

QUESTIONS AND ANSWERS

PLEASE REFER TO THE GENERAL FAQS SECTION OF ARPA-E'S WEBSITE ([HTTP://ARPA-E.ENERGY.GOV/?Q=FAQ/GENERAL-QUESTIONS](http://arpa-e.energy.gov/?q=faq/general-questions)) FOR ANSWERS TO MANY GENERAL QUESTIONS ABOUT ARPA-E AND ARPA-E'S FUNDING OPPORTUNITY ANNOUNCEMENTS. ADDITIONAL QUESTIONS SPECIFIC TO THIS FOA ONLY ARE INCLUDED BELOW. PLEASE REVIEW ALL EXISTING GENERAL FAQS AND FOA-SPECIFIC QUESTIONS BEFORE SUBMITTING NEW QUESTIONS TO ARPA-E.

I. Full Application Phase Questions:

Q1. My team comprises faculty from [a domestic educational institution and an FFRDCs/DOE Laboratory]. ... On [FOA] page 13 (Section III.B.3) it [states]: “Project Teams composed exclusively (emphasis in the original) of domestic educational institutions, domestic nonprofits, FFRDCs/DOE Labs, and/or Federal agencies and instrumentalities (other than DOE) are not required to provide cost share.” Can you please confirm whether we are or are not required, and if so, at what level we are required to cost share?

ANSWER: ARPA-E does not provide pre-submission assessments on a project team's specific cost sharing requirement (refer to General FAQ 4.21), though the quoted text is clear and unambiguous. Also note that the term “Project Team” means the organizations and institutions collaborating to form the team, not the personnel named in any particular application (refer to FOA Section IX).

Q2. I have a question about the recently released ARPA-E FOA. It mentions on page 8 that ARPA-E expects to award grants up to \$300,000, but the first page mentions up to \$3.61M. Is it safe to assume that the information on page 8 is a typo or carryover from a different FOA?

ANSWER: The text is correct as written. For awards of \$300,000 or less ARPA-E expects to award grants as discussed at FOA Section II.B.1. For those exceeding \$300,000 ARPA-E expects to award cooperative agreements as discussed at FOA Section II.B.2.

Q3. [We have] has begun work on an application to submit pursuant to DE-FOA-0001953, which has three Targeted Topics. [Our] application would be for Leveraging Innovations Supporting Nuclear Energy, which has five Technical Areas of Interest. [We are] interested in addressing several of these discrete Technical Areas of Interest. After reviewing the FOA and ARPA-E's FAQ, it is unclear (1) whether [we] can file a separate application for each Technical Area of Interest that it will be addressing or (2) whether all the Technical Areas to be addressed by [us] must be in a single application.

ANSWER: Refer to FOA Section III.C.3.

Additionally, to the extent [we] can file separate applications for each Technical Area, it would be helpful to know in advance whether that approach would be advantageous or disadvantageous to its application(s) being selected

ANSWER: Refer to General FAQ 2.7 and FOA Section VII.A.

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Q4. I am interested [in] submit[ing] a proposal to the ARPA-E (EXTREMELY DURABLE CONCRETES AND CEMENTITIOUS MATERIALS) as a PI, and I am wondering if I am eligible since I am not a U.S.citizen nor a permanent resident.

ANSWER: For eligibility criteria, see Section III.A – III.C of the FOA. Applicants are responsible for personnel staffing decisions concerning their proposal, including for foreign researchers working on ARPA-E awards. Principal Investigators and other researchers are not necessarily required to be U.S. citizens or permanent residents. Hiring/work assignment decisions for ARPA-E research should consider that ARPA-E awards normally involve technology or software - including any manufacturing know - how - that is “restricted or proprietary” as cited in export control regulations (at 15 C.F.R Section 734.8(a)). This includes when a university awardee partners with/licenses to a for - profit team entity, or if the university awardee seeks ARPA-E approval of “protected data” resulting from the research. Also, awardees’ inventions resulting from ARPA-E research must be reported and protected, and are subject to U.S. manufacturing requirements.

Refer to Attachment 1, Clauses 4 and 12, and Attachment 2 of the ARPA-E Model Cooperative Agreement for awardee immigration and export control obligations.

Q5. Can international companies be involved in the project for material donation?

ANSWER: Interpreting “international companies” to mean “foreign entities” as that term is used at FOA Section III.A.3, material donations, valued in accordance with 2 C.F.R. § 200.306, may be accepted for cost sharing purposes. Acceptance of donated materials from foreign entities does not relieve the Recipient or its sub-recipients from domestic sourcing or manufacturing, intellectual property, export control, or other requirement set forth in this FOA or subsequent ARPA-E agreement (e.g., for domestic sourcing requirements refer to ARPA-E model cooperative agreement, Attachment 1, Clause 10.b, found at <https://arpa-e.energy.gov/?q=site-page/funding-agreements>). Applicants selected for award negotiations offering material donations from foreign entities can expect, at a minimum, ARPA-E to request and assess their market research, supporting any conclusion that materials suitable for accomplishing the project are not available on the same commercial terms from a domestic source.

Also, can they be involved as a sub in the project?

ANSWER: Refer to General FAQ 3.1 and FOA Section III.A.3.

Q6. Usually, we need to submit a concept paper before submitting a full application for ARPA-E funding. For the FOA # DE-FOA-0001953, it asks for a full application with deadline of February 18. Is it means that we can directly submit a full application without going through the concept paper?

ANSWER: Yes.

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Q7. Please clarify submission deadline in Solicitation for Full Application per DE-FOA-0001953

Proposal submission deadline for Full Application per DE-FOA-0001953 = February 18, 2019.

Proposal submission deadline for Full Application Submission Deadline: 12/19/2019 12:00 AM ET Per the funding opportunity announcement.

ANSWER: The FOA close date is December 19, 2019. The DE-FOA-0001953 utilizes a process of targeted topics for Full Application Submissions. The Targeted Topics Table in the Funding Opportunity Announcement lists topic-specific application due dates. The deadline for the first three targeted Topics is February 18, 2019.

UPDATE (12-Feb-19): ARPA-E is amending the FOA to change the deadline date for submission of applications to February 19, 2019. The deadline time for submission of applications remains unchanged.

Q8. What is the difference between DE-FOA-0001953 and DE-FOA-0001954?

ANSWER: Prospective applicants are encouraged to read the funding opportunity announcements and independently assess if a submission is warranted under DE-FOA-0001953 or DE-FOA-0001954. DE-FOA-0001954 is targeted at small business concerns under the Small Business Innovative Research (SBIR) and Small Business Technology Transfer (STTR) programs, and reflects the unique rules and regulations applicable to those programs. Entities that qualify as “Small Business Concerns” are strongly encouraged to apply under DE-FOA-0001954. To determine eligibility as a “Small Business Concern” under DE-FOA-0001954, review the eligibility requirements in Sections III.A-III.D of the FOA.

Q9. Can research[ers] from universities apply or only a company can apply?

ANSWER: Refer to FOA Section III.A.

Q10. If a US subsidiary of a foreign company is part of the project team, can costs outside the US at the parent company count towards cost sharing?

ANSWER: Provided a foreign work waiver is granted by ARPA-E (refer to General FAQ 3.1), costs incurred by a “foreign entity” (as that term is used at FOA Section III.A.3), valued and accounted for in accordance with 2 C.F.R. § 200.306, may be accepted as cost share. Acceptance of foreign entity costs incurred as cost share does not relieve the Recipient or its sub-recipients from domestic sourcing or manufacturing, intellectual property, export control, or other requirements set forth in any ARPA-E agreement.

Q11. [We] will be submitting a proposal in response to FOA 0001953. We are a large business and would elect to participate under a class waiver. Can you let me know whether ARPA-E intends to issue a class waiver for this award?

ANSWER: The Bayh-Dole Act (35 U.S.C. § 200 et seq.) authorizes a domestic small business, educational institution, or nonprofit to elect to retain title to the inventions they make in the performance of funding agreements (contracts, grants and cooperative agreements) for research and development at any tier.

The Federal Non Nuclear Energy Act of 1974, 42. U.S.C. 5908 applies to all other government transactions at any tier for the performance of R&D, “whether or not ...with a contribution by the

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Government of the use of Government facilities, equipment, materials, allocated funds.” That Act provides that the Government obtains title to new inventions unless a waiver is granted.

ARPA-E has issued “class patent waivers” under which all those not subject to the Bayh-Dole Act, such as 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. The latest waiver, applicable to ARPA-E agreements awarded in Fiscal Year 2017 and later, can be found at <https://arpa-e.energy.gov/sites/default/files/ARPA-E%20FY%202017%20Class%20Waiver.pdf>. If the class waiver does not apply, a party may request a waiver in accordance with 10 C.F.R. §784.

Q12. What is the max page length allowed for the Technical Volume for DE-FOA-0001953?

ANSWER: A Technical Volume template is available at <https://arpa-e-foa.energy.gov>. The Technical Volume must conform to the content and form requirements included within the template, including maximum page lengths. If Applicants exceed the maximum page lengths specified for each section, ARPA-E will review only the authorized number of pages and disregard any additional pages.

Q13. On Page 13, No. 3, first bullet of the FOA instructions for DE-FOA-0001953, please provide a definition for “Standalone Applicant.” That is, does this exemption apply to a domestic educational institution or domestic nonprofit submitting alone, even if it anticipates using subcontractors/subawardees?

ANSWER: As set forth at FOA Section III.A.1, Footnote 3: “A Standalone Applicant is an Applicant that applies for funding on its own, not as part of a Project Team.”

As set forth in Footnote 4 of that same section: “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.”

Also refer to FOA Section IX.

Q14. We are preparing a proposal for this call. Our team currently includes PIs from both national labs and universities. Meanwhile, we have a small business collaborator who is interested in participating in this proposal. Here is our question: If we include the small business on our team, and the small business asks for no funding, can we still get our cost share waived?

ANSWER: ARPA-E does not provide pre-submission assessments on a project team’s specific cost sharing requirement (refer to General FAQ 4.21). Also note that the term “Project Team” means the organizations and institutions collaborating to form the team, not the personnel named in any particular application (refer to FOA Section IX).

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Q15. I saw that projects under this FOA are typically 24 months, and the requested budget might be up to [\$3 million]. Can we submit an early-concept ... ([\$0.5 million], 1 year) under this FOA?

ANSWER: As set forth on the FOA Cover Page: “ARPA-E may issue one, multiple, or no awards under this FOA. Awards may vary between \$100,000 and \$3.61 million.” This text sets forth guidance concerning the minimum and maximum amounts to be awarded by ARPA-E under this FOA. Consistent with this guidance, each Targeted Topic includes unique parameters for amounts to be awarded, and maximum award term.

Q16. Per the solicitation[‘s Required Documents Checklist] sections 1-5 has [sic] a 14 page limit, however the template for the technical volume ... states a 'cumulative length of sections 1-4 shall not exceed 14 pages.' Can you please confirm if we are to proceed with the solicitation requirements or the template requirements?

ANSWER: As set forth in the Required Documents Checklist, the maximum length of the Technical Volume, Sections 1-5, is 14 pages. Prospective applicants may disregard the following instruction at the top of p.2 of the Technical Volume Template: “The cumulative length of Sections 1-4 shall not exceed 14 pages.” ARPA-E will publish a corrected Technical Volume Template shortly.

Q17. I am assisting a staff member ... who is submitting to announcement DE-FOA-0001953 “SOLICITATION ON TOPICS INFORMING NEW PROGRAM AREAS.” As part of the requirements of being an FFRDC, we will need to submit a fully completed F[ield] W[ork] P[roposal] with our full application. Could you please inform us who will be the ARPA-E Program Manager in charge of overseeing Topic Area A? I will need to provide this information to have the FWP completed.

ANSWER: Complete the FWP per the instructions set forth therein. The instruction for Item 7 states: “When known, enter the name and phone number of the DOE/NNSA program manager responsible for the overall program.”

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Q18. My particular question had to do with the statement in DE-FOA-0001953 on p. 14.

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. (emphasis in the original)

In the situation where a Project Team is performing 80% of the work through nonprofits, small business, and FFRDCs, and with one large company performing <20% of the work but receiving a patent waiver, does the Project Team pay a 20% cost share of total project costs (instead of 10%)? It's not clear what is meant by "cost share requirement (20%) for its [large business] portion of the Total Project Cost." What does "it's portion" refer to?

ANSWER: Refer to General FAQ 4.12.

Q19. While it might seem obvious, we just want to be sure: Do the Cost Sharing requirements, as specified in Section B, pages 13-16, apply exactly as written for applications in response to Targeted Topic D?

ANSWER: The cost sharing requirements set forth at Section III.B are correct as written and, unless an exception or exceptions are described under a particular Targeted Topic, are applicable to all Targeted Topics published under this FOA.

Q20. Will [description of technology omitted] fall within funding opportunity [sic] without lining up with the Targeted Topics?

ANSWER: As set forth at FOA Section I.C: "This FOA will only accept applications in prespecified Targeted Topics."

Q21. We will be submitting a proposal for topic F: High Value Methane Pyrolysis. The proposal requires a Technology to Market plan, including a Techno Economic Analysis. The suggested length of the Technology to Market Plan is 2 pages. The Techno Economic Analysis can be a considerable document in and of itself consisting of 5-10 pages of text to accompany a model that may have upwards of 100 cell entries. How are we to reconcile the size of this analysis with the suggested page limit?

ANSWER: Referencing the Technical Volume template, the maximum length of the Technical Volume, Sections 1-5 is fourteen pages, with a suggested page budget for the Technology to Market presentation (Section 4) of two pages. Submissions to ARPA-E must be limited to the fourteen page maximum. Any additional pages will be redacted from the submission before being subjected to the merit review process. See also General FAQ 8.2.