

## QUESTIONS AND ANSWERS

PLEASE REFER TO THE GENERAL FAQs SECTION OF ARPA-E'S WEBSITE (<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. Preliminary Application Phase Questions:

#### **Q1. Is there any expected duration or maximum duration of performance in this program? ... Is 5 year project possible?**

**ANSWER:** As stated in FOA Section II.A, the period of performance for agreements is anticipated to be approximately 36 months. Among other things, a proposed project's timelines for project outcomes, tasks, milestones, Go/No Go Decision Points, and final deliverables are subject to Merit Review (refer to FOA Section V.A.1).

#### **Q2. We would very much appreciate the chance to be introduced to other prospective partners from industry (power generation, etc.) and the investment community. We feel this will enable the best possible proposal(s) from the community in general.**

##### **Q2.a Does the 14-Feb Preliminary Application require that we have teaming partners in-place beforehand?**

**ANSWER:** No. As noted in General FAQ 7.11, applicants may expand or otherwise modify the Project Team for their Full Applications. The term "Project Team" is defined in FOA Section X.

The FOA also requires participation of at least one Commercialization Partner, but as set forth in Section II.A.1, Letters of Intent from Commercialization Partners are not required for the Preliminary Application. Similarly, optional Letters of Intent from Financial Partners are not required for the Preliminary Application (refer to FOA Section II.A.2). However, the level of commitment from both Commercialization and Financial Partners may be considered during Merit Review at the Preliminary Application stage (refer to FOA Section V.A.1(3)).

##### **Q2.b Can the 14-Feb Preliminary Application be submitted without contracted partners, with the understanding that such partners might be procured before the Full Application deadline?**

**ANSWER:** Refer to FAQ 2.a above.

##### **Q2.c Is there a plan to facilitate introductions between technology providers and industry/investors well before the other critical deadlines? If so, how might we participate? ...**

**ANSWER:** As discussed at FOA Section II.A, Semi-Finalists will be invited to attend the SCALEUP Workshop, tentatively scheduled for May 20, 2020.

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**Q3.a My ... organization is interested in submitting the Small Business Grant and SCALEUP Application for the DE-FOA-0002166. I have read [in FOA S]ection III.A that Eligibility is [limited] to previous ARPA-E award winners. Can you please confirm this detail, that companies who have not been awarded an ARPA-E award are ineligible. ...**

**ANSWER:** The program objectives for this FOA are discussed at Section I.C. As stated there:

*This FOA focuses only on scale-up and pre-pilot projects of promising technologies that ARPA-E has funded – following highly competitive selection processes – and for which the scale-up would substantially build upon innovations achieved under the original ARPA-E award. Eligible projects will be based upon inventions that were conceived or first actually reduced to practice in the performance of work under the original ARPA-E award (“subject inventions”) with the intent to advance the innovative results to practical application. Only organizations leveraging subject inventions that were created during an ARPA-E award and reported in the iEdison system are eligible for funding under this program. SCALEUP Applicants are not required to have participated within the original ARPA-E award – alternatively, Applicants may be licensed or have purchased rights in such subject inventions, and thereby become eligible for the SCALEUP FOA (emphasis added).*

This information is reflected in the eligibility information for prospective SCALEUP Applicants set forth at FOA Section III.A:

*Only organizations leveraging subject inventions that were created during an ARPA-E award and reported in the iEdison system are eligible for funding under this program. SCALEUP Applicants are not required to have participated within the original ARPA-E award – alternatively, Applicants may be licensed or have purchased rights in such subject inventions, and thereby become eligible for the SCALEUP FOA (emphasis added).*

**Q3.b Is it possible to apply for the Small Business Grant?**

**ANSWER:** Per FOA Section VII.A, the Small Business Grant is available only to small businesses, as defined in FOA Section X, that fulfill the eligibility criteria of FOA Section III.A.

**Q3.c Do you know of any similar DE FOA’s – related to Energy Technologies ... ?**

**ANSWER:** Information on other Department of Energy extramural research programs may be found by following the hyperlinks identified in FOA Section I.A.

**Q4. We have a question on eligibility to apply for the Scaleup program. ... The information about our situation is [description omitted]. The question is whether we would be eligible to apply for the Scale-Up FOA?**

**ANSWER:** Refer to FAQ 3.a above. Referring to the FOA requirements, prospective applicants should consider their individual circumstances and corresponding eligibility to participate in this FOA.

**Q5. Please clarify the role of commercialization partners.**

**Q5.1 Do the commercialization partners need to be subcontractors or can they be unpaid advisors?**

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**ANSWER:** Assuming the term “subcontractors” as used above to mean “subrecipients” as that term is defined at 2 C.F.R. § 200.93, Commercialization Partners may or may not be considered subrecipients depending upon the nature of their participation in the project. As described at FOA Section II.A.1, Commercialization Partners may make cash or in-kind contributions to the project.

**Q5.2 How do in-kind contributions from a commercialization partner affect the matching requirements for a small business. If all of the DOE funds go to small businesses, but a commercialization partner (large business) provides 30% of the project costs as in-kind matching, would the matching requirement be 30% or 50% of the total costs?**

**ANSWER:** As defined in FOA Section X, Total Project Cost is *[t]he sum of the Prime Recipient share and the Federal Government share of total allowable costs*, and includes the costs of work performed by Commercialization Partners performing as subrecipients, whether reimbursed to the subrecipient or not. Eligibility for the reduced cost share requirements is described at FOA Section III.B.2.

**Q6. Regarding organizational eligibility for the DE-FOA-0002166 SCALE-UP, does the lead applicant have to be the same entity that was the original ARPA-E awardee, or can the original awardee be part of an applicant team lead by a separate entity?**

**ANSWER:** Refer to FAQ 3.a. Applicants, as that term is defined in FOA Section X, are not required to have been a prior ARPA-E awardee. Referring to FOA Section III.A:

*Only organizations leveraging subject inventions that were created during an ARPA-E award and reported in the iEdison system are eligible for funding under this program. SCALEUP Applicants are not required to have participated within the original ARPA-E award – alternatively, Applicants may be licensed or have purchased rights in such subject inventions, and thereby become eligible for the SCALEUP FOA (emphasis added).*

**Q7. I wonder if you could clarify what is meant by the statement: “Activities during this second budget period may include construction/modification of an existing facility or manufacturing line”**

**Q7.1 If we build a new building, would the construction costs be allowable either as a direct cost or as matching?**

**ANSWER:** Subject to the pertinent cost principles (i.e., 2 C.F.R. Part 200, Subpart E or 48 C.F.R. Subpart 31.2) construction costs may be allowable.

**Q7.2 If we remodel an existing building, would the remodeling costs be allowable either as a direct cost or as matching?**

**ANSWER:** Refer to FAQ 7.1.

**Q7.3 If we purchase major equipment, who would own it? What if the cost of the equipment were provided as matching?**

**ANSWER:** Acquisition and disposal of equipment is governed by 2 C.F.R. § 200.306. As set forth there, title to equipment acquired under a Federal award will conditionally vest with the non-Federal

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entity (refer to 2 C.F.R. § 200.306(a)). Upon expiration of an award, equipment disposal is accomplished as required by 2 C.F.R. § 200.306(e). Among other things, the proceeds from any sale of equipment are distributed to the parties (i.e., the Federal government and the non-Federal entity) in proportion to their contribution to the purchase price (refer to 2 C.F.R. § 200.306(e)(2)). Non-Federal entities may retain title to the equipment by reimbursing the Federal government for its proportion of the equipment's fair market value at the time of its disposal (refer to 2 C.F.R. § 200.306(e)(3)).

**Q8. Our company ... is interested in applying for funding through the ARPA-E SCALEUP program. We have a number of technologies that were seeded in our original DOE grant ... which would be a good fit according to the SCALEUP criteria. ... However, I believe these technologies were developed with money from the broader DOE rather than ARPA-E specifically. The documentation on the website for SCALEUP seems to imply that the money can only be spent on technologies that were originally funded by ARPA-E rather than the broader DOE. ... Can you please confirm that the SCALEUP program is for helping to de-risk ARPA-E funded technologies rather than broader DOE technologies?**

**ANSWER:** As stated at FOA Section I.C: *Eligible projects will be based upon inventions that were conceived or first actually reduced to practice in the performance of work under the original ARPA-E award ...*. This does not include subject inventions conceived or first actually reduced to practice under other Department of Energy programs.

**Q9. The solicitation states that awards should be between \$2 million and \$20 million including cost sharing. Is the lower amount a fixed requirement or can I propose a project for an amount less than \$2 million?**

**ANSWER:** \$2 million is the minimum amount of a SCALEUP agreement. This does not include amounts awarded under the Small Business Grant element of the program.

**Q10. I have a specific question about the eligibility. We are working on [description omitted]. The initial R&D was performed in a company funded with [our] own money, and generated from friends and relatives, [b]ut we ran out of budget and had to close down the activity. [Additional] funding is required to resume the work and complete the commercialization. Are we eligible to apply for this FOA?**

**ANSWER:** No. Refer to FAQ 3.a.

**Q11.1 If [an] organization acquired all the assets and intellectual property of an organization that received an ARPA-E award, is the ... organization eligible to apply?**

**Q11.2 If the technology that the participating organization would like to scale up was developed by the acquired organization as a result of learnings from the ARPA-E award execution, would this FOA be applicable?**

**ANSWER (FAQ 11.1 and 11.2):** Refer to FAQ 3.a

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**Q12. We would like to propose a new technology to generate energy [balance of question omitted].**

**ANSWER:** Refer to FAQ 3.a. Eligible projects must be based upon inventions that were conceived or first actually reduced to practice in the performance of work under an ARPA-E award.

**Q13. I have a question related to the Small Business Grant. It appears (not sure) that the Grants performance duration could only be 3 months and the results to be used for the proposal. However, there is a gap of only 3 months between Semi Finalist notification and final proposal submission dates. It takes time to award the contract. If permissible, we would like to use the grant money for 9 months (selection date of the full contract, Nov 2020+ 3 months as contract award time). In that case the grant funding will end just before the main contract beginning. Also, in addition to the recommended tasks in the FOA, we would like to get the technology developed in the past ready for the contract performance, meaning doing experiments to get the equipment set up and ready and doing preliminary work to get the technology at least to the point where it was at the end of the ARPA-E contract, as it has been a few years when we finished the project.**

**ANSWER:** As set forth at FOA Section VII.A, the term of the Small Business Grant is approximately three months. Work tasks in addition to those identified at FOA Section VII.A may be proposed provided they are consistent with the stated purpose of the Small Business Grant program; i.e.,

*... to encourage and facilitate substantive participation of small businesses, including (i) generating/improving innovative plans for energy technology commercialization, and (ii) identifying and attracting industrial project engineering skill sets essential for technology commercialization, but not normally engaged by small businesses.*

Proposed grant activities are subject to merit review as stated at FOA Section VII.H.

**Q14. Is there a sample copy of the "Preliminary Application" (preferably a winner) available to see on the web?**

**ANSWER:** The SCALEUP Preliminary Application template can be found at <https://arpa-e-foa.energy.gov/Default.aspx#Foald0a357909-3acf-4e0e-a0b0-3a02f16a3ed7>.

**Q15. In the directions for the Preliminary Application one section is "Path to Market" (#4). Are we to address how we plan to bring the ARPA-E supported technology to market or the fuel/energy produced from the technology to market, or both?**

**ANSWER:** Refer to FOA Section I.C (p.7).



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**Q16. I own/control a subject invention that was funded by ARPA-E but was not reported in iEdison. Where can I access iEdison and how can I report the subject invention? Can/should I still report the subject invention/related patents in iEdison if our ARPA-E award has ended?**

**ANSWER:** Yes, you may report subject inventions in iEdison even if the relevant ARPA-E award has ended.

To be eligible for the SCALEUP FOA, subject inventions must be reported through iEdison, which is available at <https://s-edison.info.nih.gov/iEdison/>

Subject inventions reported or referenced through other means (for example patents, patent applications, quarterly reports, ARPA-E ePIC system), do not establish eligibility for the SCALEUP FOA. To be eligible, the relevant subject invention report in iEdison must reference an ARPA-E award number (not the FOA number), entered in the eXCHANGE Application in the format: DE-AR#####

Section IV.C of the SCALEUP FOA has been modified such that Preliminary Applicants that have not yet reported an ARPA-E-funded subject invention in iEdison by the time they submit a Preliminary Application may enter "Pending-0000" in the iEdison number field for the Preliminary Application.

**Applicants are strongly encouraged to report all subject inventions in iEdison as soon as possible, and in compliance with the requirements of the original ARPA-E awards. Note that for the Full Application phase, those invited to submit are required to have accurately and successfully reported the subject invention in iEdison before submitting a Full Application.**

**Q17. Reserved for future use.**

**Q18. Our organization completed R&D under an award from another agency and ARPA-E. We have only reported a subject invention under the non-ARPA-E award:**

**Q18.a Are we eligible to apply with the subject invention from the non ARPA-E award?**

**ANSWER:** No.

**Q18.b Should we amend our subject invention report?**

**ANSWER:** Yes, amend your iEdison report to include the ARPA-E award number. iEdison allows multiple award numbers to be associated with a subject invention report.

**Q19. The administrative POC for our ARPA-E award is no longer with our organization. How do we get access to iEdison to collect our subject invention iEdison invention number?**

**ANSWER:** You might contact the iEdison Service Desk at 1-866-504-9552 – or your former administrative POC. Note: there is an on-going requirement for each ARPA-E awardee to ensure compliance with the reporting requirements under its ARPA-E award, including ongoing reporting related to intellectual property and utilization of subject inventions. This will require you to update your administrative access/POC for iEdison.



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**Q20. Reserved for future use.**

**Q21. The technology we developed during an [ARPA-E] project is software technology...**

**We understand that a Subject Invention number from iEdison is a requirement for Preliminary Applications for the SCALEUP FOA... would we be allowed to submit a Preliminary Application under this SCALEUP FOA? If so, how should we complete the "iEdison number" field in the Preliminary Application proposal page?**

**ANSWER:** Section III.A of the SCALEUP FOA has been modified. Eligible Applicants may submit Preliminary Applications based on software, developed and reported (in technical reports or otherwise) under an ARPA-E award, that will be used in manufacturing, as "firmware" in manufactured products, or deployed on energy infrastructure or large scale energy systems. For both subject inventions and software, note that "ARPA-E seeks Applications for projects that ... need to demonstrate scalability, reliability, and domestic manufacturability" (quoting from Section II.A above), and Full Applications are required to include a detailed U.S. Manufacturing Plan (see FOA Section IV.D.8).

If your Preliminary Application involves such eligible software developed with ARPA-E funding, please enter the following code in the eXCHANGE Preliminary Application iEdison number field: Software-0000.

**Q22.a A for-profit technology developer/commercialization company will be the Prime Applicant for a ARPA-E SCALEUP project proposal. The sub-partner IP license agreement(s) required for this project will be finalized by the SCALEUP Full Application due date (July 20, 2020). In this circumstance, is an ARPA-E SCALEUP Preliminary Application, using sub-partner IP, compliant with the FOA requirements?**

**ANSWER:** Refer to FAQ 3.a and FAQ 21.

**Q22.b Our SCALEUP proposal includes licensed ARPA-E project developed IP. A university project partner plans to bring additional ARPA-E project developed IP to the SCALEUP project proposal. This IP has not yet been licensed to the Prime applicant. Is it acceptable to ARPA-E for this IP to be further developed/evaluated/verified in the project.**

**ANSWER:** Refer to FAQ 3.a and FAQ 21. The Applicant must own or control (by license or otherwise) the relevant ARPA-E supported intellectual property by the time it submits a Full Application.

**Q23. We have a commercialization partner who is eager to participate in a product development effort to commercialize our ARPA-E related technology. They are also willing to provide in-kind contributions of time, equipment, and facilities in support of our potential SCALEUP project. My question is: what is the minimum requirement for documentation to support this type of third-party in-kind cost share? ...**

**ANSWER:** The criteria for acceptable cost share are set forth at 2 C.F.R. § 200.306(b). These include 2 C.F.R. § 200.306(b)(1), which requires claimed cost share amounts to be verifiable from a non-

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Federal entity's accounting records, and 2 C.F.R. § 200.306(b)(6), which requires cost share amounts to be included in the approved project budget.

Additionally, pass-through entities are responsible for monitoring the performance of their subrecipients as set forth at 2 C.F.R. § 200.331(d). To accomplish this Federal regulations set forth requirements for all subawards, including the requirement at 2 C.F.R. § 200.331(a)(5) for the pass-through entity and auditors to have access to a subrecipient's records and financial statements as necessary to fulfill their obligations under 2 C.F.R. Part 200.

Occasionally, some "partners" wish to participate as cost-share collaborators, but not be subject to the above cost-share accounting procedures and other sub-award requirements. In such cases, cost share cannot be credited to the project, but the partner may be permitted to participate in the research. Such partners would still be subject to minimum award requirements, including U.S. manufacturing of resulting subject inventions/software (subject to a waiver request).

**Q24. If we received a previous ARPA-E award for a different application, and our pivot to our present technology application occurred while we were still under ARPA-E contract, but we were not paid by ARPA-E to pursue this new direction, would the STARTUP FOA be applicable?**

**ANSWER:** Refer to FAQ 3.1 and FAQ 21. To be eligible, the proposed SCALEUP project must leverage a subject invention or software (for use in manufacturing, as firmware, or deployed on energy infrastructure or large scale energy systems) funded by ARPA-E.

**Q25.1 When submitting the SF-424 with the preliminary application, would this be considered a "Preapplication" or an "Application" in Box 1?**

**ANSWER:** The Preliminary Application is an "Application" as that term is used in conjunction with the SF-424.

**Q25.2 Once we submit the preliminary application and [corresponding] SF-424 [are] we held to the budget number in this preliminary application for the full application?**

**ANSWER:** No.

**Q25.3 Do Commercialization and/or Financial Partners need to be US-based?**

**ANSWER:** To the extent that Commercialization Partners also function as subrecipients, all work must be performed in the United States unless a waiver is obtained. Refer to FOA Section IV.G.5 for additional information.

Financial Partners are not required to be based in the United States; however, the prime recipient and its project team members remain bound by U.S. Manufacturing requirements as described at FOA Section VI.B.7.

**Q25.4 For the Small business grant, would a formal freedom-to-operate analysis by a legal firm be eligible?**

**ANSWER:** Such an activity may be funded subject to the merit review process. Refer to FAQ 13.



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**Q26. My company has licensed technology that was developed under [description omitted]. We are now interested in pursuing DE-FOA-0002166, but we are having trouble with creating a Preliminary Application. The page for "PRELIMINARY APPLICATION DETAILS FOR FOA #DE-FOA-0002166 SEEDING CRITICAL ADVANCES FOR LEADING ENERGY TECHNOLOGIES WITH UNTAPPED POTENTIAL 2019 (SCALEUP)" requires us to submit an iEdison Number. We have no iEdison number and we cannot proceed without submitting one.**

**ANSWER:** For licensed technology that is eligible for this FOA, you will need to obtain the iEdison number, or any other relevant information for your preliminary application, from the licensor by the date and time for submission of Full Applications. Per Section IV.C and FAQ 16:

Preliminary Applicants that have not yet reported an ARPA-E-funded subject invention in iEdison by the time they submit a Preliminary Application may enter "Pending-0000" in the iEdison number field for the Preliminary Application. **Applicants are strongly encouraged to report all subject inventions in iEdison as soon as possible, and in compliance with the requirements of the original ARPA-E awards. Note that for the Full Application phase, those invited to submit are required to have accurately and successfully reported the subject invention in iEdison before submitting a Full Application.**

**Q27. We have a couple of questions:**

**Q27.1 How is 'scale-up or pre-pilot' defined? Are there process size, TRL, or other constraints?"**

**ANSWER:** The answer is dependent on the proposed technology and its application. As stated in FOA Section I.C, it is incumbent on the Applicant to demonstrate "the proposed scale-up or pre-pilot project will sufficiently advance the technology to enable a path to market and ultimately lead to realized commercial impact."

**Q27.2 What does it mean to leverage IP created during an ARPA-E project? We are hoping to scale-up and commercialize an invention that was filed under an ARPA-E project, but the patented technology is a part of a larger process that has a lot of additional IP created during other projects. Does scaling up this combined technology/process fall within the scope of this FOA?**

**ANSWER:** To be eligible for SCALEUP, the proposed technology must be based on a subject invention or software funded by ARPA-E. The project may include other components as part of a larger process or product but the subject invention or software developed under an ARPA-E award must be a critical or enabling technology.

**Q27.3 There was an additional invention developed during our ARPA-E project that was filed and reported by a subcontractor. This invention was later assigned to us. Is there a way to add this invention to our iEdison account so we could utilize this invention under the SCALEUP FOA?**

**ANSWER:** Refer to FAQ 22.

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**Q28. Good day, are there any restrictions to whom may be prime? For the original solicitation, we were a subcontractor. May we now be the prime for DE-FOA-0002166? Can the roles change amongst the partners?**

**ANSWER:** Refer to FOA Section III.A for a description of eligible applicants.

**Q29. Would state-level funds (e.g. from the California Energy Commission) that are explicitly awarded to support SCALEUP projects qualify as cost share?**

**ANSWER:** Funding provided by the California Energy Commission and similar state-level agencies is acceptable as a source of cost share. As correctly noted in the question, funds provided must not originate from the Federal government, or be included as contributions for any other Federal award (refer to 2 C.F.R. § 200.306(b)(2)).

**Q30. I have the following two questions about the SCALEUP FOA (DE-FOA-0002166).**

**Q30.1 If we submit LOIs from Commercialization Partners or Financing Partners, will the nature/existence of those partnerships remain confidential?**

**ANSWER:** Yes. To help ensure protection, please include a legend or cover sheet on the LOIs noting in bold: "Contains confidential/proprietary information - Do Not Release"

**Q30.2 In the first downselect phase, will there be any publicity about teams that are selected/encouraged to move forward, and if so, will the Partners be listed as well?**

**ANSWER:** ARPA-E will invite selected Semi-Finalists to be publicly identified in order to facilitate connections with potential Commercial and Financial Partners; however, this invitation may be declined. Otherwise, information regarding which applicants are invited to submit Full Applications will not be made publicly available.

**Q30.3 For inventions that are disclosed in the iEdison system - is there any requirement for that intellectual property to be at a particular stage (i.e., provisional, pending utility, granted utility, etc.)?**

**ANSWER:** No.

**Q31.1 Is there a minimum threshold percentage of the total cost share amount that must come from Commercialization Partners? (e.g., Commercialization Partners must in total contribute at least 30% of total cost share amount)**

**ANSWER:** No. The cost share requirement is applicable to the Project Team in its entirety. The Prime Recipient is legally responsible for contributing the total cost share. Each Project Team is free to determine how much each Project Team member will contribute towards the cost share requirement. (refer to FOA Section III.B.3 and FOA Section III.B.4).

**Q31.2 Relatedly, if we have 2 Commercialization Partners, is there a minimum percentage of total cost share that must come from each partner?**

**ANSWER:** Refer to FAQ 31.1.

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**Q32. Would training courses for the team in areas that are relevant for successful completion of the SCALEUP project qualify for Small Business Grant support (e.g. technical program/project management, design for manufacturing, battery manufacturing)?**

**ANSWER:** Refer to FAQ 13.

**Q33. We recently received a SEED award and will soon start negotiations for funding. We have not started work under our ARPA-E award. Are we too early to be competitive for SCALEUP? How long should we have been working on our ARPA-E award?**

**ANSWER:** Refer to FAQ 3.a: *Only organizations leveraging subject inventions that were created during an ARPA-E award and reported in the iEdison system are eligible for funding under this program.*

**Q34. Does thermonuclear fusion ideas earlier funded by ARPA-E under ALPHA program qualify to submit proposal? We were one of the awardees of ARPA-E under ALPHA program and conducted successful experiments on small machines. We are planning to scale up these test on larger current machines to produce higher fusion energy.**

**ANSWER:** Refer to FAQ 3.a and FOA Section V.A.1. Both a proposed project's feasibility and its commercial viability will be assessed during Merit Review.

**Q35. Now when I am filling the form SF-424, I am asked about the "Catalog of Federal Domestic Assistance Number: and CFDA Title:, the Federal Entity Identifier". Could you kindly let me know how to look for those information in quotation above?**

**ANSWER:** The CFDA Number (81.135) and title (*Advanced Research Projects Agency – Energy*) can be found on the FOA Cover Page. The Federal Entity Identifier (i.e., the ARPA-E Control Number) will be generated when a prospective applicant begins creating a record in ARPA-E eXCHANGE.

**Q36. Thanks for the clarification you have put to my question (Q13 in FAQ). However, the second part of my question was can we propose grant proposal for 9 months duration? Would that be allowed?**

**ANSWER:** No. As set forth in FAQ 13, ... *the term of the Small Business Grant is approximately three months.*

**Q37. We are proposing a SCALEUP project and have a question concerning Cost Sharing. Would revenue generated from the sales of a product and co-product produced from the Scaleup project in the first year and then reinvested in the project be eligible for Cost Share obligations?**

**ANSWER:** This revenue would be considered program income as that term is defined at 2 C.F.R. § 200.80, and may be used to meet an award's cost share requirements with the prior approval of ARPA-E. (refer to 2 C.F.R. § 200.307(e)(3))



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**Q38. [We are] currently considering applying for the SCALEUP FOA. We wanted to confirm that we do, in fact, qualify even though we are not prime on our OPEN grant ... It seems like we do based on the following, but we want to be sure.**

**"projects must be based upon inventions that were conceived through a prior ARPA-E award ("subject inventions") with the intent to advance the innovative results to practical application."**

**and**

**"This FOA is open to for-profit entities that are licensees of subject invention(s) arising from any ARPA-E award(s)"**

**ANSWER:** Refer to FAQ 3.a. Applicants, as that term is defined in FOA Section X, are not required to have been a prior ARPA-E awardee or Prime Recipient.

**Q39. [We are] a previous ARPA-E award finalist, as well as a participant on a winning team (but ultimately our section of the submission was not funded). [Do we] meet the requirements for applying to the SCALEUP FOA?**

**ANSWER:** Refer to FAQ 6.

**Q40. The solicitation states that eligible applicants must own/control subject inventions arising from ARPA-E awards or be licensees of subject inventions. Is an organization eligible to apply to the ARPA-E SCALE-UP program if it purchases technology that was reduced to practice during the original ARPA-E project from a licensed 3rd party provider and integrates it into a new, patent-pending embodiment arising from the ARPA-E award?**

**ANSWER:** Refer to FAQ 3.a.

**Q41. I am trying to input my company's zip code on document "ARPA-E\_112,\_SF-424.pdf" and it tells me my zip code is invalid. I have tried two different addresses with two different zip codes and experienced the same problem. My colleague attempted on his computer and experienced the same issue.**

**Could you please provide some guidance on this?**

**ANSWER:** This field requires the full nine digit zip code (five digit zip plus four digit extension).

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### Q42. We would like to get answers to the following:

#### Q42.1 What CFDA Number we can use for this project?

**ANSWER:** Refer to FAQ 35.

#### Q42.2 Where we can get the iEdison Confirmation Number?

**ANSWER:** Refer to FAQs 16 and 19.

### Q43. This question is in regards to Funding Opportunity No. DE-FOA-0002166 SCALEUP. [We are] a venture capital backed development company with no revenue at this point. For DOE SBIR funding opportunities in the past [we] did not qualify as a small business due to the fact that over 50% of the company was owned by venture capital funds and would like to know if that applies for this FOA. My question is does [we] qualify or not for the Reduced Cost Share requirement as described in Section III.B.2 of the FOA?

**ANSWER:** The term “small business” is defined at FOA Section X. The SCALEUP small business grant is not associated with ARPA-E’s Small Business Innovative Research (SBIR) program, thus SBIR competition qualifications are not applicable to SCALEUP.

### Q44. Regarding eligibility for the SCALEUP FOA – Our organization involves individuals that worked on an ARPA-E award approximately 8-10 years ago who made significant technological progress but may not have documented their ‘inventions’ through the iEdison system. Is there any way to include these type of inventions as the basis for a SCALEUP application?

**ANSWER:** Refer to FAQ 26.

### Q45. We have two separate DE-AR.....numbers. I want to confirm we only use the DE-AR... number from the earliest, original award?

**ANSWER:** The ARPA-E agreement number reported should correspond with ARPA-E agreement under which the pertinent subject invention was reported to iEdison and/or eligible software was developed and reported as described in FAQ 21.

### Q46.1 Can a preliminary application for the Small Business Grants be submitted on its own or must it be part of a larger (\$2 million to \$20 million) project request?

**ANSWER:** As set forth at FOA Section VII, *ARPA-E anticipates awarding fixed-amount grants after the Preliminary Application to selected Semi-Finalists who have properly submitted the optional Small Business Grant Application.* To be considered a Semi-Finalist, an applicant must have submitted a Preliminary Application to ARPA-E and invited to submit a Full Application subsequent to merit review. (refer to FOA Section IV.A.4).

### Q46.2 Is cost sharing required?

**ANSWER:** Yes. Refer to FOA Section III.B.



## QUESTIONS AND ANSWERS

**Q46.3 Is the Small Business Grant application the same as the "Statement of Work Letter" or is there a different form that must be used.**

**ANSWER:** The documents described in the table in FOA Section VII.G.1 constitute the Small Business Grant application.

**Q47.1 What is "third-party in-kind contribution"? If a third party provides \$2,000,000 of testing services at no cost to the project, is that third-party in-kind contribution or would they be considered a subrecipient even though they are not getting any DOE funding?**

**ANSWER:** Refer to FAQ 23.

**Q47.2 We have several arpa-e supported inventions that were reported in i[E]dison. Does it matter which one we list?**

**ANSWER:** Refer to FAQ 45.

**Q47.3 Will the program require 5% spending on [Technology Transfer & Outreach]?**

**ANSWER:** The SCALEUP Program is considered a Technology Transfer & Outreach activity in its entirety. There is no separate TT&O spending requirement.

**Q47.3 What are the cost sharing requirements for the small business grant.**

**ANSWER:** Cost share is not required for these fixed-amount Small Business Grants. Refer to FOA Section VII.D.

**Q48.1 What is the start date to use for our program plan and budget in the SF424 (i.e., Mid-year or when the expected announcement/selection is made, etc.)?**

**ANSWER:** Refer to FOA Section V.C: *ARPA-E expects to announce selections for award negotiations in approximately November 2020 and to award funding agreements in approximately March 2021.*

**Q48.2 For the SF424:**

**Q48.2a Do we only fill in the areas highlighted in yellow for the Preliminary Application?**

**ANSWER:** Complete all Blocks 1-21 as applicable to the project.

**Q48.2b Where do we get the "Applicant Identifier"?**

**ANSWER:** Refer to FAQ 35.

**Q48.2c Do we fill in Section 11, Catalog of Fed Domestic Assistance Number?**

**ANSWER:** Refer to FAQ 35.

**Q48.2d Do we fill in Section 13, Competition Identification Number?**

**ANSWER:** ARPA-E has not established any Competition Identification Number other than the SCALEUP FOA Number (DE-FOA-0002166) to be inserted in Block 12.

## QUESTIONS AND ANSWERS

### **Q48.2e Do we fill in Section 14, Areas Affected?**

**ANSWER:** Applicants may use Block 14 to identify places of performance other than the location given in Block 8.

### **Q48.2f For Section 16, Congressional Districts what is the definition of districts affected? (That is our HQ in a different district from where the work will be conducted).**

**ANSWER:** Block 16 permits an applicant to attach a list of all congressional districts where work under the award will be performed.

### **Q48.2g For Section 18, Estimated Funding; line g "TOTAL" will not allow an entry (i.e., we understand it is totaling the previous entries but no numerical total appears).**

**ANSWER:** The Block 18 Estimated Funding roll-up is functional on the form published on ARPA-E eXCHANGE.

### **Q48.3 Where do we get an assigned control number for the preliminary application (Header)**

**ANSWER:** Refer to FAQ 35.

### **Q48.4 We have teamed with [omitted]. They do not use iEdison. We have applied for an iEdison account. Have not received a number yet. Is this number critical?**

**ANSWER:** Refer to FAQ 16.

### **Q49. Do Commercialization Partners need to be listed as sub-recipients on the award if they are only making contributions towards the Cost Share requirement and will not be receiving Federal Funding?**

**ANSWER:** Refer to FAQ 23.

### **Q50. We have a technology that has the disruptive potential to increase fuel efficiency in combustion engines. The Grant listed opportunity (DE-FOA-0002166), appears to be the second step for a previous approved ARPE-E grant. Is there a current grant opportunity that would fit this potential technology without a previous grant?**

**ANSWER:** Current ARPA-E funding opportunities are listed on ARPA-E eXCHANGE. Refer to FAQ 3.c for information on other DOE extramural research programs.

### **Q51.1 The current team administrator for the prime contractor on our ARPA-E subject invention is unfamiliar with the iEdison system, and has no record of the 2013/14 invention being issued a number. Can you help us further identify where we could find the number?**

**ANSWER:** Refer to FAQ 19.

### **Q51.2 Can Start-up hire technoeconomic consultants (companies) as part of the Small Business Grant activity?**

**ANSWER:** Refer to FAQ 13.

## QUESTIONS AND ANSWERS

### **Q51.3 Can a commercial partner also be a financial partner through their dedicated venturing arm? Is 'partnering' defined by being in the budget?**

**ANSWER:** The terms "commercial partner" and "financial partner" are defined at FOA Section X. Different organizational divisions or business segments may have different partnering relationships with the Prime Recipient.

### **Q51.4 Can you better describe the difference between an awardee and a subawardee, and a consortia (and an unincorporated consortia)?**

**ANSWER:** The term "awardee" is synonymous with "recipient" as that term is defined at 2 C.F.R. § 200.86. The term "subawardee" is synonymous with "subrecipient" as that term is defined at 2 C.F.R. § 200.93. The terms "consortia" and "unincorporated consortia" are discussed at FOA Section III.A.

### **Q52. We have a great technology to [description omitted]. We developed it prior to any ARPA program. However, our target market is reluctant to try a new technology such as ours. We should be a perfect candidate for SCALEUP except that we did not do the initial work via ARPA, we did it on our own nickel. ... Will ARPA consider us for inclusion in the SCALEUP program?**

**ANSWER:** Not for this SCALEUP FOA. Refer to FAQ 3.a.

### **Q53. We are framing up our response to the SCALEUP FOA and have a couple questions.**

#### **Q53.1 On page 1[0] (FOA Section II.A.1) under partnering you mention the need to be partnered with a "commercialization partner". It's unclear to me what that means exactly - i.e. is [for-profit entity] the "commercialization partner" since it is a for profit entity, as we have licensed technology that was developed under an ARPA-E award at [educational institution] or are you suggesting that [for-profit entity] needs a specific commercialization partner?**

**ANSWER:** The term "commercialization partner" is defined in FOA Section X. It must be an entity that differs from the Applicant as that term is defined in FOA Section X.

#### **Q53.2 I am not certain that [educational institution] reported subject inventions in the iEdison system. Is this is a requirement as referenced at the top of pages 7 and 14 of the FOA during the application process?**

**ANSWER:** Refer to FAQ 16.

## QUESTIONS AND ANSWERS

**Q53.3 The FOA states that incremental improvements will be considered non-responsive. Is it responsive to SCALEUP if we propose a technology demonstration at commercializable scale, with significant engineering differences from an earlier proof-of-concept demonstration based on the ARPA-E award R&D and subject inventions? In our case, the scientific principles underlying the demonstration are unchanged from the proof-of-concept but innovative and technically challenging re-engineering is required.**

**ANSWER:** ARPA-E will not pre-assess an applicant's proposal. Applicants must review the technical requirements of the FOA and independently determine whether their proposed concept warrants a submission.

**Q54. We understand that the proposed technology needs be from a previously awarded ARPA-E project. However, may I know if the application of this technology for the SCALEUP grant has to be the same with the application in the original ARPA-E project? ...**

**ANSWER:** Not necessarily. Refer to FAQ 24.

**Q55.1 We are preparing our preliminary proposal for the ARPA-E SCALEUP FOA-0002166 and have a few questions. I have not created our Notice of Intent yet because we are still chasing down the iEdison number ... . Any help with that would be appreciated also. ...**

**ANSWER:** Refer to FAQ 19.

**Q55.2 In the long term, can you manufacturing outside of the US? How is that managed? Are there long term restrictions? I noticed there can be requests for exceptions. Initially we will have all manufacturing in the US, but our investors are concerned that the business model in the long run may be encumbered by manufacturing restrictions stemming from this program. I'm talking restrictions that may occur during the 5-10+ year time horizon.**

**ANSWER:** Domestic manufacturing requirements are discussed at FOA Section VI.B.7. These include criteria for waiving U.S. manufacturing requirements set forth at FOA Section VI.B.7.e. DOE will determine whether to approve such a waiver in light of equitable considerations, including for example: (i) an applicant/awardee demonstrating to the satisfaction of DOE/ARPA-E that US manufacturing is not commercially/economically feasible, and, if not, (ii) whether there is a satisfactory alternative net benefit to the U.S. economy if the requested waiver or modification is approved. A waiver may be requested at any time; alternative benefits may be more easily measured and evaluated after technical advance has been made under an award, such as by the making of a subject invention.

**Q55.3 Is it ok to have international customers, or do you prefer domestic only?**

**ANSWER:** Both international and domestic customers are fine. Refer to Attachment 1, Clauses 4 and 12, and Attachment 2 of the ARPA-E Model Cooperative Agreement, found at <https://arpa-e.energy.gov/?q=site-page/funding-agreements-project-guidance>, for awardee export control obligations.

## QUESTIONS AND ANSWERS

### **Q55.4 Does the U.S. government retain any rights to capital purchased with this award?**

**ANSWER:** Assuming the term “capital” to be synonymous with “property” as that term is defined at 2 C.F.R. § 200.81, the U.S. Government’s rights in property acquired under any agreement are set forth at 2 C.F.R. § 200.310-316.

### **Q55.5 The proposal we are making is a 3 year proposal. During this time we expect that [amount omitted] will be allocated for our ongoing R&D efforts. This activity will not be funded through the SCALEUP program but rather be funded through private sources. Can we count that [amount omitted] as a cost share? ...**

**ANSWER:** Refer to FAQ 23.

### **Q56. If a small business wants to submit a preliminary application and an SBIR, they would only need to submit a detailed budget for the SBIR (ARPA-E\_POA\_SF-424A) portion but would not need to submit a detailed budget for the actual SCALEUP project. The detailed budget for the SCALEUP project would only be due with the full application due by July. Is that correct?**

**ANSWER:** The SCALEUP small business grant is not associated with ARPA-E’s Small Business Innovative Research (SBIR) program. Given that clarification, the questioner is correct, budget documentation is required for the optional small business grant only at the Preliminary Application stage. Budget documentation for the SCALEUP project will be required at the Full Application stage.

### **Q57. To further clarify question 22.b. The applicant does not need to own or control the IP at the time it submits a preliminary application. If the applicant is in discussion to license the IP and finishes the license by the time the full application is due in July that would be acceptable. Do you need a letter from the owner of the IP indicating that the negotiations are ongoing and that the parties expect to complete the license by July 20.**

**ANSWER:** As stated in FAQ 22.b: *[t]he Applicant must own or control (by license or otherwise) the relevant ARPA-E supported intellectual property by the time it submits a Full Application.* No letter from the IP owner is required. The Preliminary Application template specifies that the applicant describe the intellectual property status of the technology proposed for further development.

### **Q58. What number should we enter in the iEdison number field in eXCHANGE?**

**ANSWER:** Applicants should enter the iEdison Invention Report number in the iEdison field, not the DOE S-Number.