

## QUESTIONS AND ANSWERS

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

### I. 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.

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**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-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.

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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.

### 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

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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.

**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.

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**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.

**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.

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**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))

**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.

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**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).

**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.

## QUESTIONS AND ANSWERS

### **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.

### **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.

## QUESTIONS AND ANSWERS

### **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.

### **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.

## QUESTIONS AND ANSWERS

**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.

**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.

## QUESTIONS AND ANSWERS

**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.

**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.

## QUESTIONS AND ANSWERS

### **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.

### **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.

## QUESTIONS AND ANSWERS

**Q59. I have a simple question as to whether the Seeding Critical Advances for Leading Energy technologies with Untapped Potential (SCALEUP) solicitation is recurring program that will be available for FY 2021? A potential project has only been identified in the last few weeks (past the deadlines for 2019) that would be highly interested in pursuing this opportunity.**

**ANSWER:** ARPA-E has not yet made any decision concerning future of the SCALEUP program and additional FOAs. The deadline for DE-FOA-0002166 has been revised to May 7, 2020 at 9:30 am. Instructions for submitting applications to this FOA can be found therein.

**Q60.1 If you posted the responses to the Preliminary Applications, please post again. We don't see a response at the ARPA-E portal. We have interested financial partners waiting to hear this decision to finalize their next investment steps.**

**Q60.2 Can you please tell me the SCALEUP decision status for the semi-finalist selection? Or, alternatively, when those decisions are likely to be announced?**

**Q60.3 I would like to check the status for the DE-FOA-0002166 SCALEUP pre-application (Concept paper). Based on the FOA information, "applicants selected as Semi-Finalists should be notified by Monday, April 20th, 2020". We did not received notification yesterday but in ARPA-E exchange my submission, the status is still "in Review" and "Decision Not Yet Available." Can you please check to see if the decision have been made and notification has been sent?**

**ANSWER (Q60.1 through Q60.3):** The deadline for submission of Preliminary Applications has been revised to May 7, 2020 at 9:30 am by DE-FOA-0002166.M03. Information about this and other changes to the FOA to address the COVID-19 public health emergency, including instructions on revising previously submitted Preliminary Applications, may be found on ARPA-E eXCHANGE.

**Q61 The FOA states: "Awards may vary between \$2 million and \$20 million (including cost share)". We are a small business and thus qualify for 20% cost share.**

**Q61.1 In this case, the maximum Federal [share] would be \$16 [million], with a minimum \$4 [million] cost share, correct?**

**ANSWER:** The questioner is correct, assuming the business or Project Team is eligible for the reduced cost share requirement set forth at FOA Section III.B.3.

**Q61.2 However, if we were to propose a \$40 [million] project with \$16 [million] in Federal funds, and \$24 [million] in cost share, would this still be an eligible project?**

**ANSWER:** Yes. Cost share percentages set forth in FOA Section III.B are minimum requirements. ARPA-E will accept cost share payments in excess of these minimums provided they are allowable project costs as described at FOA Section III.B.6.

## QUESTIONS AND ANSWERS

**Q62. I just noticed that the SCALEUP program announced new deadlines. What does it mean for us? We have already submitted preliminary applications and replied to reviewers comments. We also submitted the small business grant with the preliminary application. Do we have to resubmit everything and start over? If we revise our current preliminary application, will our reply to reviews still be valid?**

**ANSWER:** Applicants may revise Preliminary Applications timely submitted on or before February 14, 2020. Refer to FOA Section IV.A.2 and FOA Section VII.F.2 for instructions on how to withdraw and revise Preliminary Applications (including Small Business Grant Applications). Refer to FOA Section V.A and FOA Section VII.H for information on merit review of revised applications.

**Q63. We submitted a [Preliminary Application] for the SCALEUP program, received and responded to reviewer comments. As of this morning, the status for our pre-application on the ARPA-E web site stated, "Decision Not Yet Available". It was my understanding that applicants selected as Semi-Finalists were to be notified by Monday, April 20th, 2020. Does the lack of notification mean that we were not selected as a semi-finalist?**

**ANSWER:** No. Refer to SCALEUP FAQ 60.

**Q64. April 20 is listed as the date when teams will be notified about being invited to submit a full proposal. Is this still correct? We have not received a confirmation either way and are just wondering if the date was pushed back.**

**ANSWER:** Refer to SCALEUP FAQ 60.

**Q65. We are a DOE/EERE (Sunshot Tech-to-Market III) award recipient and wondering if that would qualify us to receive funding for the SCALEUP program open solicitation. I understand only inventions conceived from a previous ARPA-E award can apply but it's not clear if having received DOE/EERE funding qualifies us.**

**ANSWER:** No, Refer to SCALEUP FAQ 3.a and SCALEUP FAQ 8.

**Q66. Application for SCALEUP requires an "award number" and an "iEdison number" that are not the FOA number. Where will one find these numbers?**

**ANSWER:** Refer to SCALEUP FAQ 16 and SCALEUP FAQ 26.

**Q67. We'd like to submit a revised prelim application. I understand that I need to upload a [Microsoft Word file] with track changes to the "Revision to Previously Submitted Preliminary Application" section under the Upload and Submit tab. Do I need to remove the original prelim application that is still there as a pdf? Or keep it there as history?**

**ANSWER:** There is no need to delete or remove any documents previously submitted to or received by ARPA-E.

## QUESTIONS AND ANSWERS

**Q68. Thank you for your Email. We successfully tested [description omitted] and we would love to be able to continue developing this technology to a full system. But, we did not report our invention in the iEdison system and we are therefore afraid that we cannot apply to this FOA. The FOA states: "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."**

**ANSWER:** Refer to SCALEUP FAQ 16.

**Q69. Where could I find a list of all the ARPA-E funded companies so I can overlay with our targets, pipeline or potential portfolio?**

**ANSWER:** A listing of all ARPA-E funded projects may be found on our website (<http://www.arpa-e.energy.gov>) under the *Projects* tab.

**Q70. We recently applied for the SCALE-UP proposal but our application was deemed non-compliant due to not having a prior ARPA-E grant in place/progress. My question is whether a prior ARPA-E award grant required for all ARPA-E FOAs?**

**ANSWER:** No. However, the inquirer misstates the pertinent eligibility requirement for the SCALEUP FOA. This can be found at FOA Section III.A and is discussed in SCALEUP FAQ 3.a. The latter, quoting from the FOA, states:

*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).*

**Q71. We licensed a portfolio of IP out of ... , and are in the pre-pilot phase. On your website it states this SCALEUP funding is precisely for the point we are at in developing the technology ... . Your website also states "SCALEUP Applicants are not required to have participated within the original ARPA-E award." However, I spoke to a government relations firm, and they said we are not qualified because our technology being proposed must have been developed under a previous ARPA-E award, which to my knowledge it is not. Is this true?**

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

## QUESTIONS AND ANSWERS

**Q72. I have already successfully submitted preliminary application and uploaded a file responding to the reviewers comments. I am NOT planning to change my application requiring NO new review. At this time, ALL I want to do is to change the distribution of budget between federal source and cost share components reflecting the new 20% cost share requirement for small business like ours, while keeping the overall total budget unchanged. Please let me know if this is possible and if it is how can I do that.**

**ANSWER:** Refer to the document titled *SCALEUP FOA Modification 3*, Q13, found at <https://arpa-e.energy.gov/?q=faq/current-funding-opportunities>.

**Q73.1 I would like to know if a startup company who has never received ARPA-E award will be qualified to apply for ARPA-E SCALEUP?**

**ANSWER:** No. Refer to FOA Section III.A.

**Q73.2 How could we find the subject invention list of ARPA-E?**

**ANSWER:** Subject inventions, which are treated as awardees' "protected data," may be obtained by directly contacting ARPA-E awardees. A listing of all ARPA-E funded projects/awardees – with topic search capability - may be found on ARPA-E's website (<http://www.arpa-e.energy.gov>) under the *Projects* tab. Information on many subject inventions may also be obtained by viewing awardees' publicly-released (usually after a five-year protection period) Final Technical Reports published on the OSTI website at [www.osti.gov](http://www.osti.gov). This database may be searched for the Report in various ways. For instance, in the search box, type "ARPA-E" and when results appear, under "Refine by", click "Technical Report".

**Q74. We are requesting a clarification on the submission of a "Revision to Previously Submitted Preliminary Application", (Section IV, Part D) and Question 13 in the Q&A document for the referenced FOA.**

**[We intend] to resubmit a revised Preliminary Application per Question 13 in the FAQ's, i.e., [we] will change only the cost share percentage. However, submitting a revised Preliminary Application that changes only the cost share percentages still requires the withdrawal of the original Preliminary Application and a resubmission of all relevant documents. Will the original Responses to Reviewer's Comments still support the revised submission or will the revised Preliminary Application be re-reviewed with new reviewer's comments? In other words, is a change to only the cost share numbers in effect submitting a new proposal, with no account for the original submittal and subsequent responses?**

**ANSWER:** Refer to FOA Section V.A.

## QUESTIONS AND ANSWERS

**Q75. I am trying to submit my [Preliminary Application], but there are two [items] that I don't have, and [need] to get:**

- Award Number
- iEdison Number

**Please [advise] me how can I get [them].**

**ANSWER:** Refer to SCALEUP FAQ 16

**Q76.1 I just noticed that the SCALEUP program announced new deadlines. What does it mean for us? We have already submitted preliminary applications and replied to reviewers comments. We also submitted the small business grant with the preliminary application. Do we have to resubmit everything and start over?**

**ANSWER:** Refer to the document titled *SCALEUP FOA Modification 3*, Q9 and Q11, found at <https://arpa-e.energy.gov/?q=faq/current-funding-opportunities>.

**Q76.2 If we revise our current preliminary application, will our reply to reviews still be valid?**

**ANSWER:** Refer to the document titled *SCALEUP FOA Modification 3*, Q12, found at <https://arpa-e.energy.gov/?q=faq/current-funding-opportunities>.

**Q77. If a new second preliminary application is submitted by a small business, is it allowable to submit the second application with a fixed-amount grant ("Small Business Grant") request of up to \$150,000?**

**ANSWER:** Yes. Refer to the document titled *SCALEUP FOA Modification 3*, Q15, found at <https://arpa-e.energy.gov/?q=faq/current-funding-opportunities>.

**Q78. [Reserved]**

**Q79. Our small business submitted a preliminary application; had reviewer comments and responded in the original time allotted; and had also applied for the \$150,000 small business grant. We understand we can just resubmit the financial portion to adjust for a 20% small business cost share, but have the following questions:**

**Q79.1 If we just resubmit the [Preliminary Application] to account for a 20% cost share, what level of additional reviews will occur?**

**ANSWER:** Refer to FOA Section V.A.

## QUESTIONS AND ANSWERS

**Q79.2 Will any additional reviews be done by the same reviewers as used in the original application or different reviewers, or a mix of the two? Please answer this question with respect to:**

**Q79.2a If we resubmit with changes to only the financials ...**

**ANSWER:** Refer to FOA Section V.A.

**Q79.2b ... and if we resubmit with additional changes beyond only the financials (e.g., changes also to technical work or background).**

**ANSWER:** Merit review may or may not be accomplished by some or all of the original reviewers. Note: SCALEUP FOA Preliminary Applications are subject to rigorous merit review. A Merit Review Board, consisting of ARPA-E civil servant experts, with the advice of the Contacting Officer, reviews all qualified Preliminary Applications. The Board's recommendations are presented to the FOA Selection Official, who conducts a thorough review. In addition, as part of this process – for SCALEUP and virtually all other ARPA-E FOAs – the MRB review will include the relevant comments/assessment by non-Board reviewers who assess Preliminary Applications. The Board will consider reviewer comments relevant to the final version of the Preliminary Applications submitted in response to the FOA.

**Q79.2c If different reviewers will review, do the original reviews get thrown out or are they also considered by ARPA-E along with the new reviews?**

**ANSWER:** While subject to Merit Review per FOA Section V.A (and FOA Section VII.H, if applicable) the original reviews remain a part of the administrative record. Also, see Answer 79.2b.

**Q79.3 If an adjustment in schedule or scope is necessitated by a change in cost share, will just the changes be reviewed, or will the entire preliminary application be re-reviewed?**

**ANSWER:** Refer to the document titled *SCALEUP FOA Modification 3*, Q12, found at <https://arpa-e.energy.gov/?q=faq/current-funding-opportunities>.

**Q80. We are a small business making a preliminary submittal as part of a team. Are we eligible to apply for the “Small Business Grant” contained within the FOA? We are not the PI.**

**ANSWER:** Refer to FOA Section VII.C. As set forth therein, *Applicants must submit a Preliminary Application and an Addendum (Grant Application) ...* . As defined at FOA Section X, the Applicant is the entity that submits the application to ARPA-E. In the case of a Project Team, the Applicant is the lead organization listed on the application.

## QUESTIONS AND ANSWERS

**Q81. We submitted a Preliminary Application for the SCALEUP FOA. However, given that the FOA is reopened we would like to resubmit the proposal, but now including a partner organization, a different title, and different cost numbers. Should we delete the current application and submit a complete new one instead? Or do we have to modify the original Application? ...**

**ANSWER:** Refer to the document titled *SCALEUP FOA Modification 3*, Q14, found at <https://arpa-e.energy.gov/?q=faq/current-funding-opportunities>.

**Q82. We are reaching out to you today to ask whether we could change just the [cost share] in our [Preliminary Application] according to the new cost share requirement.**

**ANSWER:** Yes. Refer to the document titled *SCALEUP FOA Modification 3*, Q13, found at <https://arpa-e.energy.gov/?q=faq/current-funding-opportunities>.

**Q83. We are currently in the middle of a California state grant to scale up our technology (originally funded by ARPA-E). Can this CA state grant be used as cost-share and/or matching funds on this SCALEUP proposal?**

**ANSWER:** Yes. Refer to SCALEUP FAQ 29.

**Q84.1 Our Company has many subject inventions under ARPA-E awards that would qualify for this FOA. When asked for an iEdison Number, what number do you mean? Do you mean the invention report number or the DOE-S number of the subject invention, or some other number I may be unaware of?**

**ANSWER:** Refer to SCALEUP FAQ 58. The iEdison Invention Report Number is generated when a subject invention is registered in iEdison.

**Q84.2 Also, when filling out the online application ... can we submit more than one subject invention (i.e., more than one iEdison Number) from more than one ARPA-E Award Number ... .**

**ANSWER:** Only one ARPA-E award number and corresponding iEdison number is needed to be eligible to participate in the SCALEUP FOA.

**Q85. We are revising our prior Preliminary Application submission, including the Small Business Grant Application. In addition to uploading the Microsoft Word files with tracked changes in field "Revision to Previously Submitted Preliminary Application," do we need to upload new pdf files for the files that have changed in all other fields (e.g., Preliminary Application, SF-424, Small Business Grant Applicant - Statement of Work Letter)? Or do we leave in those fields the previously submitted documents for Preliminary Application, SF-424, and Small Business Grant Applicant - Statement of Work Letter?**

**ANSWER:** Applicants do not need to upload Adobe Acrobat files showing changes in their Preliminary Applications. Microsoft Word files, submitted per the instructions at FOA Section IV.D, are sufficient.

## QUESTIONS AND ANSWERS

ARPA-E will also accept revised SF-424s and SF-424As in Adobe Acrobat and Microsoft Excel formats respectively.

**Q86. We are in the process of applying for a SCALEUP grant and will use as the basis of our application patents we filed from IP generated via [description omitted]. Given the requirements they be registered with iEdison, we were trying to verify this, but have not been able to access the site. Could you please provide a mechanism for accessing iEdison for this search?**

**ANSWER:** The iEdison Service Desk can be contacted at +1-866-504-9552.

**Q87. We would like to revise the cost share amount, ... update the reply to Reviewers, and let the original reviewers to look at it. Would that be possible?**

**ANSWER:** Preliminary Applications may be revised per the instructions set forth at FOA Section IV.D. Replies to Reviewer Comments are not an element of the Preliminary Applications (these are described at FOA Section IV.C) and may not be revised.

**Q88. If we don't find the [description omitted] patents in iEdison would it be acceptable to now add one or more patents to the database? If so, is there any specific documentation or support needed for this?**

**ANSWER:** Per the to FOA Section III.A, organizations leveraging a subject invention created during an ARPA-E award and reported in iEdison are eligible for funding under SCALEUP; no patent is required, but it is permissible to cite patents that result from the subject invention(s) specified in the Preliminary Application. Refer to SCALEUP FAQ 18.b for information on updating an iEdison report and FAQ 16 for more information on reporting in iEdison.

**Q89. For a single preliminary application can we identify more than one subject invention (i.e., more than one iEdison Number) from more than one ARPA-E Award Number. For example, iEdison Number XXX from Award YYYY and iEdison Number ZZZZ from Award QQQQ. Can we do this, or are we restricted to identifying a single iEdison Number from a single Award Number.**

**ANSWER:** Refer to SCALEUP FAQ 84.2.

**Q90. We submitted an application during the first submission deadline. We will update that application. Can you tell us more about the review process for this second submission?**

**Q90.1a Will the same reviewers be tapped to look over our proposal?**

**ANSWER:** Refer to SCALEUP FAQ 79.2b

**Q90.1b If not, will the new reviewers have access to original application, reviewer comments, and our replies to those comments?**

**ANSWER:** Refer to SCALEUP FAQ 79.2c.

## QUESTIONS AND ANSWERS

**Q90.2 If we submitted an application during the first deadline, is there guidance on how significantly we can change it?**

**ANSWER:** The extent of any changes in Preliminary Applications timely received on or before February 14, 2020 are within the Applicant's discretion.

**Q90.3 Will our first application play any part in the decision making for this second selection process?**

**ANSWER:** Refer to the document titled *SCALEUP FOA Modification 3*, Q12, found at <https://arpa-e.energy.gov/?q=faq/current-funding-opportunities> and SCALEUP FAQ 79.2c.

**Q90.4 Do we need to submit updated support letters, other than those for updated cost-share information, if the content does not change?**

**ANSWER:** Refer to SCALEUP FAQ 90.2.

### II. Full Application Phase Questions:

**Q91. Please clarify the suggested length of all of the sections in the project plan volume. If I add up the suggested lengths of all of the sections in your template, I find that the suggested length of parts 1-8 has a minimum of 32 pages and a maximum of 42 pages. Yet sections 1-8 are limited to a maximum of 30 pages.**

**ANSWER:** The suggested Technical Volume page lengths do not represent limitations that must be adhered to. Technical Volume Sections 1-8 are limited to a maximum of 30 pages. (In some places the Technical Volume template identified the page limit as applicable to Technical Volume Sections 1-7. This is incorrect, the page limit is applicable to Technical Volume Sections 1-8. ARPA-E will correct this discrepancy at a later date.)

**Q92.1 For the upcoming Bootcamp on Tuesday will there be more than one access link since our team members are not all in one location due to COVID-19?**

**ANSWER:** Yes, the SCALEUP Bootcamp invitation and WebEx meeting link, was sent to the SF-424 contact of record for all Semi-Finalist Phase Applicants on Friday, July 10<sup>th</sup>. This invitation and WebEx meeting link can be shared with additional team members, and the same access link will be used for all participants for the SCALEUP Bootcamp. In addition, there are no limitations on the number of team members that can participate.

**Q92.2 I also was not able to find any FAQ for DE-FOA-0002166. When will that be available on the ARPA-E website?**

**ANSWER:** FAQs can be found on the ARPA-E FAQ webpage, located at <http://arpa-e.energy.gov/?q=faq/current-funding-opportunities>. Hyperlinks to FAQs for several active ARPA-E FOAs are included on the page. The hyperlinks are listed in reverse chronological order, with the most recently published FAQs listed first.

## QUESTIONS AND ANSWERS

### **Q93.1 Will there be a notice sent out to participants with a link to the website for the virtual Bootcamp to be held on 7/13/20?**

**ANSWER:** Yes, see response to Question 92.1. The SCALEUP Bootcamp invitation was sent to all Semi-Finalists on Friday, July 10<sup>th</sup>. If you cannot find the Bootcamp invitation in your inbox, please email [ARPA-E-COVID19-Response@hq.doe.gov](mailto:ARPA-E-COVID19-Response@hq.doe.gov) with "SCALEUP Semi-Finalist Request for Bootcamp Webinar Information" in the subject line and the Prime Applicant organization, project title and control number within the body of the email.

### **Q93.2 Are there restrictions on how many can attend the virtual Bootcamp?**

**ANSWER:** There are no restrictions on the number of attendees. See response to Questions 92.1.

### **Q94.1 Our company is a Semi-Finalist in the SCALEUP funding opportunity and is considering applying for the Fast-Track program. The FOA states: "Semi-Finalists not accepted into Fast-Track may still seek funding through the standard application and selection process." Can you confirm that if we apply to the Fast-Track process and are not accepted, we will be allowed to apply for the Full Application?**

**ANSWER:** Semi-Finalists not accepted into the Fast-Track process remain eligible to submit their Full Application to ARPA-E on or before the date and time set forth in the FOA (September 25, 2020 at 9:30 am Eastern time as of the date of this FAQ response).

### **Q94.2 If we are accepted to the Fast-Track process but our Fast-Track application is rejected, will we still be allowed to apply to the Full Application on the normal deadline?**

**ANSWER:** Full Applications accepted into the Fast-Track process but not selected for award negotiations remain before ARPA-E and will be considered with all Full Applications timely received by the date and time set forth in the FOA (September 25, 2020 at 9:30 am Eastern time as of the date of this FAQ response).

### **Q95. For the Launchpad SCALE-UP Workshop Series August 11 and 12, do both days have the same agenda and a semi-finalist would only need to attend one, OR, are the days each different and you will schedule the industry groups according to the most suitable time between the participants preferences for days?**

**ANSWER:** Semi-Finalists will only participate on either the August 11<sup>th</sup> or 12<sup>th</sup> date for the SCALEUP Workshop. ARPA-E plans to cohort Semi-Finalists by technology area where feasible. This may serve to help attract specific industry stakeholders and potential partners to one day or the other, however, there is no limit or targeted focus for SCALEUP Workshop attendees.

## QUESTIONS AND ANSWERS

**Q96. We received notification that we are officially Semi-Finalists for Seeding Critical Advances for Leading Energy Technologies with Untapped Potential (SCALEUP). We cannot find any information about where to sign up for the Semi-Finalist Bootcamp Webinar. Could you please guide us to the correct website or contact person who would have a better idea where to look?**

**ANSWER:** The SCALEUP Bootcamp invitation was sent to all Semi-Finalists on Friday, July 10<sup>th</sup>. See response to Question 93.1.

**Q97. We received our semi-finalist notification yesterday and would like to know if we also got the Small Business Grant. Please let us know if separate notifications will be sent out.**

**ANSWER:** Refer to DE-FOA-0002166.M04 and table therein titled "Timeline for Small Business Support Grant (OPTIONAL)" for details.

**Q98. In question of the FAQ (refer to SCALEUP FAQ 7.1) indicates that construction of a new building may be allowable. If we instead purchase a new building, would that be allowable? Can the purchase price be used as matching?**

**ANSWER:** Refer to SCALEUP FAQ 7.1 and the cost principles at 2 C.F.R. § 200.436 or FAR 31.205-11, as applicable. Standards for valuing cost share can be found at 2 C.F.R. § 200.306, including 2 C.F.R. § 200.306(h)(2) concerning valuation of buildings for cost share purposes.

**Q99. If we are accepted to the Fast-Track process but our Fast-Track application is rejected, will our application automatically be considered in the September deadline, or will we have a chance to revise our application and resubmit to the 9/25/20 deadline?**

**ANSWER:** Any application submitted prior to the September 25, 2020, 9:30 am, date and time for submission not selected for award negotiations by ARPA-E may be amended using the ARPA-E eXCHANGE system. This action has the effect of withdrawing the application, which must be resubmitted prior to the date and time for submission to be considered by ARPA-E.

**Q100. ... [C]an we list a foreign owned US company as the team member or sub recipient of the funding? One of our commercial partner is recently acquired by a Japan company. But they are still operating in the US. Is it still considered as US entity or foreign entity in this case?**

**ANSWER:** Refer to FOA Section III.A.

**Q101. We are the semifinalist of SCALEUP and we have two questions regarding the fast track application.**

**Q101.1 Can we back track to normal process after being selected to the fast track program? ...**

**ANSWER:** Refer to SCALEUP FAQs 94.1 and 94.2.

## QUESTIONS AND ANSWERS

**Q101.2 Can we reuse the LOI as the supplement material for the justification memo?**

...

**ANSWER:** Yes.

**Q102.1 The webinar briefly mentioned the fast track procedure including the idea that applicants do not need small grant. I was planning to use the small grant to to help find a location but I have found one by accident. If I am not selected for the fast track, I will need the funds to do the work I had proposed.**

**ANSWER:** As set forth at FOA Section IV.A.8:

***All Semi-Finalists are eligible to apply to Fast-Track; however, any justification memo submitted under Fast-Track will have the effect of withdrawing any corresponding Small Business Grant application (refer to section VII of the FOA) before ARPA-E for its consideration.*** (emphasis in the original)

**Q102.2 Also, what is the timing of the small grant. I had originally wanted it to help plan the work for the proposal but it seems too late now.**

**ANSWER:** Refer to SCALEUP FAQ 97.

**Q103. A continued question about using buildings as cost share. CFR 2.200.306(h) says:**

***(1) If the purpose of the Federal award is to assist the non-Federal entity in the acquisition of equipment, buildings or land, the aggregate value of the donated property may be claimed as cost sharing or matching.***

***(2) If the purpose of the Federal award is to support activities that require the use of equipment, buildings or land, normally only depreciation charges for equipment and buildings may be made. However, the fair market value of equipment or other capital assets and fair rental charges for land may be allowed, provided that the Federal awarding agency has approved the charges. See also § 200.420 Considerations for selected items of cost.***

**The scaleup FOA says “Activities during this second budget period may include construction/modification of an existing facility or manufacturing line” So is the purpose of the FOA, in part to support the acquisition of equipment, buildings, .. needed to scale the project.**

**ANSWER:** No. As set forth at FOA Section I.C: *The objective of the ARPA-E SCALEUP FOA is to support the scaling of high-risk and potentially disruptive new technologies across the full spectrum of energy applications.*

## QUESTIONS AND ANSWERS

**Q104. We have been selected as a semi finalist for the above FOA. However, there are a number of events we haven't received information on such as the bootcamp tomorrow and the "Launch Pad" activities today and on July 17<sup>th</sup>. Where can we sign up for these events and learn more?**

**ANSWER:** All SCALEUP events are announced in the SCALEUP FOA. It is the participants' responsibility to continuously monitor the FOA for the latest developments.

**Q105. May we participate in the Launch Pad without providing the materials listed in the FOA? We would like to pre-emptively "opt-in" but may decide later not to provide any text, visuals, or video for the Launch Pad.**

**ANSWER:** No.

**Q106. With respect to the DE-FOA-2166 and the potential award of [Small Business] grant it states, "ARPA-E will only award a fixed-amount grant in instances where it can be assured that the prospective Awardee will not realize any increment (profit or fee) above the actual cost of performing work." Should this be interpreted that any contractors will not be able to charge a profit or fee for their work, OR that just the awardee can not realize a direct profit?**

**ANSWER:** Both interpretations are correct.

**Q107. We received notification late yesterday, July 20, regarding "recommendation for negotiation" of the additional [Small Business] funding grant. However there is no information regarding next steps or timing. Our ARPA-E account and the FOA 2166 also do not contain any details about the process for award. ... Can you provide any additional information about the [Small Business] grant award process or the timing?**

**ANSWER:** All Small Business Grants should be awarded within 30 calendar days of notification, depending upon the results of award negotiations.

**Q108.1 Can in-kind cost share be paid before the project starts? A partner has been paying patent costs for the technology – can those payments be counted as cost share if some of them are made before the project begins?**

**ANSWER:** Refer to FOA Section IV.H.2 for discussion of pre-award costs. Generally, any allowable, allocable and reasonable cost incurred prior to any agreement's effective date per the pertinent costs principle (see 2 C.F.R. § 200.456 or FAR 31.205-32) may be claimed as cost share. Whether a particular cost will be allowed as cost share under an ARPA-E award requires a fact-based determination. ARPA-E will consider these matters during award negotiations and invoice examinations.

**Q108.2 Can patent costs paid after selection for award negotiation be counted as in-kind matching.**

**ANSWER:** Reasonable patent costs may be considered as cost share. Refer to FOA Section III.B.6.

## QUESTIONS AND ANSWERS

**Q109.** In reading through the template “Project Plan Volume” Word document, Section 8.1 Budget Breakdown, has an unclear reference. The sentence states, “Task names should clearly correspond to the major tasks listed in Section 2.4.” There is no section 2.4 in the Project Plan Volume. Please advise.

**ANSWER:** Applicants may disregard the instruction quoted in the question above. The correct reference is to the major tasks listed in Section 5.1 of the Technical Volume Template.

**Q110.** The questions below are for the Summary Slide Template.

**Q110.1** Is the “cost share” in the upper right hand corner for the government cost share or the applicant’s cost share?

**ANSWER:** The term “cost sharing” is defined in FOA Section X.

**Q110.2** Are the fonts fixed or adjustable? Can we change the proportions of each section or are they fixed?

**ANSWER:** Refer to General FAQ 11.1.

**Q111.** The Budget Justification Workbook, SF-424A, tab h. Other Direct Costs, instructions at the top of the worksheet regarding TT&O expenses provides the following: “Other Direct Costs include Technology Transfer and Outreach (TT&O) activities. Examples of TT&O activities that are allowable under Federal costs principles are provided in Section IV.G.8 of the FOA.” There is no Section IV.G.8 in the FOA: Announcement Type: Modification 4, Funding Opportunity No. DE-FOA-0002166. Section IV.H is for Funding Restrictions, but there is no subsection for TT&O. In fact TT&O is not addressed in the above referenced FOA anywhere that I can find.

**ANSWER:** Refer to SCALEUP FAQ 47.3.

**Q112.** Our proposed SCALEUP project team includes two municipally-governed load serving entities ..., each of which has far fewer than 500 employees. These entities (together) will likely be recipients of over 50% of the project funds through subcontracts, since they will be implementing key details of the project plan using ARPA-E supported technology. Our question is this: would a project of this sort qualify for the 20% cost share level (rather than the 33% level), since these organizations are not “businesses” in the ordinary commercial sense?

**ANSWER:** . The term “small business” is defined in FOA Section X. The reduced cost share requirement set forth at FOA Section III.B.3 is available to small businesses, consortia of small businesses, and Project Teams where small business participants perform 80% of the work as measured by proportion of Total Project Cost incurred.

## QUESTIONS AND ANSWERS

**Q113. Sections 1.3 and Section 10 are missing from the Project Plan Volume Template. Is there information about these sections we should be aware of or is this just a numbering error in the template?**

**ANSWER:** These are numbering errors in the template. ARPA-E will correct this discrepancy at a later date.

**Q114. Is the summary slide meant to be a public document? If not, can it be marked as being confidential? If we were to mark it confidential, would we use the footer from the solicitation: "Contains Confidential, Proprietary, or Privileged Information Exempt from Public Disclosure"**

**ANSWER:** As set forth at FOA Section IV.E.6, the summary slide is used by ARPA-E during Merit Review of Full Applications. Instructions for marking confidential information are given at FOA Section IX.I.

**Q115. In regards to FOA No. DE-FOA-0002166 Seeding Critical Advances For Leading Energy Technologies With Untapped Potential (SCALEUP) semi-finalist application ... :**

**Q115.1 Can ARPA-E elaborate on confidentiality terms after the application is submitted and once a project is selected, especially in relation to customer, device, and project level data? Or are confidentiality terms negotiated once a project is selected?**

**ANSWER:** Refer to Attachment 2 of ARPA-E's Model Cooperative Agreement, found at <https://arpa-e.energy.gov/?q=site-page/funding-agreements>, for details on protection of data and other information under an award.

**Q115.2 The following note was included in the semi-finalist notification letter, can ARPA-E please explain what this means? We were under the impression that we had already included our iEdison number as part of our preliminary application.**

*The preliminary application did not include any subject invention - please note that for the full application phase, applicants are required to have accurately and successfully reported the relevant subject invention(s) in iEdison before submitting the full application, and to include said subject invention number(s) on the application*

**ANSWER:** In some instances, applicants are not fully consistent with FOA instructions on how to report software invented under an ARPA-E award. See FOA Section IV.C (p.32) for instructions on identifying software as the basis for the technology to be scaled during SCALEUP ("...should enter "Software-0000" in the iEdison number field...").

## QUESTIONS AND ANSWERS

**Q116. For our SCALEUP proposal we have a small business as the prime. The budget distribution will be 72.5% small business, 8.75% total for a couple of universities and 18.75% a single large business. One university team would build a prototype using the product of the SCALEUP project and the other would provide third party feedback on the product being considered for scaled up.**

**Q116.1 Will this be considered a small business proposal with the 20% cost share requirement available?**

**ANSWER:** No. Eligibility for reduced cost share is addressed at FOA Section III.B.3.

**Q116.2 What cost share do higher educational institutes need to bear in such a situation?**

**ANSWER:** Refer to General FAQ 4.8 and FOA Section III.B.5.

**Q116.3 Can the universities act as vendors/consultants delivering a prototype or providing services like feedback to the small business? ... Note: The prototyping work is publishable and suitable for academic research.**

**ANSWER:** Whether a project participant may function as a contractor or a subrecipient requires a fact-based determination. ARPA-E will apply the criteria found at 2 C.F.R. § 200.330 in making any determination.

**Q117. The FOA indicates that SCALEUP applicants are required to commit, in their US Manufacturing Plans, that “any products embodying any subject invention or produced through the use of any subject invention will be manufactured substantially in the United States for any use or sale anywhere in the world.” FOA Section IV.E.8 states the Plan requirement, and FOA Section VI.B.7 provides the specific wording. This requirement applies to “[a]ny invention conceived or first actually reduced to practice under an ARPA-E funding agreement” that is incorporated in/part of the proposed SCALEUP project (Refer to definition of “subject invention” found at FOA Section X). Questions:**

**Q117,1 Please confirm that this US manufacturing requirement is applicable to ARPA-E funded subject inventions that are part of a SCALEUP project, whether arising during earlier ARPA-E research or under a SCALEUP award.**

**ANSWER:** The US manufacturing requirement is applicable to ARPA-E funded subject inventions that are incorporated into/part of a SCALEUP project, whether arising during earlier ARPA-E research or any award resulting from the SCALEUP FOA.

## QUESTIONS AND ANSWERS

### **Q117.2 If so, what is the impact of a SCALEUP applicant licensing, before the SCALEUP FOA was published, such subject inventions to a foreign company for manufacturing and sale outside the US?**

**ANSWER:** Any such license, provided it complies with earlier award's requirements (flow-down of ARPA-E award intellectual property requirements, including any manufacturing requirements, etc.), will be "grandfathered" for purposes of the SCALEUP competition. That is, compliant licenses will not bar selection for award under the SCALEUP FOA, but may be considered as a factor in selection of applications under the FOA selection criteria, including weighing overall commercial benefits to the US economy.