

**FINANCIAL ASSISTANCE
FUNDING OPPORTUNITY ANNOUNCEMENT**



**U. S. Department of Energy
Idaho Operations Office**

Nuclear Energy University Programs – Reactor Upgrades

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Section I - FUNDING OPPORTUNITY DESCRIPTION

DESCRIPTION

This Funding Opportunity Announcement (FOA) is the fiscal year (FY) 2012 solicitation for Nuclear Energy University Programs (NEUP) University Reactor Upgrades Infrastructure Support for the Department of Energy's (DOE) Office of Nuclear Energy (NE). This FOA supports the NE and NEUP missions and goals described below:

The primary mission of the Office of Nuclear Energy is to advance nuclear power as a resource capable of meeting the Nation's energy, environmental, and national security needs by resolving technical, cost, safety, proliferation resistance, and security barriers through research, development, and demonstrations as appropriate.

The Nuclear Energy University Programs mission is to engage the U.S. university community to conduct program directed, program supporting, and mission supporting research and development, related infrastructure improvements, and student education support to build world class nuclear energy and workforce capability as an integral component of the Office of Nuclear Energy.

The goal of NEUP is to support outstanding, cutting-edge, and innovative research at U.S. universities through the following:

- ◆ Administering NEUP research and development (R&D) awards to support NE's goal of integrating R&D at universities, national laboratories, and industry to revitalize nuclear education and support NE's R&D program objective as defined in the NE R&D Roadmap
- ◆ Attracting the brightest students to the nuclear professions and supporting the Nation's intellectual capital in Nuclear Engineering and relevant Nuclear Science, such as Health Physics, Nuclear Materials Science, Radiochemistry, and Applied Nuclear Physics
- ◆ Improving relevant university and college infrastructures for conducting R&D and educating students
- ◆ Supporting NE's goal of facilitating the transfer of knowledge from an aging nuclear workforce to next generation of workers

The development of nuclear energy-related infrastructure and basic capabilities in the university and college community is necessary to promote R&D that supports nuclear science and engineering (NS&E), DOE-NE's mission, and the Nation's nuclear energy challenges. Accordingly, we intend to enable the education and training of nuclear scientists, engineers, and policy-makers, in graduate and undergraduate study and two-year programs, as well as R&D that is relevant to the Department and the nuclear energy industry in general.

This FOA includes a set of mandatory requirements and evaluation criteria that will be used in the selection of successful applications.

This FOA is seeking applications from U.S. universities and colleges with operating research reactors. The purpose of the program is to upgrade and improve the U.S. university nuclear research and training reactors and to contribute to strengthen the academic community's nuclear engineering infrastructure.

The infrastructure and capabilities requested by a university should be individual, discrete, and definable items or capabilities that will support, maintain, or enhance the university's or college's capacity to attract and teach high quality students interested in nuclear energy-related studies; build the university's or college's NS&E basic research or education capabilities; or enhance the university's or college's capability to perform R&D that is relevant to DOE-NE's R&D mission.

Under this FOA, applications can be submitted for all equipment and instrumentation and associated facility upgrade requests that support nuclear energy-related R&D or education at university research reactors. Infrastructure requests that support the sharing and use of equipment and instrumentation by multiple campuses of a university or multiple universities are encouraged. Equipment and associated upgrades specifically for general scientific laboratories are not part of this FOA, but the subject of a separate FOA. (DE-FOA-0000613)

An application to this FOA is restricted to equipment or activities supporting research, teaching, and education such as the purchase, set-up, and vendor installation costs for equipment and instrumentation, as well as building modifications that immediately support the installation and operation of the equipment. The application cannot include hiring or other human capital costs or the operation and maintenance of equipment. It also cannot include non-standard installation costs for equipment and instrumentation that are beyond the vendor's standard installation cost. Personnel or indirect university costs incurred for equipment installation or building modifications are not allowed.

Institution-specific costs, not specific to the equipment or instrumentation, are the responsibility of the university. For example, if a vendor needs to meet safety and health requirements to access the campus or a facility, then these costs are the responsibility of the university.

Funds available in response to this FOA are restricted to equipment or activities supporting research, teaching, and education. Upgrades to increase operational profit are not allowed.

Section II - AWARD INFORMATION

A. TYPE OF AWARD INSTRUMENT

Grants

DOE anticipates awarding grants under this FOA.

B. ESTIMATED FUNDING

Amount for New Awards

Given the extreme uncertainty of the FY 2012 Budget, DOE is not providing funding estimates at this time.

C. MAXIMUM AND MINIMUM AWARD SIZE

Ceiling (i.e., the maximum amount for an individual award made under this announcement):

Up to \$1,500,000 for Major Upgrades

Up to \$200,000 for Minor Upgrades (including cost match, see Section III.B)

Floor (i.e., the minimum amount for an individual award made under this announcement):

None

D. EXPECTED NUMBER OF AWARDS

As noted above, the DOE budget is very uncertain. However, at this time, DOE anticipates making numerous awards, depending on the quality of the submissions and funding availability.

E. ANTICIPATED AWARD RANGE

DOE anticipates that awards will be in the \$100,000 to \$1,500,000 range for the total project period; up to \$1.5 million each for Major and up to \$200,000 for Minor.

F. PERIOD OF PERFORMANCE

DOE anticipates making awards with an estimated project period of one (1) year. Additional time, if needed, may be requested and justified in the application.

G. TYPE OF APPLICATION

DOE will accept only new applications under this announcement.

H. AREAS OF SUBMISSION

APPLICATIONS: Each university is permitted to submit a **single, separate** application to **each** of the following two areas:

1. Reactor specific infrastructure – major reactor upgrades
2. Reactor specific infrastructure – minor reactor equipment

The applications may include multiple pieces of infrastructure equipment that are needed to support the university's NS&E capabilities.

GRANTS: Grants awarded under this FOA will fund only one area: either minor or major reactor-specific infrastructure. A university may apply for both, but will only be selected for, at most, one grant. However, if you have a major reactor upgrade in progress you are precluded from receiving major reactor upgrade awards in FY 2012 unless the existing project is complete and all associated funds are costed prior to the application closure date.

1. Reactor specific infrastructure – major reactor upgrades

Applications should be directed to the major upgrade of the reactor, or purchase / maintenance of major pieces of equipment and instrumentation or activities (1) related to the safety, performance, control or operational capability of the reactor and/or associated facility, (2) for radiation detection and measurement in laboratories directly related to the reactor facility, (3) for security/safety enhancements or licensing renewal support at the reactor facility required by the Nuclear Regulatory Commission (NRC), the state, or other appropriate agency for that particular item, or (4) other safety related equipment.

Applications for equipment and instrumentation that significantly improves or expands the research, instruction, and training capabilities of the reactor facility will be highly considered. This program is not intended to pay for operation of the university's reactor and associated personnel costs.

2. Reactor specific infrastructure – minor reactor equipment

Applications should be directed to purchase equipment and instrumentation (1) related to the performance, control or operational capability of the reactor and/or associated facility, (2) for radiation detection and measurement in laboratories directly related to the reactor facility, and (3) for security enhancements or licensing renewal support at the reactor facility required by NRC, the state, or other appropriate agency for that particular item. Applications for equipment and instrumentation that improves or expands the research, instruction, and training capabilities of the reactor facility will be highly considered. This program is not intended to pay for operation of the university's reactor and associated personnel costs.

Section III - ELIGIBILITY INFORMATION

A. ELIGIBLE APPLICANTS

Restricted Eligibility

In accordance with 10 CFR 600.6(b), eligibility for award is restricted to U.S. universities, colleges, community colleges, and trade schools. Underrepresented Groups and Minority-Serving Institutions (e.g., Historically Black Colleges and Universities, Hispanic Serving Institutions, Tribal Serving Institutions) are encouraged to apply. To apply for a major reactor upgrade award, the applicants are required to have a research reactor. Applications requesting funds for a minor reactor upgrade award are open to all, but limited to enhancements or upgrades that enable execution of research or teaching activities consistent with this solicitation. Requests must not enable, enhance, support or otherwise benefit reactor operation or maintenance for reactors not recognized as a university reactor. The following link provides the list of minority serving institutions: <http://www.ed.gov/about/offices/list/ocr/edlite-minorityinst.html>.

B. COST SHARING/MATCHING

Cost Sharing Encouraged

Cost sharing is encouraged, but not required.

Additional funding provided by DOE will be directly proportional to the university cost match (1:1) up to a DOE maximum of \$50,000 for installation and/or facility upgrades *directly* supportive of the equipment indicated in the application. The Award Ceiling (Section II.C) of \$200,000 includes this \$50,000 cost match. For example, since the ceiling is \$200,000 and the cost matching is \$50,000, the university may request up to \$150,000 and cost match up to an additional \$50,000 not to exceed \$200,000 in Government funds. Cost matching is only available for Minor Reactor Upgrades. There is no cost sharing/matching for Major Reactor Upgrades.

C. OTHER ELIGIBILITY REQUIREMENTS

None

Section IV - APPLICATION AND SUBMISSION INFORMATION

A. ADDRESS TO REQUEST APPLICATION PACKAGE

Apply at Grants.gov

Application forms and instructions are available at **Grants.gov**. To access these materials, go to <http://www.grants.gov>, select "Apply for Grants," and then select "Download Application Package." Enter the CFDA and/or the funding opportunity

number located on the cover of this announcement and then follow the prompts to download the application package.

B. LETTERS OF INTENT AND PRE-APPLICATIONS

Letters of intent are not required.

Pre-applications are not required.

C. CONTENT AND FORM OF APPLICATION

Applicants must complete the mandatory forms and any applicable optional forms (e.g., SF-LLL- Disclosure of Lobbying Activities) in accordance with the instructions on the forms and the additional instructions below. Files that are attached to the forms must be in Adobe Portable Document Format (PDF) unless otherwise specified in this announcement.

1. SF 424 - Application for Federal Assistance

Complete this form first to populate data in other forms. Complete all required fields in accordance with the pop-up instructions on the form. The list of certifications and assurances referenced in Field 21 can be found on the DOE Financial Assistance Forms Page at http://management.energy.gov/business_doe/business_forms.htm under Certifications and Assurances.

Project/Performance Site Location(s)

Indicate the primary site where the work will be performed. If a portion of the project will be performed at any other site(s), identify the site location(s) in the blocks provided.

Note that the Project/Performance Site Congressional District is entered in the format of the 2 digit state code followed by a dash and a 3 digit Congressional district code, for example VA-001. Hover over this field for additional instructions.

Use the Next Site button to expand the form to add additional Project/Performance Site Locations.

Project Narrative File - Mandatory Other Attachment

The project narrative must not exceed eight (8) pages, including cover page, table of contents, charts, graphs, maps, photographs, and other pictorial presentations, when printed using standard 8.5" by 11" paper with 1 inch margins (top, bottom, left, and right) single spaced. **EVALUATORS WILL REVIEW ONLY THE NUMBER OF PAGES SPECIFIED IN THE PRECEDING SENTENCE.** The font must not be smaller than 11 point. Do not include any Internet addresses (URLs) that provide information necessary to review the application. See Section VIII.D for instructions on how to mark proprietary

application information. Save the information in a single file named "Project.pdf," and click on "Add Mandatory Other Attachment" to attach.

The project narrative must include:

Project Objectives. This section should provide a clear, concise statement of the specific objectives/aims of the proposed project. Briefly describe the NS&E program(s) at your school; if you do not have a current program, describe your plans to establish such a program. Provide a narrative that describes how your application will further NS&E R&D and education. Discuss the proposed objectives and goals for use of the equipment. Discuss how the request enables the institution's learning mission; and how the request fills current infrastructure gaps and/or complements existing infrastructure capabilities.

Merit Review Criterion Discussion. The section should be formatted to address each of the merit review criterion and sub-criterion listed in Section V.A. Provide sufficient information so that reviewers will be able to evaluate the application in accordance with these merit review criteria. **DOE WILL EVALUATE AND CONSIDER ONLY THOSE APPLICATIONS THAT ADDRESS SEPARATELY EACH MERIT REVIEW CRITERION AND SUB-CRITERION.**

Project Timetable: This section should outline as a function of time all the important activities or phases of the project.

Roles of Participants: Describe the capabilities and qualifications of the Principal Investigator and application team to accomplish the proposed work.

Facilities And Other Resources: Identify the facilities (e.g., office, laboratory, computer, etc.) to be used at each performance site listed and, if appropriate, indicate their capacities, pertinent capabilities, relative proximity, and extent of availability to the project. Describe only those resources that are directly applicable to the proposed work. Provide any information describing the other resources available to the project such as machine and electronics shops.

Equipment: Itemize the requested equipment and instrumentation including, as available, specifications such as type, size, and other key attributes

Utilization: Provide a narrative that describes how your application will allow for student and faculty usage, both within the institution and by other entities or institutions. Provide a measure of the amount of use expected for the requested equipment and instrumentation. If there is a preexisting capability, provide a description of how readily accessible and/or currently utilized the resource is by other entities or institutions.

Cost Sharing/Matching: If applying for minor reactor infrastructure and including cost matching, describe the amount of cost matching being provided by the University and purpose for which it will be used. The matching funds are to be used for additional equipment and installation and/or facility upgrades that are *directly* supportive of the equipment purchased through the award. As stated in Section III. B, additional funding

provided by DOE will be directly proportional to the university cost match (1:1) up to a DOE maximum of \$50,000. University cost sharing for major reactor upgrades is encouraged and will be taken into consideration by DOE; however, government cost matching is only available for minor reactor upgrades as described above.

At the time the application is submitted, the applicant must provide firm funding commitment letters from all contributing university elements regarding funds to match DOE's contribution of up to \$50,000. If more than one university element will provide funds, this information should be summarized in a table format. The commitment letter(s), which indicate the amount and nature of the matching funds, should be included as an attachment to the application. Letters must be signed by a person authorized to commit the expenditure of funds by the entity and be provided in a PDF format. Save the letters in a portable document format (PDF) file named "FCL" and attach to the Other Attachment Files. Commitment letters are not included in the eight (8) page limitation.

Project Summary/Abstract File

The project summary/abstract must contain a summary of the proposed activity suitable for dissemination to the public. It should be a self-contained document that identifies the name of the applicant, the project director/principal investigator(s), the project title, the objectives of the project, a description of the project, including methods to be employed, the potential impact of the project (i.e., benefits, outcomes), and major participants (for collaborative projects). This document must not include any proprietary or sensitive business information as the Department may make it available to the public if an award is made. The project summary must not exceed one (1) page when printed using standard 8.5" by 11" paper with 1" margins (top, bottom, left and right) single spaced with font no smaller than 11 point. Save this information in a file named "Summary.pdf," and click on "Add Optional Other Attachment" to attach.

SF 424 A Excel, Budget Information - Non-Construction Programs File

Applicants must provide a separate budget for each year of support requested and a cumulative budget for the total project period. Use the SF 424 A Excel, "Budget Information - Non Construction Programs" form on the DOE Financial Assistance Forms Page at http://management.energy.gov/business_doe/business_forms.htm.

Applicants may request funds under any of the Object Class Categories as long as the item and amount are necessary to perform the proposed work, meet all the criteria for allowability under the applicable Federal cost principles, and are not prohibited by the funding restrictions in this announcement (See Section IV.G). Save the information in a single file named "SF424A.xls," and click on "Add Optional Other Attachment" to attach.

Budget Justification File

Applicants must justify the costs proposed in each Object Class Category/Cost Classification category (e.g.; provide a list of equipment and cost of each item; and provide any other information you wish to support your budget). **Applicants must submit vendor quotes or referenced costs (catalog pricing) for any single item over \$25,000.** Current vendor quotes will be required for equipment or services exceeding \$25,000 prior to award. (*Current vendor quotations for the specific equipment or service are required prior to award.*) Provide the name of your cognizant/oversight agency, if you have one, and the name and phone number of the individual responsible for negotiating your indirect rates. If cost sharing is required, applicants must have a letter from each third party contributing cost sharing (i.e., a party other than the organization submitting the application) stating that the third party is committed to providing a specific minimum dollar amount of cost sharing. In the budget justification, identify the following information for each third party contributing cost sharing: (1) the name of the organization; (2) the proposed dollar amount to be provided; (3) the amount as a percentage of the total project cost; and (4) the proposed cost sharing - cash, services, or property. By submitting your application, you are providing assurance that you have signed letters of commitment. Successful applicants will be required to submit these signed letters of commitments. Save the budget justification information in a single file named "Budget.pdf," and click on "Add Optional Other Attachment" to attach.

Current and Pending Support

Identify funding that is pending or has been awarded, for similar activities related to nuclear infrastructure/ curriculum within the last three years. Please identify by source and amount requested/awarded. Save the information in a file named "Support.pdf" click on "Add Optional Other Attachment" to attach.

Awardee Points of Contact (POC) Data Input Sheet

Applicants must complete a POC Data Input Sheet for each sub-grant area. See Attachment B for fillable Excel document. Save the information in a file named "POC.xls: click on "Add Optional Other Attachment" to attach.

2. SF-LLL Disclosure of Lobbying Activities

If applicable, complete SF-LLL. Applicability: If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the grant/cooperative agreement, you must complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying."

Summary of Required Forms/Files

Applications must include the following documents:

**Summary of Required Forms/Files –
Your application must include the following documents:**

Name of Document	Format	File Name
Application for Federal Assistance – SF424	Form	N/A
Project/Performance Site Location(s)	Form	N/A
Other Attachments Form: Attach the following files to this form:	Form	N/A
Project Narrative File	PDF	Project.pdf
Project Summary/Abstract File	PDF	Summary.pdf
SF 424A File - Budget Information for Non-Construction Programs	Excel	SF424A.xls
Budget Justification File	PDF	Budget.pdf
Current and Pending Support	PDF	Support.pdf
Completed Awardee Point of Contact Data Sheet	PDF	POC.pdf
Financial Commitment Letter(s), if applicable	PDF	FCL.pdf
SF-LLL Disclosure of Lobbying Activities, if applicable.	Form	N/A

D. SUBMISSIONS FROM SUCCESSFUL APPLICANTS

DOE reserves the right to request from successful applicants additional or clarifying information for any reason deemed necessary, including, but not limited to:

- Indirect cost information
- Other budget information
- Name and phone number of the Designated Responsible Employee for complying with national policies prohibiting discrimination (See 10 CFR 1040.5)
- Representation of Limited Rights Data and Restricted Software, if applicable
- Commitment Letter from Third Parties Contributing to Cost Sharing, if applicable

E. SUBMISSION DATES AND TIMES

Pre-application Due Date: Pre-applications are not required.

Applications Due Date: 02/08/2012

Applications must be received by 02/08/2012, no later than 8:00 PM Eastern Standard Time. Applicants are encouraged to transmit applications well before the deadline.

APPLICATIONS RECEIVED AFTER THE DEADLINE WILL NOT BE REVIEWED OR CONSIDERED FOR AWARD.

F. INTERGOVERNMENTAL REVIEW

Program Not Subject to Executive Order 12372

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

G. FUNDING RESTRICTIONS

Cost Principles. Costs must be allowable, allocable, and reasonable in accordance with the applicable Federal cost principles referenced in 10 CFR Part 600. The cost principles for commercial organization are in FAR Part 31.

Pre-award Costs. Recipients may charge to an award resulting from this announcement pre-award costs that were incurred within the ninety (90) calendar day period immediately preceding the effective date of the award, if the costs are allowable in accordance with the applicable Federal cost principles referenced in 10 CFR Part 600. Recipients must obtain the prior approval of the contracting officer for any pre-award costs that are for periods greater than this 90-day calendar period.

Pre-award costs are incurred at the applicant's risk. DOE is under no obligation to reimburse such costs if for any reason the applicant does not receive an award or if the award is made for a lesser amount than the applicant expected.

H. OTHER SUBMISSION AND REGISTRATION REQUIREMENTS

1. Where to Submit

APPLICATIONS MUST BE SUBMITTED THROUGH GRANTS.GOV TO BE CONSIDERED FOR AWARD.

Submit electronic applications through the "Apply for Grants" function at www.Grants.gov. If you have problems completing the registration process or submitting your application, call Grants.gov at 1-800-518-4726 or send an email to support@grants.gov.

2. Registration Process

One Time Registration Process

You must COMPLETE the one-time registration process (all steps) before you can submit your first application through Grants.gov (See www.grants.gov/GetStarted). We recommend that you start this process at least three weeks before the application due date. It may take 21 days or more to complete the entire process. Use the Grants.gov Organizational Registration Checklists at <http://www.grants.gov/assets/OrganizationRegCheck.pdf> to guide you through the process. IMPORTANT: During the CCR registration process, you will be asked to designate an E-Business Point of Contact (EBIZ POC). The EBIZ POC must obtain a special password called "Marketing Partner Identification Number" (MPIN). When you have completed the process, you should call the Grants.gov Helpdesk at 1-800-518-4726 to verify that you have completed the final step (i.e., Grants.gov registration).

3. Application Receipt Notices

After an application is submitted, the Authorized Organization Representative (AOR) will receive a series of four e-mails. It is extremely important that the AOR watch for and save each of the emails. It may take up to two (2) business days from application submission to receipt of email Number 2. The titles of the four e-mails are:

Number 1 - Grants.gov Submission Receipt Number

Number 2 - Grants.gov Submission Validation Receipt for Application Number

Number 3 - Grants.gov Grantor Agency Retrieval Receipt for Application Number

Number 4 - Grants.gov Agency Tracking Number Assignment for Application Number

Section V - APPLICATION REVIEW INFORMATION

A. CRITERIA

1. Initial Review Criteria

Application Award Eligibility

Prior to a comprehensive merit evaluation, DOE will perform an initial review to determine that (1) the applicant is eligible for an award; (2) the information required by the FOA has been submitted; and (3) the proposed project is responsive to the objectives of the FOA. Applications that fail to pass the initial review will not be forwarded for merit review and will be eliminated from further consideration.

2. Merit Review Criteria

The following evaluation criteria and weights will be used to evaluate applications submitted under both Major and Minor Upgrades:

Rating criteria include demonstrations of increasing or enhancing research or teaching capabilities.

- a. (50%) Potential of the requested equipment, instrumentation, modification or service (including, but not limited to, relicensing efforts and training) to:
 - o Enhance the safety, performance, control or operational capability of reactor systems, or
 - o Increase the quality, safety/security, or efficiency of the operation of the reactor facility, or
 - o Improve or expand the research, teaching and training capabilities of the reactor facility;
- b. (20%) Amount of student and faculty usage of the reactor facility, and the amount and variety of research and/or services actually provided by the reactor facility; and
- c. (20%) Key Personnel - Adequacy of the number and qualifications of key persons developing and carrying out the project, and the qualification of project personnel assessing project results and disseminating findings.
- d. (10%) Reasonableness of the proposed equipment or instrumentation to achieve the proposed objectives.

3. Other Selection Factors

The selection official may also consider the following program policy factors in the selection process:

- Degree to which proposed project optimizes use of available DOE-NE funding to achieve NEUP goals and objectives.
- Application selection may optimize appropriate mix of projects to achieve NEUP goals and objectives.
- Other Cost/Budget considerations, including cost reasonableness of the equipment or instrumentation to achieve the proposed objectives.
- Existing NS&E Program, or realistic plan to establish NS&E program.
- Underrepresented Groups and Minority-Serving Institutions that submit a competitive application.

B. REVIEW AND SELECTION PROCESS

1. Merit Review

Applications Subject to Merit Review

Applications that pass the initial review will be subjected to a merit review in accordance with the guidance provided in the "Department of Energy Merit Review Guide for Financial Assistance." This guide is available under Financial Assistance, Regulations and Guidance at <http://www.management.energy.gov/documents/meritrev.pdf>.

2. Selection

Selection Official Consideration

The Selection Official will consider the merit review recommendations and other selection factors.

3. Discussions and Award

Government Discussions with Applicant

The Government may enter into discussions with applicants for any reason deemed necessary, including but not limited to: (1) the budget is not appropriate or reasonable for the requirement; (2) only a portion of the application is selected for award; (3) the Government needs additional information to determine if the recipient is capable of complying with the requirements in 10 CFR Part 600; and/or (4) special terms and conditions are required. Failure to resolve satisfactorily the issues identified by the Government will preclude award to the applicant.

C. ANTICIPATED NOTICE OF SELECTION AND AWARD DATES

Selection and Award Date

DOE anticipates notifying applicants selected for award by June 2012 and making awards by August 2012.

Section VI - AWARD ADMINISTRATION INFORMATION

A. AWARD NOTICES

1. Notice of Selection

Selected Applicants Notification

DOE will notify applicants selected for award. This notice of selection is not an authorization to begin performance. (See Section IV.G with respect to the allowability of pre-award costs.)

Non-selected Notification

Organizations whose applications are not selected will be advised as promptly as possible. This notice will explain why the application was not selected.

2. Notice of Award

Notice of Award

A Notice of Financial Assistance Award issued by the contracting officer is the authorizing award document. It normally includes either as an attachment or by reference: (1) Special Terms and Conditions; (2) Applicable program regulations, if any; (3) Application as approved by DOE.; (4) DOE assistance regulations at 10 CFR Part 600, or, for Federal Demonstration Partnership (FDP) institutions, the FDP terms and conditions; (5) National Policy Assurances To Be Incorporated As Award Terms; (6) Budget Summary; and (7) Federal Assistance Reporting Checklist, which identifies the reporting requirements.

For grants and cooperative agreements made to universities, non-profits and other entities subject to Title 2 of the CFR (Grants and Agreement), the Award also includes the Research Terms and Conditions located at <http://www.nsf.gov/bfa/dias/policy/rtc/index.jsp>.

B. ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS

1. Administrative Requirements

The administrative requirements for DOE grants and cooperative agreements are contained in 10 CFR Part 600 (See: <http://ecfr.gpoaccess.gov>). Grants and cooperative agreements made to universities, non-profits and other entities are subject to Title 2 of the CFR and are subject to the Research Terms and Conditions located on the National Science Foundation web site at <http://www.nsf.gov/bfa/dias/policy/rtc/index.jsp>.

DUNS AND CCR REQUIREMENTS

Additional administrative requirements for DOE grants and cooperative agreements are contained in 2 CFR Part 25 (See: <http://ecfr.gpoaccess.gov>). Prime awardees must keep their data at CCR current. Subawardees at all tiers must obtain DUNS numbers and provide the DUNS to the prime awardee before the subaward can be issued.

SUBAWARD AND EXECUTIVE REPORTING

Additional administrative requirements necessary for DOE grants and cooperative agreements to comply with the Federal Funding and Transparency Act of 2006 (FFATA) are contained in 2 CFR Part 170. (See: <http://ecfr.gpoaccess.gov>). Prime awardees must register with the new FSRS database and report the required data on their first tier subawardees. Prime awardees must report the executive compensation for their own executives as part of their registration profile in the CCR.

2. Special Terms and Conditions and National Policy Requirements

Special Terms and Conditions and National Policy Requirements. The DOE Special Terms and Conditions for Use in Most Grants and Cooperative Agreements are located at http://management.energy.gov/business_doe/business_forms.htm.

The National Policy Assurances To Be Incorporated As Award Terms are located at <http://www.nsf.gov/bfa/dias/policy/rtc/appc.pdf>.

Intellectual Property Provisions. The standard DOE financial assistance intellectual property provisions applicable to the various types of recipients are located at http://www.gc.doe.gov/financial_assistance_awards.htm.

C. REPORTING

Reporting requirements are identified on the Federal Assistance Reporting Checklist, DOE F 4600.2, attached to the award agreement. For a sample Checklist, see <http://www.management.energy.gov/documents/DOEF4600pt292009.pdf>.

Section VII - QUESTIONS/AGENCY CONTACTS

A. QUESTIONS

Questions regarding the content of the announcement must be submitted through the FedConnect portal. You must register with FedConnect to respond as an interested party to submit questions, and to view responses to questions. It is recommended that you register as soon after release of the FOA as possible to have the benefit of all responses. DOE/NNSA will try to respond to a question within 3 business days, unless a similar question and answer have already been posted on the website.

Questions and comments concerning this FOA shall be submitted not later than five calendar days prior to the application due date. Questions submitted after that date may not allow the Government sufficient time to respond.

Questions relating to the registration process, system requirements, how an application form works, or the submittal process must be directed to Grants.gov at 1-800-518-4726 or support@grants.gov. DOE cannot answer these questions.

B. AGENCY CONTACT

Name: Heather J. Merrill
E-mail: merrilhj@id.doe.gov

Section VIII - OTHER INFORMATION

A. MODIFICATIONS

Notices of any modifications to this announcement will be posted on Grants.gov and the FedConnect portal. You can receive an email when a modification or an announcement message is posted by registering with FedConnect as an interested party for this FOA. It is recommended that you register as soon after release of the FOA as possible to ensure you receive timely notice of any modifications or other announcements.

B. GOVERNMENT RIGHT TO REJECT OR NEGOTIATE

DOE reserves the right, without qualification, to reject any or all applications received in response to this announcement and to select any application, in whole or in part, as a basis for negotiation and/or award.

C. COMMITMENT OF PUBLIC FUNDS

The Contracting Officer is the only individual who can make awards or commit the Government to the expenditure of public funds. A commitment by other than the Contracting Officer, either explicit or implied, is invalid.

D. PROPRIETARY APPLICATION INFORMATION

Patentable ideas, trade secrets, proprietary or confidential commercial or financial information, disclosure of which may harm the applicant, should be included in an application only when such information is necessary to convey an understanding of the proposed project. The use and disclosure of such data may be restricted, provided the applicant includes the following legend on the first page of the project narrative and specifies the pages of the application which are to be restricted:

"The data contained in pages [*Insert pages*] of this application have been submitted in confidence and contain trade secrets or proprietary information, and such data shall be used or disclosed only for evaluation purposes, provided that if this applicant receives an award as a result of or in connection with the submission of this application, DOE shall have the right to use or disclose the data herein to the extent provided in the award. This restriction does not limit the government's right to use or disclose data obtained without restriction from any source, including the applicant."

To protect such data, each line or paragraph on the pages containing such data must be specifically identified and marked with a legend similar to the following:

"The following contains proprietary information that (name of applicant) requests not be released to persons outside the Government, except for purposes of review and evaluation."

E. EVALUATION AND ADMINISTRATION BY NON-FEDERAL PERSONNEL

In conducting the merit review evaluation, the Government may seek the advice of qualified non Federal personnel as reviewers. The Government may also use non-Federal personnel to conduct routine, nondiscretionary administrative activities. The applicant, by submitting its application, consents to the use of non-Federal reviewers/administrators. Non-Federal reviewers must sign conflict of interest and non-disclosure agreements prior to reviewing an application. Non-Federal personnel conducting administrative activities must sign a non-disclosure agreement.

F. INTELLECTUAL PROPERTY DEVELOPED UNDER THIS PROGRAM

Patent Rights. The government will have certain statutory rights in an invention that is conceived or first actually reduced to practice under a DOE award. 42 U.S.C. 5908 provides that title to such inventions vests in the United States, except where 35 U.S.C. 202 provides otherwise for nonprofit organizations or small business firms. However, the Secretary of Energy may waive all or any part of the rights of the United States subject to certain conditions. (See "Notice of Right to Request Patent Waiver" in paragraph G below.)

Rights in Technical Data. Normally, the government has unlimited rights in technical data created under a DOE agreement. Delivery or third party licensing of proprietary software or data developed solely at private expense will not normally be required except as specifically negotiated in a particular agreement to satisfy DOE's own needs or to insure the commercialization of technology developed under a DOE agreement.

G. NOTICE OF RIGHT TO REQUEST PATENT WAIVER

Applicants may request a waiver of all or any part of the rights of the United States in inventions conceived or first actually reduced to practice in performance of an agreement as a result of this announcement, in advance of or within 30 days after the effective date of the award. Even if such advance waiver is not requested or the request is denied, the recipient will have a continuing right under the award to request a waiver of the rights of the United States in identified inventions, i.e., individual inventions conceived or first actually reduced to practice in performance of the award. Any patent waiver that may be granted is subject to certain terms and conditions in 10 CFR 784
<http://www.gc.doe.gov/documents/patwaivclau.pdf>.

Domestic small businesses and domestic nonprofit organizations will receive the patent rights clause at 37 CFR 401.14, i.e., the implementation of the Bayh-Dole Act. This clause permits domestic small business and domestic nonprofit organizations to retain

title to subject inventions. Therefore, small businesses and nonprofit organizations do not need to request a waiver.

H. NOTICE REGARDING ELIGIBLE/INELIGIBLE ACTIVITIES

Eligible activities under this program include those, which describe and promote the understanding of scientific and technical aspects of specific energy technologies, but not those which encourage or support political activities such as the collection and dissemination of information related to potential, planned or pending legislation.

Section IX - APPENDICES/REFERENCE MATERIAL

APPENDICES/REFERENCE MATERIAL (Available only at Grants.gov)

Appendix A: Sample Reporting Requirements Checklist

Appendix B: Awardee Points of Contact Data Input Sheet