by the Total Project Cost) are required to provide at least 10% of the Total Project Cost as cost share. However, any entity (such as a large business) receiving patent rights under a class waiver, or other patent waiver, that is part of a Project Team receiving this reduction must continue to meet the statutory minimum cost share requirement (20%) for its portion of the Total Project Cost.
- Projects that do not meet any of the above criteria are subject to the minimum cost share requirements described in Sections III.B.1 and III.B.2 of the FOA.

#### **4. LEGAL RESPONSIBILITY**

Although the cost share requirement applies to the Project Team as a whole, the funding agreement makes the Prime Recipient legally responsible for paying the entire cost share. The Prime Recipient's cost share obligation is expressed in the funding agreement as a static amount in U.S. dollars (cost share amount) and as a percentage of the Total Project Cost (cost share percentage). If the funding agreement is terminated prior to the end of the period of performance, the Prime Recipient is required to contribute at least the cost share percentage of total expenditures incurred through the date of termination.

The Prime Recipient is solely responsible for managing cost share contributions by the Project Team and enforcing cost share obligations assumed by Project Team members in subawards or related agreements.

#### **5. COST SHARE ALLOCATION**

Each Project Team is free to determine how much each Project Team member will contribute towards the cost share requirement. The amount contributed by individual Project Team members may vary, as long as the cost share requirement for the project as a whole is met.

#### **6. COST SHARE TYPES AND ALLOWABILITY**

Every cost share contribution must be allowable under the applicable Federal cost principles, as described in Section IV.G.1 of the FOA.

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

received from state or local governments to meet the cost share requirement, so long as the funding or property was not provided to the state or local government by the Federal Government.

The Prime Recipient may not use the following sources to meet its cost share obligations:

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

In addition, Project Teams may not use independent research and development (IR&D) funds<sup>12</sup> to meet their cost share obligations under cooperative agreements. However, Project Teams may use IR&D funds to meet their cost share obligations under Technology investment Agreements.

Project Teams may not use the same cash or in-kind contributions to meet cost share requirements for more than one project or program.

Cost share contributions must be specified in the project budget, verifiable from the Prime Recipient's records, and necessary and reasonable for proper and efficient accomplishment of the project. Every cost share contribution must be reviewed and approved in advance by the Contracting Officer and incorporated into the project budget before the expenditures are incurred.

Applicants may wish to refer to 2 C.F.R. Parts 200 and 910, and 10 C.F.R. Part 603 for additional guidance on cost sharing, specifically 2 C.F.R. §§ 200.306 and 910.130, and 10 C.F.R. §§ 603.525-555.

## **7. COST SHARE CONTRIBUTIONS BY FFRDCs AND GOGOs**

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

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<sup>12</sup> As defined in Federal Acquisition Regulation Subsection 31.205-18.

Because GOGOs/Federal Agencies are funded by the Federal Government, GOGOs/Federal Agencies may not provide cost share for the proposed project. However, the GOGO/Agency costs would be included in Total Project Costs for purposes of calculating the cost-sharing requirements of the applicant.

## **8. COST SHARE VERIFICATION**

Upon selection for award negotiations, Applicants are required to provide information and documentation regarding their cost share contributions. Please refer to Section VI.B.3 of the FOA for guidance on the requisite cost share information and documentation.

### **C. OTHER**

#### **1. COMPLIANT CRITERIA**

Concept Papers are deemed compliant if:

- The Applicant meets the eligibility requirements in Section III.A of the FOA;
- The Concept Paper complies with the content and form requirements in Section IV.C of the FOA; and
- The Applicant entered all required information, successfully uploaded all required documents, and clicked the “Submit” button in ARPA-E eXCHANGE by the deadline stated in the FOA.

Concept Papers found to be noncompliant may not be merit reviewed or considered for award. ARPA-E may not review or consider noncompliant Concept Papers, including Concept Papers submitted through other means, Concept Papers submitted after the applicable deadline, and incomplete Concept Papers. A Concept Paper is incomplete if it does not include required information. ARPA-E will not extend the submission deadline for Applicants that fail to submit required information and documents due to server/connection congestion.

Full Applications are deemed compliant if:

- The Applicant submitted a compliant and responsive Concept Paper;
- The Applicant meets the eligibility requirements in Section III.A of the FOA;
- The Full Application complies with the content and form requirements in Section IV.D of the FOA; and

- The Applicant entered all required information, successfully uploaded all required documents, and clicked the “Submit” button in ARPA-E eXCHANGE by the deadline stated in the FOA.

Full Applications found to be noncompliant may not be merit reviewed or considered for award. ARPA-E may not review or consider noncompliant Full Applications, including Full Applications submitted through other means, Full Applications submitted after the applicable deadline, and incomplete Full Applications. A Full Application is incomplete if it does not include required information and documents, such as Forms SF-424 and SF-424A. ARPA-E will not extend the submission deadline for Applicants that fail to submit required information and documents due to server/connection congestion.

Replies to Reviewer Comments are deemed compliant if:

- The Applicant successfully uploads its response to ARPA-E eXCHANGE by the deadline stated in the FOA; and
- The Replies to Reviewer Comments comply with the content and form requirements of Section IV.E of the FOA.

ARPA-E will not review or consider noncompliant Replies to Reviewer Comments, including Replies submitted through other means and Replies submitted after the applicable deadline. ARPA-E will not extend the submission deadline for Applicants that fail to submit required information due to server/connection congestion. ARPA-E will review and consider each compliant and responsive Full Application, even if no Reply is submitted or if the Reply is found to be noncompliant.

## **2. RESPONSIVENESS CRITERIA**

ARPA-E performs a preliminary technical review of Concept Papers and Full Applications. The following types of submissions may be deemed nonresponsive and may not be reviewed or considered:

- Submissions that fall outside the technical parameters specified in this FOA.
- Submissions that have been submitted in response to other currently issued ARPA-E FOAs.
- Submissions that are not scientifically distinct from applications submitted in response to other currently issued ARPA-E FOAs.
- Submissions for basic research aimed solely at discovery and/or fundamental knowledge generation.
- Submissions for large-scale demonstration projects of existing technologies.

- Submissions for proposed technologies that represent incremental improvements to existing technologies.
- Submissions for proposed technologies that are not based on sound scientific principles (e.g., violates a law of thermodynamics).
- Submissions for proposed technologies that are not transformational, as described in Section I.A of the FOA.
- Submissions for proposed technologies that do not have the potential to become disruptive in nature, as described in Section I.A of the FOA. Technologies must be scalable such that they could be disruptive with sufficient technical progress.
- Submissions that are not distinct in scientific approach or objective from activities currently supported by or actively under consideration for funding by any other office within Department of Energy.
- Submissions that are not distinct in scientific approach or objective from activities currently supported by or actively under consideration for funding by other government agencies or the private sector.
- Submissions that describe a technology but do not propose a R&D plan that allows ARPA-E to evaluate the submission under the applicable merit review criteria provided in Section V.A of the FOA.

### **3. LIMITATION ON NUMBER OF SUBMISSIONS**

ARPA-E is not limiting the number of submissions from Applicants. Applicants may submit more than one application to this FOA, provided that each application is scientifically distinct.

## **IV. APPLICATION AND SUBMISSION INFORMATION**

### **A. APPLICATION PROCESS OVERVIEW**

#### **1. REGISTRATION IN ARPA-E eXCHANGE**

The first step in applying to this FOA is registration in ARPA-E eXCHANGE, ARPA-E's online application portal. For detailed guidance on using ARPA-E eXCHANGE, please refer to Section IV.H.1 of the FOA and the "ARPA-E eXCHANGE User Guide" (<https://arpa-e-foa.energy.gov/Manuals.aspx>).

#### **2. CONCEPT PAPERS**

Applicants must submit a Concept Paper by the deadline stated in the FOA. Section IV.C of the FOA provides instructions on submitting a Concept Paper.

ARPA-E performs a preliminary review of Concept Papers to determine whether they are compliant and responsive, as described in Section III.C of the FOA. Concept Papers found to be noncompliant or nonresponsive may not be merit reviewed or considered for award. ARPA-E makes an independent assessment of each compliant and responsive Concept Paper based on the criteria and program policy factors in Sections V.A.1 and V.B.1 of the FOA.

ARPA-E will encourage a subset of Applicants to submit Full Applications. Other Applicants will be discouraged from submitting a Full Application in order to save them the time and expense of preparing an application submission that is unlikely to be selected for award negotiations. By discouraging the submission of a Full Application, ARPA-E 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. Unsuccessful Applicants should continue to submit innovative ideas and concepts to future FOAs.

#### **3. FULL APPLICATIONS**

Applicants must submit a Full Application by the deadline stated in the FOA. Applicants will have approximately 45 days from receipt of the Encourage/Discourage notification to prepare and submit a Full Application. Section IV.D of the FOA provides instructions on submitting a Full Application.

ARPA-E performs a preliminary review of Full Applications to determine whether they are compliant and responsive, as described in Section III.C of the FOA. Full Applications found to be noncompliant or nonresponsive may not be merit reviewed or considered for award. ARPA-E makes an independent assessment of each compliant and responsive Full Application based on the criteria and program policy factors in Sections V.A.2 and V.B.1 of the FOA.

#### **4. REPLY TO REVIEWER COMMENTS**

Once ARPA-E has completed its review of Full Applications, reviewer comments on compliant and responsive Full Applications are made available to Applicants via ARPA-E eXCHANGE. Applicants may submit an optional Reply to Reviewer Comments, which must be submitted by the deadline stated in the FOA. Section IV.E of the FOA provides instructions on submitting a Reply to Reviewer Comments.

ARPA-E performs a preliminary review of Replies to determine whether they are compliant, as described in Section III.C.1 of the FOA. ARPA-E will review and consider compliant Replies only. ARPA-E will review and consider each compliant and responsive Full Application, even if no Reply is submitted or if the Reply is found to be non-compliant.

#### **5. PRE-SELECTION CLARIFICATIONS AND “DOWN-SELECT” PROCESS**

Once ARPA-E completes its review of Full Applications and Replies to Reviewer Comments, it may, at the Contracting Officer’s discretion, conduct a pre-selection clarification process and/or perform a “down-select” of Full Applications. Through the pre-selection clarification process or down-select process, ARPA-E may obtain additional information from select Applicants through pre-selection meetings, webinars, videoconferences, conference calls, written correspondence, or site visits that can be used to make a final selection determination. ARPA-E will not reimburse Applicants for travel and other expenses relating to pre-selection meetings or site visits, nor will these costs be eligible for reimbursement as pre-award costs.

ARPA-E may select applications for award negotiations and make awards without pre-selection meetings and site visits. Participation in a pre-selection meeting or site visit with ARPA-E does not signify that Applicants have been selected for award negotiations.

#### **6. SELECTION FOR AWARD NEGOTIATIONS**

ARPA-E carefully considers all of the information obtained through the application process and makes an independent assessment of each compliant and responsive Full Application based on the criteria and program policy factors in Sections V.A.2 and V.B.1 of the FOA. The Selection Official may select all or part of a Full Application for award negotiations. The Selection Official may also postpone a final selection determination on one or more Full Applications until a later date, subject to availability of funds and other factors. ARPA-E will enter into award negotiations only with selected Applicants.

Applicants are promptly notified of ARPA-E’s selection determination. ARPA-E may stagger its selection determinations. As a result, some Applicants may receive their notification letter in advance of other Applicants. Please refer to Section VI.A of the FOA for guidance on award notifications.

## **7. MANDATORY WEBINAR**

All selected Applicants, including the Principal Investigator and the financial manager for the project, are required to participate in a webinar that is held within approximately one week of the selection notification. During the webinar, ARPA-E officials present important information on the award negotiation process, including deadlines for the completion of certain actions.

### **B. APPLICATION FORMS**

Required forms for Full Applications are available on ARPA-E eXCHANGE (<https://arpa-e-foa.energy.gov>), including the SF-424 and Budget Justification Workbook/SF-424A. A sample Summary Slide is available on ARPA-E eXCHANGE. Applicants may use the templates available on ARPA-E eXCHANGE, including the template for the Concept Paper, the template for the Technical Volume of the Full Application, the template for the Summary Slide, the template for the Summary for Public Release, the template for the Reply to Reviewer Comments, and the template for the Business Assurances & Disclosures Form. A sample response to the Business Assurances & Disclosures Form is available on ARPA-E eXCHANGE.

### **C. CONTENT AND FORM OF CONCEPT PAPERS**

**The Concept Paper is mandatory** (i.e. in order to submit a Full Application, a compliant and responsive Concept Paper must have been submitted) and must conform to the following formatting requirements:

- The Concept Paper must not exceed 4 pages in length including graphics, figures, and/or tables.
- The Concept Paper must be submitted in Adobe PDF format.
- The Concept Paper must be written in English.
- All pages must be formatted to fit on 8-1/2 by 11 inch paper with margins not less than one inch on every side. Single space all text and use Times New Roman typeface, a black font color, and a font size of 12 point or larger (except in figures and tables).
- The ARPA-E assigned Control Number, the Lead Organization Name, and the Principal Investigator's Last Name 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.



- The first paragraph must include the Lead Organization's Name and Location, Principal Investigator's Name, Technical Category and Subcategory, Application Type (Phase I or Phase I & II), Proposed Funding Requested (Federal and Cost Share), and Project Duration. ~~Proposed Funding (Federal and Cost Share) is optional.~~

Concept Papers found to be noncompliant or nonresponsive may not be merit reviewed or considered for award (see Section III.C of the FOA).

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

A fillable Concept Paper template is available on ARPA-E eXCHANGE at <https://arpa-e-foa.energy.gov>.

Concept Papers must conform to the content requirements described below. If Applicants exceed the maximum page length indicated above, ARPA-E will review only the authorized number of pages and disregard any additional pages.

## **1. CONCEPT PAPER**

### **a. CONCEPT SUMMARY**

- Describe the proposed concept with minimal jargon, and explain how it addresses the Program Objectives of the FOA.

### **b. INNOVATION AND IMPACT**

- Clearly identify the problem to be solved with the proposed technology concept.
- Describe how the proposed effort represents an innovative and potentially transformational solution to the technical challenges posed by the FOA.
- Explain the concept's potential to be disruptive compared to existing or emerging technologies.
- Describe how the concept will have a positive impact on at least one of the ARPA-E mission areas in Section I.A of the FOA.
- To the extent possible, provide quantitative metrics in a table that compares the proposed technology concept to current and emerging technologies and to the appropriate Technology Category in Section I.D of the FOA.

**c. PROPOSED WORK**

- Describe the final deliverable(s) for the project and the overall technical approach used to achieve project objectives.
- Discuss alternative approaches considered, if any, and why the proposed approach is most appropriate for the project objectives.
- Describe the background, theory, simulation, modeling, experimental data, or other sound engineering and scientific practices or principles that support the proposed approach. Provide specific examples of supporting data and/or appropriate citations to the scientific and technical literature.
- Describe why the proposed effort is a significant technical challenge and the key technical risks to the project. Does the approach require one or more entirely new technical developments to succeed? How will technical risk be mitigated?
- Identify techno-economic challenges to be overcome for the proposed technology to be commercially relevant.
- Estimated federal funds requested; total project cost including cost sharing.

**d. TEAM ORGANIZATION AND CAPABILITIES**

- Indicate the roles and responsibilities of the organizations and key personnel that comprise the Project Team.
- Provide the name, position, and institution of each key team member and describe in 1-2 sentences the skills and experience that he/she brings to the team.
- Identify key capabilities provided by the organizations comprising the Project Team and how those key capabilities will be used in the proposed effort.
- Identify (if applicable) previous collaborative efforts among team members relevant to the proposed effort.

**D. CONTENT AND FORM OF FULL APPLICATIONS**

[TO BE INSERTED BY FOA MODIFICATION IN MAY 2018]

**E. CONTENT AND FORM OF REPLIES TO REVIEWER COMMENTS**

[TO BE INSERTED BY FOA MODIFICATION IN MAY 2018]

**F. INTERGOVERNMENTAL REVIEW**

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

**G. FUNDING RESTRICTIONS**

[TO BE INSERTED BY FOA MODIFICATION IN MAY 2018]

**H. OTHER SUBMISSION REQUIREMENTS**

**1. USE OF ARPA-E eXCHANGE**

To apply to this FOA, Applicants must register with ARPA-E eXCHANGE (<https://arpa-e-foa.energy.gov/Registration.aspx>). Concept Papers, Full Applications, and Replies to Reviewer Comments must be submitted through ARPA-E eXCHANGE (<https://arpa-e-foa.energy.gov/login.aspx>). ARPA-E will not review or consider applications submitted through other means (e.g., fax, hand delivery, email, postal mail). For detailed guidance on using ARPA-E eXCHANGE, please refer to the “ARPA-E eXCHANGE User Guide” (<https://arpa-e-foa.energy.gov/Manuals.aspx>).

Upon creating an application submission in ARPA-E eXCHANGE, Applicants will be assigned a Control Number. If the Applicant creates more than one application submission, a different Control Number will be assigned for each application.

Once logged in to ARPA-E eXCHANGE (<https://arpa-e-foa.energy.gov/login.aspx>), Applicants may access their submissions by clicking the “My Submissions” link in the navigation on the left side of the page. Every application that the Applicant has submitted to ARPA-E and the corresponding Control Number is displayed on that page. If the Applicant submits more than one application to a particular FOA, a different Control Number is shown for each application.

Applicants are responsible for meeting each submission deadline in ARPA-E eXCHANGE. **Applicants are strongly encouraged to submit their applications at least 48 hours in advance of the submission deadline.** Under normal conditions (i.e., at least 48 hours in advance of the submission deadline), Applicants should allow at least 1 hour to submit a Concept Paper, or Full Application. In addition, Applicants should allow at least 15 minutes to submit a Reply to Reviewer Comments. Once the application is submitted in ARPA-E eXCHANGE, Applicants may revise or update their application until the expiration of the applicable deadline.

**Applicants should not wait until the last minute to begin the submission process.** During the final hours before the submission deadline, Applicants may experience server/connection congestion that prevents them from completing the necessary steps in ARPA-E eXCHANGE to submit their applications. **ARPA-E will not extend the submission deadline for Applicants that fail to submit required information and documents due to server/connection congestion.**

**ARPA-E may not review or consider incomplete applications and applications received after the deadline stated in the FOA.** Such applications may be deemed noncompliant (see Section III.C.1 of the FOA). The following errors could cause an application to be deemed “incomplete” and thus noncompliant:

- Failing to comply with the form and content requirements in Section IV of the FOA;
- Failing to enter required information in ARPA-E eXCHANGE;
- Failing to upload required document(s) to ARPA-E eXCHANGE;
- Failing to click the “Submit” button in ARPA-E eXCHANGE by the deadline stated in the FOA;
- Uploading the wrong document(s) or application(s) to ARPA-E eXCHANGE; and
- Uploading the same document twice, but labeling it as different documents. (In the latter scenario, the Applicant failed to submit a required document.)

ARPA-E urges Applicants to carefully review their applications and to allow sufficient time for the submission of required information and documents.

## **V. APPLICATION REVIEW INFORMATION**

### **A. CRITERIA**

ARPA-E performs a preliminary review of Concept Papers and Full Applications to determine whether they are compliant and responsive (see Section III.C of the FOA). ARPA-E also performs a preliminary review of Replies to Reviewer Comments to determine whether they are compliant.

ARPA-E considers a mix of quantitative and qualitative criteria in determining whether to encourage the submission of a Full Application and whether to select a Full Application for award negotiations.

## 1. CRITERIA FOR CONCEPT PAPERS

(1) *Impact of the Proposed Technology Relative to FOA Targets (50%)* - This criterion involves consideration of the following:

- The potential for a transformational and disruptive (not incremental) advancement compared to existing or emerging technologies;
- The extent to which the proposed concept will have a positive impact on at least one of ARPA-E's mission areas in Section I.A of the FOA;
- Identification of techno-economic challenges that must be overcome for the proposed technology to be commercially relevant; and
- Demonstration of awareness of competing commercial and emerging technologies and identifies how the proposed concept/technology provides significant improvement over existing solutions.

(2) *Overall Scientific and Technical Merit (50%)* - This criterion involves consideration of the following:

- The feasibility of the proposed work, as justified by appropriate background, theory, simulation, modeling, experimental data, or other sound scientific and engineering practices;
- Sufficiency of technical approach to accomplish the proposed R&D objectives, including why the proposed concept is more appropriate than alternative approaches and how technical risk will be mitigated;
- Clearly defined project outcomes and final deliverables; and
- The demonstrated capabilities of the individuals performing the project, the key capabilities of the organizations comprising the Project Team, the roles and responsibilities of each organization and (if applicable) previous collaborations among team members supporting the proposed project.

Submissions will not be evaluated against each other since they are not submitted in accordance with a common work statement. The above criteria will be weighted as follows:

Impact of the Proposed Technology Relative to FOA Targets	50%
Overall Scientific and Technical Merit	50%

## **2. CRITERIA FOR FULL APPLICATIONS**

[TO BE INSERTED BY FOA MODIFICATION IN MAY 2018]

## **3. CRITERIA FOR REPLIES TO REVIEWER COMMENTS**

[TO BE INSERTED BY FOA MODIFICATION IN MAY 2018]

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

#### **1. PROGRAM POLICY FACTORS**

In addition to the above criteria, ARPA-E may consider the following program policy factors in determining which Concept Papers to encourage to submit a Full Application and which Full Applications to select for award negotiations:

- I. **ARPA-E Portfolio Balance.** Project balances ARPA-E portfolio in one or more of the following areas:
  - a. Diversity of technical personnel in the proposed Project Team;
  - b. Technological diversity;
  - c. Organizational diversity;
  - d. Geographic diversity;
  - e. Technical or commercialization risk; or
  - f. Stage of technology development.
  
- II. **Relevance to ARPA-E Mission Advancement.** Project contributes to one or more of ARPA-E's key statutory goals:
  - a. Reduction of US dependence on foreign energy sources;
  - b. Stimulation of domestic manufacturing/U.S. Manufacturing Plan;
  - c. Reduction of energy-related emissions;
  - d. Increase in U.S. energy efficiency;
  - e. Enhancement of U.S. economic and energy security; or
  - f. Promotion of U.S. advanced energy technologies competitiveness.
  
- III. **Synergy of Public and Private Efforts.**
  - a. Avoids duplication and overlap with other publicly or privately funded projects;
  - b. Promotes increased coordination with nongovernmental entities for demonstration of technologies and research applications to facilitate technology transfer; or
  - c. Increases unique research collaborations.

- IV. **Low likelihood of other sources of funding.** High technical and/or financial uncertainty that results in the non-availability of other public, private or internal funding or resources to support the project.
- V. **High-Leveraging of Federal Funds.** Project leverages Federal funds to optimize advancement of programmatic goals by proposing cost share above the required minimum or otherwise accessing scarce or unique resources.
- VI. **High Project Impact Relative to Project Cost.**

## 2. ARPA-E REVIEWERS

By submitting an application to ARPA-E, Applicants consent to ARPA-E's use of Federal employees, contractors, and experts from educational institutions, nonprofits, industry, and governmental and intergovernmental entities as reviewers. ARPA-E selects reviewers based on their knowledge and understanding of the relevant field and application, their experience and skills, and their ability to provide constructive feedback on applications.

ARPA-E requires all reviewers to complete a Conflict-of-Interest Certification and Nondisclosure Agreement through which they disclose their knowledge of any actual or apparent conflicts and agree to safeguard confidential information contained in Concept Papers, Full Applications, and Replies to Reviewer Comments. In addition, ARPA-E trains its reviewers in proper evaluation techniques and procedures.

Applicants are not permitted to nominate reviewers for their applications. Applicants may contact the Contracting Officer by email ([ARPA-E-CO@hq.doe.gov](mailto:ARPA-E-CO@hq.doe.gov)) if they have knowledge of a potential conflict of interest or a reasonable belief that a potential conflict exists.

## 3. ARPA-E SUPPORT CONTRACTOR

ARPA-E utilizes contractors to assist with the evaluation of applications and project management. To avoid actual and apparent conflicts of interest, ARPA-E prohibits its support contractors from submitting or participating in the preparation of applications to ARPA-E.

By submitting an application to ARPA-E, Applicants represent that they are not performing support contractor services for ARPA-E in any capacity and did not obtain the assistance of ARPA-E's support contractor to prepare the application. ARPA-E will not consider any applications that are submitted by or prepared with the assistance of its support contractors.

**C. ANTICIPATED ANNOUNCEMENT AND AWARD DATES**

[TO BE INSERTED BY FOA MODIFICATION IN MAY 2018]

**VI. AWARD ADMINISTRATION INFORMATION**

**A. AWARD NOTICES**

**1. REJECTED SUBMISSIONS**

Noncompliant and nonresponsive Concept Papers and Full Applications are rejected by the Contracting Officer and are not merit reviewed or considered for award. The Contracting Officer sends a notification letter by email to the technical and administrative points of contact designated by the Applicant in ARPA-E eXCHANGE. The notification letter states the basis upon which the Concept Paper or Full Application was rejected.

**2. CONCEPT PAPER NOTIFICATIONS**

ARPA-E promptly notifies Applicants of its determination to encourage or discourage the submission of a Full Application. ARPA-E sends a notification letter by email to the technical and administrative points of contact designated by the Applicant in ARPA-E eXCHANGE. ARPA-E provides feedback in the notification letter in order to guide further development of the proposed technology.

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, ARPA-E 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 letter encouraging the submission of a Full Application does not authorize the Applicant to commence performance of the project. Please refer to Section IV.G.2 of the FOA for guidance on pre-award costs.

**3. FULL APPLICATION NOTIFICATIONS**

[TO BE INSERTED BY FOA MODIFICATION IN MAY 2018]



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

[TO BE INSERTED BY FOA MODIFICATION IN MAY 2018]

## **C. REPORTING**

[TO BE INSERTED BY FOA MODIFICATION IN MAY 2018]

## **VII. AGENCY CONTACTS**

### **A. COMMUNICATIONS WITH ARPA-E**

Upon the issuance of a FOA, only the Contracting Officer may communicate with Applicants. ARPA-E personnel and our support contractors are prohibited from communicating (in writing or otherwise) with Applicants regarding the FOA. This “quiet period” remains in effect until ARPA-E’s public announcement of its project selections.

During the “quiet period,” Applicants are required to submit all questions regarding this FOA to [ARPA-E-CO@hq.doe.gov](mailto:ARPA-E-CO@hq.doe.gov). Questions and Answers (Q&As) about ARPA-E and the FOA are available at <http://arpa-e.energy.gov/faq>. For questions that have not already been answered, please send an email with the FOA name and number in the subject line to [ARPA-E-CO@hq.doe.gov](mailto:ARPA-E-CO@hq.doe.gov). Due to the volume of questions received, ARPA-E will only answer pertinent questions that have not yet been answered and posted at the above link.

- ARPA-E will post responses on a weekly basis to any questions that are received that have not already been addressed at the link above. ARPA-E may re-phrase questions or consolidate similar questions for administrative purposes.
- ARPA-E will cease to accept questions approximately 10 business days in advance of each submission deadline. Responses to questions received before the cutoff will be posted approximately one business day in advance of the submission deadline. ARPA-E may re-phrase questions or consolidate similar questions for administrative purposes.
- Responses are published in a document specific to this FOA under “CURRENT FUNDING OPPORTUNITIES – FAQs” on ARPA-E’s website (<http://arpa-e.energy.gov/faq>).

Applicants may submit questions regarding ARPA-E eXCHANGE, ARPA-E’s online application portal, to [ExchangeHelp@hq.doe.gov](mailto:ExchangeHelp@hq.doe.gov). ARPA-E will promptly respond to emails that raise

legitimate, technical issues with ARPA-E eXCHANGE. ARPA-E will refer any questions regarding the FOA to [ARPA-E-CO@hq.doe.gov](mailto:ARPA-E-CO@hq.doe.gov).

ARPA-E will not accept or respond to communications received by other means (e.g., fax, telephone, mail, hand delivery). Emails sent to other email addresses will be disregarded.

During the “quiet period,” only the Contracting Officer may authorize communications between ARPA-E personnel and Applicants. The Contracting Officer may communicate with Applicants as necessary and appropriate. As described in Section IV.A of the FOA, the Contracting Officer may arrange pre-selection meetings and/or site visits during the “quiet period.”

**B. DEBRIEFINGS**

ARPA-E does not offer or provide debriefings. ARPA-E provides Applicants with a notification encouraging or discouraging the submission of a Full Application based on ARPA-E’s assessment of the Concept Paper. In addition, ARPA-E provides Applicants with reviewer comments on Full Applications before the submission deadline for Replies to Reviewer Comments.

## **VIII. OTHER INFORMATION**

### **A. FOAs AND FOA MODIFICATIONS**

FOAs are posted on ARPA-E eXCHANGE (<https://arpa-e-foa.energy.gov/>), Grants.gov (<http://www.grants.gov/>), and FedConnect (<https://www.fedconnect.net/FedConnect/>). Any modifications to the FOA are also posted to these websites. You can receive an e-mail when a modification is posted by registering with FedConnect as an interested party for this FOA. It is recommended that you register as soon as possible after release of the FOA to ensure that you receive timely notice of any modifications or other announcements. More information is available at <https://www.fedconnect.net>.

### **B. OBLIGATION OF PUBLIC FUNDS**

The Contracting Officer is the only individual who can make awards on behalf of ARPA-E or obligate ARPA-E to the expenditure of public funds. A commitment or obligation by any individual other than the Contracting Officer, either explicit or implied, is invalid.

ARPA-E awards may not be transferred, assigned, or assumed without the prior written consent of a Contracting Officer.

### **C. REQUIREMENT FOR FULL AND COMPLETE DISCLOSURE**

Applicants are required to make a full and complete disclosure of the information requested in the Business Assurances & Disclosures Form. Disclosure of the requested information is mandatory. Any failure to make a full and complete disclosure of the requested information may result in:

- The rejection of a Concept Paper, Full Application, and/or Reply to Reviewer Comments;
- 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.

**D. RETENTION OF SUBMISSIONS**

ARPA-E expects to retain copies of all Concept Papers, Full Applications, Replies to Reviewer Comments, and other submissions. No submissions will be returned. By applying to ARPA-E for funding, Applicants consent to ARPA-E's retention of their submissions.

**E. MARKING OF CONFIDENTIAL INFORMATION**

ARPA-E will use data and other information contained in Concept Papers, Full Applications, and Replies to Reviewer Comments strictly for evaluation purposes.

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, or other submission must be marked as follows and identify the specific pages containing confidential, proprietary, or privileged information:

Notice of Restriction on Disclosure and Use of Data:

Pages [\_\_\_] of this document may contain 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.

The header and footer of every page that contains confidential, proprietary, or privileged information must be marked as follows: "Contains Confidential, Proprietary, or Privileged Information Exempt from Public Disclosure." In addition, every line and paragraph containing proprietary, privileged, or trade secret information must be clearly marked with double brackets or highlighting.

**F. TITLE TO SUBJECT INVENTIONS**

Ownership of subject inventions is governed pursuant to the authorities listed below. Typically, either by operation of law or under the authority of a patent waiver, Prime Recipients and Subrecipients may elect to retain title to their subject inventions under ARPA-E funding agreements.

- 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. If they elect to retain title, they must file a patent application in a timely fashion.
- All other parties: The Federal Non-Nuclear Energy Research and Development 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 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, ARPA-E typically issues “class patent waivers” under which large businesses and foreign entities that meet certain stated requirements, such as cost sharing of at least 20%, may elect to retain title to their subject inventions. If a large business or foreign entity elects to retain title to its subject invention, it must file a patent application in a timely fashion. If the class waiver does not apply, a party may request a waiver in accordance with 10 C.F.R. §784.
- GOGOs are subject to the requirements of 37 C.F.R. Part 501.
- Determination of Exceptional Circumstances (DEC): Each Applicant is required to submit a U.S. Manufacturing Plan as part of its Full Application. The U.S. manufacture provision included in Attachment 2 of an award is included as part of the U.S. Manufacturing Plan. If selected, the U.S. Manufacturing Plan may be incorporated into the award terms and conditions for domestic small businesses and nonprofit organizations. DOE has determined that exceptional circumstances exist that warrants the modification of the standard patent rights clause for small businesses and non-profit awardees under Bayh-Dole to the extent necessary to implement and enforce the U.S. Manufacturing Plan. For example, the commitments and enforcement of a U.S. Manufacturing Plan may be tied to subject inventions. Any Bayh-Dole entity (domestic small business or nonprofit organization) affected by this DEC has the right to appeal it. The DEC is dated September 9, 2013 and is available at the following link:  
<http://energy.gov/gc/downloads/determination-exceptional-circumstances-under-bayh-dole-act-energy-efficiency-renewable>.

## **G. 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 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. In addition, the Government may grant licenses for use of the subject invention when Prime Recipients, Subrecipients, or their assignees and exclusive licensees refuse to do so.

The U.S. Government may exercise its march-in rights 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 satisfactory manner;
- The owner has not met public use requirements specified by Federal statutes in a reasonably satisfactory manner; or
- The U.S. Manufacturing requirement has not been met.

### **3. U.S. MANUFACTURING REQUIREMENT**

ARPA-E requires that awards address whether products embodying or produced through the use of subject inventions (i.e., inventions conceived or first actually reduced to practice under ARPA-E funding agreements) are to be substantially manufactured in the United States by Project Teams and their licensees. The requirement varies depending upon whether an awardee is a small business, University or other type of awardee. The Applicant may request a modification or waiver of the U.S. Manufacturing Requirement.

#### **H. 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.

- Background or “Limited Rights Data”: The U.S. Government will not normally require delivery of 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.
- Generated Data: The U.S. Government normally retains very broad rights in technical data produced under Government financial assistance awards, including the right to distribute to the public. However, pursuant to special statutory authority, certain categories of data generated under ARPA-E awards may be protected from public disclosure for up to five years in accordance with provisions that will be set forth in the award. In addition, invention disclosures may be protected from public disclosure for a reasonable time in order to allow for filing a patent application.

#### **I. PROTECTED PERSONALLY IDENTIFIABLE INFORMATION**

Applicants may not include any Protected Personally Identifiable Information (Protected PII) in their submissions to ARPA-E. Protected PII is defined as data that, if compromised, could cause harm to an individual such as identity theft. Listed below are examples of Protected PII that Applicants must not include in their submissions.

- Social Security Numbers in any form;
- Place of Birth associated with an individual;
- Date of Birth associated with an individual;
- Mother’s maiden name associated with an individual;
- Biometric record associated with an individual;
- Fingerprint;

- Iris scan;
- DNA;
- Medical history information associated with an individual;
- Medical conditions, including history of disease;
- Metric information, e.g. weight, height, blood pressure;
- Criminal history associated with an individual;
- Ratings;
- Disciplinary actions;
- Performance elements and standards (or work expectations) are PII when they are so intertwined with performance appraisals that their disclosure would reveal an individual's performance appraisal;
- Financial information associated with an individual;
- Credit card numbers;
- Bank account numbers; and
- Security clearance history or related information (not including actual clearances held).

**J. COMPLIANCE AUDIT REQUIREMENT**

A prime recipient organized as a for-profit entity expending \$750,000 or more of DOE funds in the entity's fiscal year (including funds expended as a Subrecipient) must have an annual compliance audit performed at the completion of its fiscal year. For additional information, refer to Subpart F of: (i) 2 C.F.R. Part 200, and (ii) 2 C.F.R. Part 910.

If an educational institution, non-profit organization, or state/local government is either a Prime Recipient or a Subrecipient, and has expended \$750,000 or more of Federal funds in the entity's fiscal year, the entity must have an annual compliance audit performed at the completion of its fiscal year. For additional information refer to Subpart F of 2 C.F.R. Part 200.



## **IX. GLOSSARY**

**Applicant:** The entity that submits the application to ARPA-E. In the case of a Project Team, the Applicant is the lead organization listed on the application.

**Application:** The entire submission received by ARPA-E, including the Concept Paper, Full Application, and Reply to Reviewer Comments.

**ARPA-E:** is the Advanced Research Projects Agency – Energy, an agency within the U.S. Department of Energy.

**Cost Sharing:** is the portion of project costs from non-Federal sources that are borne by the Prime Recipient (or non-Federal third parties on behalf of the Prime Recipient), rather than by the Federal Government.

**Deliverable:** A deliverable is the quantifiable goods or services that will be provided upon the successful completion of a project task or sub-task.

**DOE:** U.S. Department of Energy.

**DOE/NNSA:** U.S. Department of Energy/National Nuclear Security Administration

**FFRDCs:** Federally Funded Research and Development Centers.

**FOA:** Funding Opportunity Announcement.

**GOCOs:** U.S. Government Owned, Contractor Operated laboratories.

**GOGOs:** U.S. Government Owned, Government Operated laboratories.

**Milestone:** A milestone is the tangible, observable measurement that will be provided upon the successful completion of a project task or sub-task.

**Prime Recipient:** The signatory to the funding agreement with ARPA-E.

**PI:** Principal Investigator.

**Project Team:** A Project Team consists of the Prime Recipient, Subrecipients, and others performing inventive supportive work that is part of an ARPA-E project.

**Standalone Applicant:** An Applicant that applies for funding on its own, not as part of a Project Team.

**Subject Invention:** Any invention conceived or first actually reduced to practice under an ARPA-E funding agreement.

**Task:** A task is an operation or segment of the work plan that requires both effort and resources. Each task (or sub-task) is connected to the overall objective of the project, via the achievement of a milestone or a deliverable.

**Total Project Cost:** The sum of the Prime Recipient share and the Federal Government share of total allowable costs. The Federal Government share generally includes costs incurred by GOGOs, FFRDCs, and GOCOs.

**TT&O:** Technology Transfer and Outreach. (See Section IV.G.8 of the FOA for more information).