## ATTACHMENT 4:

## ARPA-E REPORTING CHECKLIST AND INSTRUCTIONS

|  |  |  |  |
| --- | --- | --- | --- |
| 1. Identification Number: | 2. Program/Project Title: | | |
| 3. Recipient: | | | |
| 4. Reporting Requirements (see attached “ARPA-E Reporting Instructions”):  **I. PROJECT MANAGEMENT REPORTING (DURING AWARD)**  A. Research Performance Progress Reports  B. Financial Reports  C. Scientific/Technical Conference Papers/Proceedings  D. Intellectual Property Reporting  E. Intellectual Property & Data Management Plan  F. Utilization/U.S. Manufacturing Reporting  a. Subject Invention Utilization Reporting  b. Software and Data Utilization Reporting  G. Lobbying Activities Reporting  H. Special Status Reports  I. Annual Indirect Cost Proposals  J. Annual Audit of For-Profit Recipients  K. Annual Property Inventories  L. Subaward/Subcontract Reports  M. Annual Conflict of Interest Reporting  N. Subawards and Executive Compensation  O. Matters Related to Recipient Integrity and Performance  **II. CLOSEOUT REPORTING (UPON CLOSEOUT OF AWARD)**  A. Final Scientific/Technical Report  B. Final Invention and Patent Report  C. Final Property Report  **III. POST-AWARD REPORTING (FOLLOWING CLOSEOUT OF AWARD)**  A. Subject Invention Utilization Reporting (see SectionI.F.a above)  B. Software and Data Utilization Reporting (see SectionI.F.b above) | Frequency | No. of Copies | Addressees |
| QR  QR  Y  Y  X  A  A  Y  Y  FY  RFY  A  Y  Y, A  X, A  Y  F  F  F  A  A | 1  1  1  1  1  1  1  1  1  1  1  1  1  1  1  1  1  1  1  1  1 | [https://arpa-e-epic.energy.gov](https://arpa-e-epic.energy.gov/)  [https://arpa-e-epic.energy.gov](https://arpa-e-epic.energy.gov/)  <http://www.osti.gov/elink-2413>  See block 5 for instructions  [https://arpa-e-epic.energy.gov](https://arpa-e-epic.energy.gov/)  <https://s-edison.info.nih.gov/iEdison/>  [https://arpa-e-epic.energy.gov](https://arpa-e-epic.energy.gov/)  [https://arpa-e-epic.energy.gov](https://arpa-e-epic.energy.gov/)  [https://arpa-e-epic.energy.gov](https://arpa-e-epic.energy.gov/)  See block 5 for instructions  See block 5 for instructions  [https://arpa-e-epic.energy.gov](https://arpa-e-epic.energy.gov/)  See block 5 for instructions  See block 5 for instructions  See block 5 for instructions  See block 5 for instructions  <http://www.osti.gov/elink-2413>  See block 5 for instructions  [https://arpa-e-epic.energy.gov](https://arpa-e-epic.energy.gov/)  <https://s-edison.info.nih.gov/iEdison/>  [https://arpa-e-epic.energy.gov](https://arpa-e-epic.energy.gov/) |
| FREQUENCY CODES AND DUE DATES:  A – Annually; within 90 calendar days after the end of the annual reporting period.  F – Final; within 120 calendar days after closeout of the award.  FY – Annually; within 180 calendar days after the close of the fiscal year.  QR – Quarterly; within 30 calendar days after end of the quarterly reporting period.  RFY – Recipient’s Fiscal Year; within the earlier of 30 days after receipt of the auditor’s report or 9 months after end of the audit period.  X – Within six (6) weeks of the effective date of ARPA-E Award.  Y – Within five (5) calendar days after the event or as specified. | | | |
| 1. ARPA-E Special Instructions:   For Annual Indirect Cost Proposals: If ARPA-E is the Cognizant Federal Agency, submit to [https://arpa-e-epic.energy.gov](https://arpa-e-epic.energy.gov/). Otherwise, send to the Cognizant Federal Agency.  For Annual Audits of For-Profit Recipients: Send to [DOE-Audit-Submission@hq.doe.gov](mailto:DOE-Audit-Submission@hq.doe.gov) and [https://arpa-e-epic.energy.gov](https://arpa-e-epic.energy.gov/).  For Subaward/Subcontract Reports: Send to [GC-62@hq.doe.gov](mailto:GC-62@hq.doe.gov) and [https://arpa-e-epic.energy.gov](https://arpa-e-epic.energy.gov/).  For Intellectual Property Reporting: Send mandatory intellectual property reports for subject inventions specified in Section D.1 of this Attachment to iEdison <https://s-edison.info.nih.gov/iEdison/>. Report software and data reports specified in Section D.2 of this Attachment in ePIC, [https://arpa-e-epic.energy.gov](https://arpa-e-epic.energy.gov/). Send special intellectual property reports specified in Section D.3 of this Attachment to DOE Patent Counsel via email at [GC-62@hq.doe.gov](mailto:GC-62@hq.doe.gov). Send all questions concerning the Patent Rights Clause in Attachment 2 of this Award to DOE Patent Counsel via email at [GC-62@hq.doe.gov](mailto:GC-62@hq.doe.gov).  For Final Invention and Patent Reports: Send to [GC-62@hq.doe.gov](mailto:GC-62@hq.doe.gov) and [https://arpa-e-epic.energy.gov](https://arpa-e-epic.energy.gov/).  For Conflict of Interest Reports: Upload to ePIC at [https://arpa-e-epic.energy.gov](https://arpa-e-epic.energy.gov/).  For Subawards and Executive Compensation: Report to <http://www.fsrs.gov> (subawards) and <http://www.sam.gov> (compensation).  For Matters Related to Recipient Integrity and Performance: Report to <https://www.sam.gov>. | | | |

|  |
| --- |
| **ARPA-E Reporting Instructions** |

|  |  |  |
| --- | --- | --- |
| **\*\*\*** | ***Throughout award negotiations and the performance of the project, it is important that you mark confidential information and documents as described in Appendix A. It is equally important that you not submit Protected Personally Identifiable Information (Protected PII) to ARPA-E. See Appendix A for guidance on Protected PII.*** | **\*\*\*** |

**I. PROJECT MANAGEMENT REPORTING**

1. **Research Performance Progress Reports**

|  |  |
| --- | --- |
| Submit via: | ARPA-E’s Energy Program Information Center (ePIC): [https://arpa-e-epic.energy.gov](https://arpa-e-epic.energy.gov/) |
| Submission deadline: | Within 30 calendar days of every quarter (January 31, April 30, July 31, October 31) |

Every quarter, the Prime Recipient is required to submit a Research Performance Progress Report for the project – i.e., the entirety of work performed by the Prime Recipient, Subrecipients, and contractors – to ARPA-E through ARPA-E’s Energy Program Information Center (ePIC). For general guidance on submitting Research Performance Progress Reports through ePIC, see the instructions provided below. For detailed guidance on the use of ePIC, please refer to the ePIC User Guide (<https://arpa-e-epic.energy.gov/FileContent.aspx?FileID=1c5ede2c-ef5f-42ea-919f-4127ee085eb8>). You must be registered in ePIC and log in to access the ePIC User Guide.

To submit a Research Performance Progress Report, the Prime Recipient must log in to the ePIC system, navigate to the reporting module on the project dashboard, and complete the following fields.

1. Technical Progress

Section I. Accomplishments & Milestone Update:  Provide a comparison of the actual accomplishments against the technical milestones and deliverables for the period. The ePIC system allows the Prime Recipient to submit a narrative in Adobe PDF format, as well as individual summaries of milestone progress. In addition, the Prime Recipient must enter the actual start and completion dates of milestones and deliverables and provide an estimated percentage of completion for each milestone and deliverable in the ePIC system.

If technical milestones and deliverables were not met, explain why they were not met in this section. This section should contain sufficient information to allow the ARPA-E Program Director to verify the achievement of the technical milestones and deliverables. If desired, the Prime Recipient may also provide updates on milestones not scheduled for the current quarter in this section.

1. Additional Performance Updates

Section II. Issues, Risks, and Mitigation: Discuss any actual or anticipated problems, risks, or issues, along with the actions planned or taken to resolve them.

Section III. Changes in Approach: Discuss any changes in approach or aims and the reasons for change. Any changes to the technical milestones and deliverables must be approved in advance by the ARPA-E Contracting Officer.

Section IV. Project Personnel: Document any changes in project personnel or teaming arrangements during the quarter. Such changes must be approved in advance by the ARPA-E Contracting Officer.

1. Technology to Market Updates

Section V. Project Output:

1. Publications: Identify any project-related articles, papers, or presentations that are authored or prepared by the Project Team and published or distributed (at a conference or otherwise). The entry must include author name; title; publication or conference; volume, issue, and pages (if applicable); and year of publication. *The Prime Recipient is required to send a copy of each publication to the program support designated by the ARPA-E Program Director.* Scientific/technical conference papers/proceedings must also be reported in accordance with Section I.C of “ARPA-E Reporting Instructions.”
2. Other Products: Provide information on any additional project output, such as high-visibility media articles, data or databases, physical collections, audio or video, software or netware, models, educational aid or curricula, instruments, or equipment. Provide a brief description of additional project output, date of release, and entity to which output was provided.
3. Follow-On Funding: The Prime Recipient is required to disclose any funding currently received or any anticipated commitment or obligations of funding that may be received by the Prime Recipient, Subrecipient(s), Principal Investigator(s) (including Co-Principal Investigators), or Key Participants to support the ARPA-E funded project or work that is directly or indirectly related to the ARPA-E funded project. List the source of funding, amount of funding, the beginning and end dates of funding, and point of contact (name, title, employer, telephone number, and e-mail address), regarding the current or anticipated funding.
4. Administrative and Legal Updates

Section VI. Recipient and Principal Investigator Disclosures: The Prime Recipient is required to disclose if any of the following conditions exist:

1. The Prime Recipient, Subrecipient, or Principal Investor(s) (including Co-Principal Investigators) is under investigation for or has been convicted of fraud or similar acts, violations of U.S. export control laws and regulations, or violations of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D; 41 U.S.C. 701, et seq.);
2. The Prime Recipient, Subrecipient, or Principal Investigator(s) (including Co-Principal Investigators) is debarred, suspended, proposed for debarment, or otherwise declared ineligible from receiving Federal contracts, subcontracts, and financial assistance and benefits; or
3. The Prime Recipient or its parent: (i) is insolvent; (ii) has filed a voluntary case under the Bankruptcy Act or has consented to an involuntary case under the Bankruptcy Act; or (iii) has had a proceeding filed against it to, or consented to, the dissolution, winding-up or readjustment of debts, appointment of a receiver, conservator, trustee or other officer under any applicable state or federal law.

Section VII. Conflicts of Interests: The Prime Recipient is required to disclose any managed and unmanaged conflicts of interest within the Project Team, per the requirements of the DOE interim Conflict of Interest Policy for Financial Assistance, which can be found at <https://www.energy.gov/management/financial-assistance-letter-no-fal-2022-02>. This includes not only the PI, but also any person who participates in the purpose, design, conduct, or reporting of the project for the Prime Recipient or any other project team member (for example: collaborators, consultants, postdoctoral researchers, and graduate [Master’s or PhD] students).

Section VIII. Performance of Work in the United States: The Prime Recipient is required to disclose if any work under the Award is being performed outside of the United States/U.S. Territories. ARPA-E requires 100% of the Total Project Cost to be expended in the United States/U.S. Territories. The Prime Recipient may perform certain work overseas if authorized in advance by the ARPA-E Contracting Officer (e.g., by approval of a Foreign Work Waiver Request).

1. Cost Updates

Section IX. Budget Status - Prime Recipient: The Prime Recipient is required verify that budget amounts **submitted for reimbursement** to ARPA-E during the quarter are accurate and complete, and provide an explanation for any discrepancies, cost overruns, or high unit costs. In addition, as prompted in the ePIC system, enter TT&O costs, if applicable.

Section X. Submit Page: The Prime Recipient is required to certify that the information provided in the Research Performance Progress Report is accurate and complete as of the date shown.

1. **Financial Reports**

|  |  |
| --- | --- |
| Submit via email to: | ARPA-E’s Energy Program Information Center (ePIC): [https://arpa-e-epic.energy.gov](https://arpa-e-epic.energy.gov/) |
| Submission deadline: | Within 30 calendar days of every quarter (January 31, April 30, July 31, October 31) |

Every quarter, the Prime Recipient is required to submit a completed SF-425 for the project – i.e., the entirety of work performed by the Prime Recipient, Subrecipients, and contractors – to ARPA-E via ePIC. A fillable version of the SF-425 is available at https://www.energy.gov/management/office-management/operational-management/financial-assistance/financial-assistance-forms.

To submit a SF-425, the Prime Recipient must log in to the ePIC system and navigate to the reporting module on the project dashboard. Click “add” to upload a new SF-425. For detailed guidance on the use of ePIC, please refer to the ePIC User Guide (<https://arpa-e-epic.energy.gov/FileContent.aspx?FileID=1c5ede2c-ef5f-42ea-919f-4127ee085eb8>). You must be registered in ePIC and log in to access the ePIC User Guide.

1. **Scientific/Technical Conference Papers/Proceedings**

|  |  |
| --- | --- |
| Submit to: | DOE Energy Link System (E-Link) available at <http://www.osti.gov/elink-2413> |
| Submission deadline: | Within five (5) calendar days after the occurrence of the event |

The Prime Recipient must submit a copy of any scientific/technical conference papers/proceedings, with the following information: (1) name of conference; (2) location of conference; (3) date of conference; and (4) conference sponsor. Scientific/technical conference papers/proceedings must be submitted in the Adobe PDF format as one integrated PDF file containing all text, tables, diagrams, photographs, schematic, graphs, and charts. In addition, scientific/technical conference papers/proceedings must be accompanied by a completed DOE Form 241.3. The form and instructions are available on DOE Energy Link System (E-Link) at <http://www.osti.gov/elink-2413>.

1. **Intellectual Property Reporting**

**1. Mandatory Intellectual Property Reports for Subject Inventions**

|  |  |
| --- | --- |
| Submit via: | NIH’s iEdison System (https://s-edison.info.nih.gov/iEdison/) |
| Required Reports: | See the Patent Rights Clause in Attachment 2 of this Award for the specific details of reporting requirements. The Prime Recipient is required to report the following to DOE Patent Counsel:   * Disclose subject inventions, including anticipated uses and sales –   + Under Attachment 2 (Small Business) and Attachment 2 (Universities): within 2 months after disclosure of the subject invention to personnel charged with patent administration matters.   + Under Attachment 2 (Large Business): within 6 months of conception or first actual reduction to practice whichever occurs first under the award, and before sale, public use, or public disclosure of the invention. * Elect (or decline) to retain title to a subject invention –   + Under Attachment 2 (Small Business) and Attachment 2 (Universities): no later than 2 years after disclosing the subject invention to ARPA-E/DOE through iEdison or 60 days prior to any statutory deadline, whichever is earlier.   + Under Attachment 2 (Large Business): no later than 8 months after disclosing the subject invention to ARPA-E/DOE through iEdison or 60 days prior to any statutory deadline, whichever is earlier. * Disclose the filing of any U.S. or foreign patent applications for a subject invention including the filing date, patent application number, and title. * An initial patent application must be filed with the U.S. Patent and Trademark Office (USPTO) within one year after electing to retain title, but prior to any statutory deadline. * Disclose the patent number and issue date for any patent issued for a subject invention. |

**2. Software and Data Reports (if Prime Recipient is required to submit a Commercialization Plan)**

|  |  |
| --- | --- |
| Submit to: | ARPA-E’s Energy Program Information Center (ePIC): [https://arpa-e-epic.energy.gov](https://arpa-e-epic.energy.gov/) |
| Required Reports: | The Prime Recipient is required to report in ePIC:  (a) any of the software and data sets specified in the Commercialization Plan; and  (b) any associated trademarks for commercializing the specified software and data sets.  To submit a Software and Data Report, the Prime Recipient must log in to the ePIC system and navigate to the reporting module on the project dashboard. For detailed guidance on the use of ePIC, please refer to the ePIC User Guide (<https://arpa-e-epic.energy.gov/FileContent.aspx?FileID=1c5ede2c-ef5f-42ea-919f-4127ee085eb8>). You must be registered in ePIC and log in to access the ePIC User Guide. |

**3. Special Intellectual Property Reports**

|  |  |
| --- | --- |
| Submit to: | DOE Patent Counsel at [GC-62@hq.doe.gov](mailto:GC-62@hq.doe.gov) |
| Required Reports: | The Prime Recipient is required to report the following to DOE Patent Counsel:   * Request for extensions of time. * Discontinue prosecution of a patent application, maintenance of a patent, or defense in a patent reexamination or opposition proceeding, regardless of jurisdiction. Must be submitted at least 30 days before the expiration of the response period required by a relevant domestic or foreign patent office. |

1. **Intellectual Property & Data Management Plan**

|  |  |
| --- | --- |
| Submit via email to: | ARPA-E’s Energy Program Information Center (ePIC): [https://arpa-e-epic.energy.gov](https://arpa-e-epic.energy.gov/) |
| Submission deadline: | Within six (6) weeks of the effective date of the ARPA-E Award |

ARPA-E requires every Project Team in which more than one team member will perform research and development work or share technical data, to negotiate and establish an Intellectual Property Management Plan for the management and disposition of intellectual property arising from the project. In addition, ARPA-E requires each Prime Recipient, regardless of whether there are other team members, to submit a Data Management Plan (DMP) that addresses how data generated in the course of the work performed under an ARPA-E Award will be preserved and, as appropriate, shared publicly. A DMP should be submitted by the Prime Recipient as part of the Project Team’s Intellectual Property Management Plan.

All Intellectual Property Management Plans and DMPs are subject to the terms and conditions of the ARPA-E funding agreement and its intellectual property provisions, and applicable Federal laws, regulations, and policies, all of which take precedence over the terms of Intellectual Property Management Plans and DMPs. DMPs will be reviewed by ARPA-E as part of the overall review process for Intellectual Property Management Plans in ARPA-E’s ePIC System, as well as part of the ARPA-E Program Director’s overall project management review processes.

ARPA-E has developed a template Intellectual Property & Data Management Plan (<https://arpa-e.energy.gov/technologies/project-guidance/pre-award-guidance/required-forms-and-templates>) to facilitate and expedite negotiations between Project Team members. ARPA-E does not mandate the use of this template. ARPA-E and DOE do not make any warranty (express or implied) or assume any liability or responsibility for the accuracy, completeness, or usefulness of the template. ARPA-E strongly encourages Project Teams to consult their own legal counsel before using the template.

To submit an Intellectual Property & Data Management Plan, the Prime Recipient must log in to the ePIC system and navigate to the reporting module on the project dashboard. For detailed guidance on the use of ePIC, please refer to the ePIC User Guide (<https://arpa-e-epic.energy.gov/FileContent.aspx?FileID=1c5ede2c-ef5f-42ea-919f-4127ee085eb8>). You must be registered in ePIC and log in to access the ePIC User Guide.

1. **Utilization/U.S. Manufacturing Reporting**
   1. **Subject Invention Utilization Reporting**

|  |  |
| --- | --- |
| Submit via: | iEdison: <https://s-edison.info.nih.gov/iEdison/> |
| Submission deadline: | Within 90 calendar days after the end of the annual reporting period and for ten (10) years after the end of the Project Period. |

As authorized in paragraph (h) of the “Patent Rights Clause” in Attachment 2, entitled “Reporting on Utilization of Subject Inventions” and in accordance with 2 CFR 910.364, ARPA-E requires Recipients to submit annual reports, throughout the project period and for ten (10) years after the end of the project period, on the utilization of subject inventions and efforts made by Recipients or their licensees or assignees to stimulate such utilization. ARPA-E agrees that, to the extent permitted by law, it shall not disclose data or information supplied under this paragraph to persons outside the Government to the extent the data or information is considered by the Prime Recipient, its licensees, or assignees to be privileged and confidential and is so marked, in accordance with 35 U.S.C. § 202(c)(5).

For detailed guidance on the use of iEdison for submitting Utilization Reports, please refer to <https://www.energy.gov/eere/funding/invention-utilization-reports>. You must have an iEdison account and have created an Invention Record for your subject invention to submit a utilization report.

**b. Software and Data Utilization Reporting (if Prime Recipient is required to submit a Commercialization Plan)**

|  |  |
| --- | --- |
| Submit via: | ARPA-E’s Energy Program Information Center (ePIC), [https://arpa-e-epic.energy.gov](https://arpa-e-epic.energy.gov/) |
| Submission deadline: | Within 90 calendar days after the end of the annual reporting period and for five (5) years after the end of the Project Period. |

As authorized in paragraph (e) of the “Rights in Data” section or, if a University or Nonprofit, paragraph (e) of the “Intangible Property” section, in Attachment 2, and in accordance with the approved Commercialization Plan, ARPA-E requires Recipients to submit annual reports, throughout the project period and for five (5) years after the end of the project period, on the utilization of the software and data sets identified in the Commercialization Plan and efforts made by Recipients or their licensees or assignees to stimulate such utilization. ARPA-E agrees that, to the extent permitted by law, it shall not disclose data or information supplied under this paragraph to persons outside the Government to the extent the data or information is considered by the Prime Recipient, its licensees, or assignees to be privileged and confidential and is so marked, in accordance with 35 U.S.C. § 202(c)(5).

To submit a Software and Data Utilization Report, the Prime Recipient must log in to the ARPA-E ePIC system and navigate to the reporting module on the project dashboard. For detailed guidance on the use of ePIC, please refer to the ePIC User Guide (<https://arpa-e-epic.energy.gov/FileContent.aspx?FileID=1c5ede2c-ef5f-42ea-919f-4127ee085eb8>). You must be registered in ePIC and log in to access the ePIC User Guide.

1. **Lobbying Activities Reporting**

|  |  |
| --- | --- |
| Submit via email to: | ARPA-E’s Energy Program Information Center (ePIC): [https://arpa-e-epic.energy.gov](https://arpa-e-epic.energy.gov/) |
| Submission deadline: | Within five (5) calendar days after the event |

The Prime Recipient and Subrecipients are required to complete SF-LLL, “Disclosure of Lobbying Activities” (<http://www.whitehouse.gov/sites/default/files/omb/grants/sflllin.pdf>), if any non-Federal funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with the Award.

1. **Special Status Reports**

|  |  |
| --- | --- |
| Submit via email to: | ARPA-E’s Energy Program Information Center (ePIC): [https://arpa-e-epic.energy.gov](https://arpa-e-epic.energy.gov/) |
| Submission deadline: | Within five (5) calendar days after the event |

The Prime Recipient is required to report the following events to ARPA-E:

1. Any notices or claims of patent or copyright infringement arising out of or relating to the performance of the ARPA-E Award;
2. Refusal of a Subrecipient to accept flowdown requirements in Attachment 1 or Attachment 2 to the ARPA-E Award;
3. Violations of federal, state, and municipal laws arising out of or relating to work under the Award;
4. Any improper claims or excess payments arising out of or relating to work under the Award;
5. Potential or actual violations of the cost share requirements under the Award;
6. Potential or actual bankruptcy/insolvency of the Prime Recipient or Subrecipient;
7. Under investigation for, or convicted of, violation of U.S. export control laws and/or regulations arising out of or relating to the work under the Award;
8. Any fatality or injuries requiring hospitalization arising out of or relating to work under the Award;
9. Any verbal or written notice of violation of any environmental, health, or safety laws and regulations arising out of or relating to the work under the Award;
10. Any event which is anticipated to cause a significant schedule slippage or cost increase;
11. Any damage to Government furnished property, or property acquired with, project funding by the Prime Recipient or Subrecipient, valued in excess of $25,000;
12. Any incident arising out of or relating to work under the Award that has the potential for high visibility in the media.
13. **Annual Indirect Cost Proposals**

|  |  |
| --- | --- |
| Submit to: | If ARPA-E is the Cognizant Federal Agency, send it to ARPA-E’s Energy Program Information Center (ePIC): [https://arpa-e-epic.energy.gov](https://arpa-e-epic.energy.gov/).  Otherwise, submit it to the Cognizant Federal Agency (as defined by 2 C.F.R. § 200.19). |
| Submission deadline: | Within 180 calendar days of the close of the fiscal year |

The Prime Recipient must submit an Annual Indirect Cost Proposal, reconciled to its financial statements unless the award is based on a predetermined or fixed indirect rate(s), a fixed amount for indirect or facilities and administration (F&A) costs, or a de minimis rate is charged as described at 2 C.F.R. § 200.414(f). The Prime Recipient must submit its annual indirect cost proposal directly to the Cognizant Federal Agency for negotiating and approving indirect costs in the form required by that agency.

1. **Annual Audits of For-Profit Recipients**

|  |  |
| --- | --- |
| Submit to: | [DOE-Audit-Submission@hq.doe.gov](mailto:DOE-Audit-Submission@hq.doe.gov) and ARPA-E’s Energy Program Information Center (ePIC): [https://arpa-e-epic.energy.gov](https://arpa-e-epic.energy.gov/) |
| Submission deadline: | Within the earlier of 30 days after receipt of the auditor’s report(s) or 9 months after the end of the audit period (Recipient’s fiscal year-end) |

Any Prime Recipient that is a for-profit entity that expends $750,000 or more during the for-profit entity’s fiscal year in DOE/ARPA-E funds must submit an annual compliance audit and, if available, its financial statements as required by 2 C.F.R. § 910.510(a). See 2 C.F.R. 910 Subpart F (Audit Requirements for For-Profit Entities).

1. **Annual Property Inventories**

|  |  |
| --- | --- |
| Submit to: | ARPA-E’s Energy Program Information Center (ePIC): [https://arpa-e-epic.energy.gov](https://arpa-e-epic.energy.gov/) |
| Submission deadline: | Within 90 calendar days of the close of the annual reporting period |

The Prime Recipient must submit an annual inventory of Government-furnished property and property acquired with project funding, whether held by the Prime Recipient or Subrecipients. The Prime Recipient must complete SF-428A, available at https://www.energy.gov/management/office-management/operational-management/financial-assistance/financial-assistance-forms. The inventory must include a description of the property, tag number, acquisition date, and acquisition cost, if purchased with project funds. The location of property should be listed under the Comments section. Any property with a fair market value of $5,000 or less (per item) may be omitted from the inventory.

1. **Subaward/Subcontract Reports**

|  |  |
| --- | --- |
| Submit to: | [GC-62@hq.doe.gov](mailto:GC-62@hq.doe.gov) and ARPA-E’s Energy Program Information Center (ePIC): [https://arpa-e-epic.energy.gov](https://arpa-e-epic.energy.gov/) |
| Submission deadline: | Within five (5) calendar days after the event |

Under Attachment 2 (Large Business), the Prime Recipient is required to report the conclusion of any subawards or subcontracts at any tier containing a patent rights clause. The Prime Recipient must identify the Subrecipient or Subcontractor, provide a copy of the patent rights clause, briefly describe the work to be performed under subaward or subcontract, and state the dates of award and estimated completion.

The Prime Recipient is not required to provide these reports if Attachment 2 (Small Business) or Attachment 2 (Universities) was included with its ARPA-E Award.

1. **Conflict of Interest Reports**

|  |  |
| --- | --- |
| Submit to: | ARPA-E’s Energy Program Information Center (ePIC): [https://arpa-e-epic.energy.gov](https://arpa-e-epic.energy.gov/) |
| Submission deadline: | Annually, and within thirty (30) days of identifying a new conflict of interest for any person who participates in the purpose, design, conduct, or reporting of the project for the Prime Recipient or any other project team member (including, but not limited to, the PI, senior/key personnel, collaborators, consultants, postdoctoral researchers, and graduate -- Master’s or PhD -- students) |

The Prime Recipient, in accordance with DOE Interim Conflict of Interest (COI) Policy requirements in Section IV.e.2 (<https://www.energy.gov/management/financial-assistance-letter-no-fal-2022-02>), must submit an annual report disclosing managed and unmanaged conflicts of interest within the Project Team. This annual report must include any new disclosures of conflicts of interest that were not disclosed initially or in a previous annual report and include updates to any previously disclosed significant financial interest. This reporting requirement is applicable to the Prime Recipient and all subrecipients, with the Prime Recipient submitting one annual report that includes all applicable disclosures from the project team.

This requirement applies to any person who participates in the purpose, design, conduct, or reporting of the project for the Prime Recipient or any other project team member (including, but not limited to, the PI, other senior personnel, collaborators, consultants, postdoctoral researchers, and graduate -- Master’s or PhD -- students).

1. **Reporting Subawards and Executive Compensation**

|  |  |
| --- | --- |
| Submit to: | http://www.fsrs.gov (subawards)  http://www.sam.gov (compensation) |
| Submission deadline: | Subawards: no later than the end of the month following the month in which the obligation was made  Executive Compensation: by the end of the month following the month in which the award (either the award to the Prime Recipient, or any subawards) is made, and annually thereafter |

Reporting of First-tier Subawards:

1. Applicability. Unless exempt as described in “Exemptions” below, the Prime Recipient must report each action that obligates $30,000 or more in Federal funds for a subaward.
2. Where and when to report. The Prime Recipient must report information about each obligating action described herein to <http://www.fsrs.gov>, and report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)

Reporting Total Compensation of Recipient Executives.

1. Applicability and what to report. The Prime Recipient and each subrecipient must report total compensation for each organization’s five most highly compensated executives for the preceding completed fiscal year, if:
   1. The total Federal funding authorized to date under this award or applicable subaward is $30,000 or more;
   2. In the preceding fiscal year, the organization received;
      1. 80 percent or more of annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (including awards and subawards); and
      2. $25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (including awards and subawards); and
   3. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at http://www.sec.gov/answers/execomp.htm.)
2. Where and when to report.
   1. The Prime Recipient must report its own executive total compensation described herein:
      1. As part of the Prime Recipient’s registration profile at http://www.sam.gov.
      2. By the end of the month following the month in which this award is made, and annually thereafter.
   2. The Prime Recipient must report subrecipient executive total compensation described herein by the end of the month following the month of subaward execution. For example, if a subaward is executed on any date during the month of October of a given year (i.e., between October 1 and 31), the Recipient must report any required compensation information of the subrecipient by November 30 of that year.

Exemptions.

If, in the previous tax year, the Prime Recipient/subrecipient had gross income, from all sources, under $300,000, the Prime Recipient/subrecipient is exempt from the requirements to report subawards, and the total compensation of the five most highly compensated executives of any subrecipient.

Definitions (applicable only in this section).

1. Executive: means officers, managing partners, or any other employees in management positions.
2. Total Compensation: means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)).
3. **Matters Related to Recipient Integrity and Performance**

|  |  |
| --- | --- |
| Submit to: | http://www.sam.gov |
| Submission deadline: | Report any relevant matters in the previous 5 years upon award; thereafter, report semi-annually any new items. |

General Reporting Requirement.

If the total value of the Prime Recipient’s currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds $10,000,000 for any period of time during the period of performance of this Federal award, then the Prime Recipient must ensure accuracy of information reported to the integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) in the System for Award Management (SAM) about civil, criminal, or administrative proceedings described below. This is a statutory requirement under section 872 of Public Law 110-417, as amended (41 U.S.C. 2313).

Proceedings About Which You Must Report.

Submit the information required about each proceeding that:

1. Is in connection with the award or performance of a grant, cooperative agreement, or procurement contract from the Federal Government;
2. Reached its final disposition during the most recent five year period; and
3. Is one of the following:
   1. A criminal proceeding that resulted in a conviction, as defined below;
   2. A civil proceeding that resulted in a finding of fault and liability and payment of a monetary fine, penalty, reimbursement, restitution, or damages of $5,000 or more;
   3. An administrative proceeding, as defined below, that resulted in a finding of fault and liability and your payment of either a monetary fine or penalty of $5,000 or more or reimbursement, restitution, or damages in excess of $100,000; or
   4. Any other criminal, civil, or administrative proceeding if:
      1. It could have led to an outcome described above;
      2. It had a different disposition arrived at by consent or compromise with an acknowledgment of fault by the Prime Recipient; and

Reporting Procedures.

Enter in the SAM Entity Management area the information that SAM requires about each proceeding described above.

Reporting Frequency.

Prime Recipients must disclose semiannually any information about the criminal, civil, and administrative proceedings.

Definitions (applicable only in this section).

1. Administrative Proceeding: means a non-judicial process that is adjudicatory in nature in order to make a determination of fault or liability (e.g., Securities and Exchange Commission Administrative proceedings, Civilian Board of Contract Appeals proceedings, and Armed Services Board of Contract Appeals proceedings). This includes proceedings at the Federal and State level but only in connection with performance of a Federal contract or grant. It does not include audits, site visits, corrective plans, or A. Reporting of Matters Related to Recipient Integrity and Performance.
2. Conviction: means a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of nolo contendere.
3. Total value of currently active grants, cooperative agreements, and procurement contracts includes: Only the Federal share of the funding under any Federal award with a recipient cost share or match; and the value of all expected funding increments under a Federal award and options, even if not yet exercised.

**II. CLOSEOUT REPORTING (UPON CLOSEOUT OF AWARD)**

1. **Final Scientific/Technical Report**

|  |  |
| --- | --- |
| Submit to: | DOE Energy Link System (E-Link) available at <http://www.osti.gov/elink-2413> |
| Submission deadline: | Within 120 calendar days after closeout of award |

The Prime Recipient must submit a Final Scientific/Technical Report to DOE. The Report must be submitted in Adobe PDF Format as one integrated PDF file that contains all text, tables, diagrams, photographs, schematic, graphs, and charts. The Report must be accompanied by a completed electronic version of DOE Form 241.3, “U.S. Department of Energy (DOE), Announcement of Scientific and Technical Information (STI),” available via DOE Energy Link System (E-Link) at <http://www.osti.gov/elink-2413>. Guidance on the Final Technical Report can be found at <https://arpa-e.energy.gov/?q=site-page/close-out-reporting>. The Report must contain the following information:

1. Identify the ARPA-E award number; name of Prime Recipient; project title; name of project director/principal investigator; and Project Team members.
2. Provide an executive summary, which includes a discussion of (1) how the research adds to the understanding of the area investigated; (2) the technical effectiveness and economic feasibility of the methods or techniques investigated or demonstrated; or (3) how the project is otherwise of benefit to the public. The discussion should be a minimum of one paragraph and written in terms understandable by an educated layman.
3. Provide a comparison of the actual accomplishments with the goals and objectives of the project.
4. Summarize project activities for the entire period of funding, including original hypotheses, approaches used, problems encountered and departure from planned methodology, and an assessment of their impact on the project results. Include, if applicable, facts, figures, analyses, and assumptions used during the life of the project to support the conclusions.
5. Identify products developed under the Award and technology transfer activities, such as:
6. Publications (list journal name, volume, issue), conference papers, or other public releases of results. If not provided previously, attach, or send copies of any public releases to the DOE Program Manager identified in Block 15 of the Assistance Agreement Cover Page;
7. Invention Disclosures; Patent Applications; Licensed Technologies
8. Web site or other Internet sites that reflect the results of this project;
9. Networks or collaborations fostered;
10. Other products, such as data or databases, physical collections, audio or video, software or netware, models, educational aids or curricula, instruments, or equipment.
11. For projects involving computer modeling, provide a brief description of the model, key assumptions, how the model was validated, and whether or not the model and results were presented in peer-reviewed publications.

**B. Final Invention and Patent Report**

|  |  |
| --- | --- |
| Submit to: | [GC-62@hq.doe.gov](mailto:GC-62@hq.doe.gov) and ARPA-E’s Energy Program Information Center (ePIC): [https://arpa-e-epic.energy.gov](https://arpa-e-epic.energy.gov/) |
| Submission deadline: | * Under Attachment 2 (Small Business) and Attachment 2 (Universities): prior to the closeout of the award. * Under Attachment 2 (Large Business): within 120 days after completion of the award work. |

The Prime Recipient is required to submit a DOE Form 2050.11, “Patent Certification,” available at <https://arpa-e.energy.gov/technologies/project-guidance/post-award-guidance/close-out-reporting>

Under Attachment 2 (Large Business), the Final Invention and Patent Report must include a list of all subcontracts at any tier containing a patent rights clause (or state that there were none).

**C. Final Property Report**

|  |  |
| --- | --- |
| Submit to: | ARPA-E’s Energy Program Information Center (ePIC): [https://arpa-e-epic.energy.gov](https://arpa-e-epic.energy.gov/) |
| Submission deadline: | Within 120 calendar days after closeout of award |

The Prime Recipient must submit a final inventory of Government-furnished property, and property acquired with project funds, whether the property is in the possession of the Prime Recipient or Subrecipients. The Prime Recipient must submit a completed SF-428B, available at [https://www.energy.gov/management/office-management/operational-management/financial-assistance/financial-assistance-forms](http://www.whitehouse.gov/omb/grants_forms). The inventory must include a description of the property, tag number, acquisition date, and acquisition cost, if purchased with project funds. The location of property should be listed under the Comments section. Any property with a fair market value below $5,000 may be omitted from the inventory.

The Prime Recipient may submit a disposition plan or request by submitting a completed SF-428C, available at <https://www.energy.gov/management/office-management/operational-management/financial-assistance/financial-assistance-forms> to ePIC. The ARPA-E Contracting Officer has sole and exclusive authority to approve disposition plans and requests.

**III. POST-AWARD REPORTING (FOLLOWING CLOSEOUT OF AWARD)**

1. **Subject Invention Utilization Reporting**

|  |  |
| --- | --- |
| Submit to: | iEdison: <https://s-edison.info.nih.gov/iEdison/> |
| Submission deadline: | Within 90 calendar days of annual reporting period |

See Section I.F above.

1. **Software and Data Utilization Reporting (if Prime Recipient is required to submit a Commercialization Plan)**

|  |  |
| --- | --- |
| Submit to: | ARPA-E’s Energy Program Information Center (ePIC): [https://arpa-e-epic.energy.gov](https://arpa-e-epic.energy.gov/) |
| Submission deadline: | Within 90 calendar days of annual reporting period |

See Section I.F above.

**APPENDIX A**

**NOTICE TO RECIPIENTS (PRIME RECIPIENTS)**

**REGARDING CONFIDENTIAL INFORMATION AND DATA  
AND PROTECTED PERSONALLY IDENTIFIABLE INFORMATION**

**I. CONFIDENTIAL INFORMATION AND DATA**

The Recipient is required to mark confidential information and data in accordance with this guidance. Failure to properly mark confidential information and data may result in its public disclosure under the Freedom of Information Act (FOIA, 5 U.S.C. § 552) or otherwise.

Note: Please be aware that documents related to your award – including the Cooperative Agreement – may be requested under the FOIA. However, ARPA-E notifies Prime Recipient of such FOIA requests, and consistent with DOE regulation, ARPA-E provides Prime Recipients an opportunity to submit their views regarding the release of commercial and proprietary information contained in the requested documents. ARPA-E is diligent in protecting commercially sensitive information that is properly marked as described below or as otherwise provided in the Award. Note: ARPA-E’s Energy Program Information Center (ePIC) has its own mechanisms to allow the Recipient to mark confidential information.

1. **Protected Data**

If the Award includes a “Rights in Data - Programs Covered Under Special Data Statutes” clause in Attachment 2, the Prime Recipient may mark data that qualifies as “Protected Data” with the legend set forth in that clause.

1. **Other Confidential Information and Data**

The Recipient must properly mark any documents containing trade secrets or commercial/financial information that is privileged or confidential other than technical data or computer software. Marking of technical data and computer software is addressed in the “Rights in Data” Clause of Attachment 2.

* The cover page must be marked with the following wording and identify the specific pages containing such information:

*NOTICE OF RESTRICTION ON DISCLOSURE AND USE OF DATA*

*Pages [\_\_] of this document may contain trade secrets or commercial or financial information that is privileged or confidential and 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 each page containing such information must be marked with the following wording: “May contain trade secrets or commercial or financial information that is privileged or confidential and exempt from public disclosure.”
  + Each line and paragraph containing such information must be marked with double brackets or other clear identification, such as highlighting.
  + Ensure that all e-mails containing protected information are categorized as “confidential.” (Learn how to mark a message confidential in Outlook: <http://office.microsoft.com/en-us/outlook-help/mark-a-message-as-private-personal-or-confidential-HP005242880.aspx>).

**II. PROTECTED PERSONALLY IDENTIFIABLE INFORMATION**

The Recipient should not include any Protected Personally Identifiable Information (Protected PII) in their submissions to ARPA-E. Protected PII is defined as any data that, if compromised, could cause harm to an individual such as identify theft. Protected PII includes:

* 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;
* Financial information associated with an individual;
* Credit card numbers; and
* Security clearance history or related information (not including actual clearances held).