

# Planning & Development Services

PLANNING SERVICES

NEIGHBORHOOD & COMMUNITY SERVICES

911 NORTH 7<sup>th</sup> AVENUE | PO BOX 4169 | POCATELLO, IDAHO 83205-4169 | 208.234.6184 | <https://www.pocatello.gov>

AGENDA ITEM NO. 8

TO: Mayor Blad  
City Council

FROM: Christine Howe, Planning & Development Services Department

DATE: Meeting of April 18, 2024

RE: US DOE Energy Efficiency and Conservation Block Grant Application

Through the US Department of Energy State & Community Energy Program, the City of Pocatello was allocated an Energy Efficiency and Conservation Block Grant (EECBG). The total funding available for the City is \$118,810. City staff presented the EECBG pre-application in April of 2023 to City Council and moved forward with submission of the pre-application to indicate Pocatello would be interested in submitting a full application for the funding. The final application for funding is due April 30, 2024, so Council may wish to approve the submission of the application to DOE for the EECBG funding.

The EECBG funding is available on a reimbursement basis for eligible, identified projects. City staff has identified EECBG Blueprint #2a: Energy Efficiency – Energy Audits, Building Upgrades as an eligible use of the funding. This would allow the City to select municipal buildings to conduct building audits and utilize any available funding to complete energy efficiency upgrades, such as: weatherization of doors, windows, and other entryways; upgrades to more efficient lighting such as LED; or other efficiency upgrades on existing building systems such as HVAC systems. It is anticipated that 3-4 municipal buildings would be able to undergo comprehensive audits and remaining funding would be used for upgrades. Buildings will be prioritized based on use, square footage, a review of existing gas bills, and a review of existing electrical bills. The audits and work will be funded through the grant program.

Council may wish to approve submission of the EECBG grant application and authorize the Mayor's signature on any and all pertinent documents, subject to Legal Department review. If you have questions or would like more information about the EECBG Grant application, please do not hesitate to contact me at [chowe@pocatello.gov](mailto:chowe@pocatello.gov) or 208-234-6186.



## MEMORANDUM

TO: Brian C. Blad, Mayor; Members of the City Council  
FROM: Ian Johnson, Deputy City Attorney  
RE: EECBG Grant Application  
DATE: April 11, 2024

I have reviewed the above-referenced Energy Efficiency and Conservation Block Grant application and it meets with my approval for the Mayor's signature once so authorized by the City Council.

If you have any questions, please feel free to contact me.

# **EECBG Program: Energy Efficiency and Conservation Strategy Template for Local Governments**

## **Part A:**

**Grantee: City of Pocatello**

**Date: 4/1/2024**

**UEI Number: C1H5KKGYA7F8**

**Program Contact Email: chowe@pocatello.gov**

- 1. Local governments must include within their proposed strategy a description of their goals for increased energy efficiency and conservation in the jurisdiction. Does your local government have existing energy efficiency and conservation or related goals?**

Yes.

3. Clean energy use goal

a. Specific Goal: The City of Pocatello's electricity is set to be clean by 2045 through Council Resolution 2019-11 per Idaho Power's commitment to clean electricity.

b. By what year? 2045

7. Other

a. Specific Goal: Other goals as enumerated in Council Resolution 2019-11. Goals per the Comprehensive Plan 2040 including: Environmentally Resilient

b. by what year? 2040

- 2. Does your local government have an existing plan or strategy document (e.g., climate action plan, energy conservation plan, comprehensive energy plan, etc.) to reduce energy use, increase energy efficiency, reduce emissions, or train workers for high-quality energy efficiency jobs?**

No

**Please briefly describe your strategy to achieve your goals listed in Question 1:**

The City will achieve the goals identified in Question one primarily through the local energy Committee. The composition of the committee will be reviewed to ensure it has proper stakeholder representation. The committee will meet and review previous progress made by the City toward energy-related goals as well as review Statewide and other Local entity plans for energy-related goals to determine what goals the City can accomplish. This will include a review of baseline energy use, researching and applying for grants to help gather baseline data or develop goals, community outreach to determine broader community goals, and reviewing the resolution adopted by City Council to determine if it needs to be updated. In addition, the City will review grant and funding opportunities to achieve clean energy options

for municipal buildings and operations, such as: conversion to energy efficient systems; or electrification of systems; or purchase of electric vehicles for municipal fleet.

- 3. Are you planning to use a blueprint (see Section 4.5 of the EECBG Program Formula Grant Application Instructions document for more details)?**

Yes

Energy Efficiency: Building Audits and Retrofits, including grid interactivity and electrification

- 4. Local governments must coordinate and share information with the State in which the eligible local government is located regarding activities carried out using the grant to maximize the energy efficiency and conservation benefits under the EECBG Program. Have you coordinated and shared your planned activities with your State?**

The City works collaboratively with various state agencies on numerous projects which include energy efficiency and conservation related measures. The City has a close working relationship with Idaho Department of Environmental Quality (DEQ) which is overseeing the State Climate Pollution Reduction Action Plan. Pocatello has provided comment and projects for the CAP and will continue to be involved and engaged in that process. In addition, the City has been in contact with the Office of Energy and Mineral Resources regarding EECBG and will continue to update the office as well as learn about other collaborative opportunities and engagement efforts to ensure coordination of energy efficiency and conservation goals.

- 5. Local governments must take into account any plans for the use of funds by adjacent eligible local governments that receive grants under the EECBG Program. Have you taken into account how adjacent eligible units of local governments plan to use their funds?**

The other adjacent communities that are receiving EECBG funding include Idaho Falls and Bingham County (Blackfoot). We will collaborate as needed but these communities will be expending their funds in accordance with the blueprints or other program requirements. At this time, Pocatello is not equipped for a larger scale collaborative effort but anticipates that the energy task force will work towards broader collaboration as the funds are expended and the plan is developed.

## **Part B**

- 1. Do you plan to collaborate with other eligible units of government?**

Yes, we are going to form a team and apply through a joint application

Yes, we are going to informally collaborate

We are not yet sure if we are going to collaborate with others

No

- 2. Are you planning to partner with other organizations including utilities, energy industry and financial companies, community-based organizations, labor unions, and other non-profit organizations for your project?**

The City will work with partners such as Idaho Power, Intermountain Gas, the Portneuf Resource Council, and Southeast Idaho Community Action Agency.

3. **Have you engaged local stakeholders (such as utilities, energy industry and financial companies, community-based organizations, labor unions, and other non-profit organizations) in the development of your plan and/or how you intend to use your EECBG Program allocation?**

Yes, the City has engaged with its local utility providers to gather initial data to help inform the use of the EECBG funding. In addition, the City has met with local sustainability group representatives to identify engagement opportunities for use of the funds.

4. **Will this EECBG Program funding help you to access additional sources of funding?**

No

5. **Do you anticipate needing support for your project development/implementation?**

Yes

- Policy, planning and program design
- Retrofits
- Engineering and modeling
- Stakeholder engagement
- Program administration and implementation support
- Outreach, education and advertising
- Other

6. **Do you anticipate the project(s) you use this funding for will continue after the EECBG Program funding period?**

No

- i. What would help you to continue? (check all that apply)

- Local sustainable financing
- Public and local political support
- Staff capacity
- Other

7. **How do you intend for your project(s) to benefit disadvantaged communities? (check all that apply)**

- a. Benefits include (but are not limited to) measurable direct or indirect investments or positive project outcomes that achieve or contribute to the following in disadvantaged communities:

- A decrease in energy burden
- A decrease in environmental exposure and burdens

- An increase in access to low-cost capital
- An increase in job quality (including paying prevailing wages for construction and maintenance projects by 2025)
- An increase in clean energy enterprise creation and contracting (e.g., minority-owned or disadvantaged business enterprises)
- An increase in clean energy jobs, job pipeline, and job training for individuals from disadvantaged communities
- An increase in parity in clean energy technology access and adoption
- An increase in energy democracy
- Other – The City will see potential cost savings for municipal building maintenance which would lead to reduction in budget needs and tax savings and subsequently less tax burden on the community. In addition, improved energy efficiency can reduce GHG emissions and carbon footprint which would have positive health benefits.

**8. How will your strategy support the goal that 40% of the overall benefits of certain federal investments flow to disadvantaged communities, in line with the Justice40 initiative?**

Potential cost savings for municipal building maintenance could lead to reduction in budget needs and tax savings resulting in less tax burden on community. This will have positive implications for the City a whole which has the majority of its census tracts in historically disadvantaged communities (HDC). In addition, improved energy efficiency can reduce GHG emissions and carbon footprint which would have positive health benefits. The task force plan development will also target the HDC, which using the CEJST tool, show low-income census tracts to be most burdened. We can target future programming there.

Application for Federal Assistance SF-424		
* 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	* 2. Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision	* If Revision, select appropriate letter(s): _____ * Other (Specify): _____
* 3. Date Received: 04/30/2024	4. Applicant Identifier: _____	
5a. Federal Entity Identifier: _____	5b. Federal Award Identifier: _____	
<b>State Use Only:</b>		
6. Date Received by State: _____	7. State Application Identifier: _____	
<b>8. APPLICANT INFORMATION:</b>		
* a. Legal Name: City of Pocatello		
* b. Employer/Taxpayer Identification Number (EIN/TIN): 82-6000244	* c. UEI: C1H5KKGYA7F8	
<b>d. Address:</b>		
* Street1: 911 N. 7th Avenue	_____	
Street2: _____	_____	
* City: Pocatello	_____	
County/Parish: _____	_____	
* State: DQ: Jarvis Island	_____	
Province: _____	_____	
* Country: USA: UNITED STATES	_____	
* Zip / Postal Code: 83201-7700	_____	
<b>e. Organizational Unit:</b>		
Department Name: _____	Division Name: _____	
<b>f. Name and contact information of person to be contacted on matters involving this application:</b>		
Prefix: _____	* First Name: Christine	
Middle Name: _____	_____	
* Last Name: Howe	_____	
Suffix: _____	_____	
Title: Grants Manager		
Organizational Affiliation: _____		
* Telephone Number: 2082346186	Fax Number: _____	
* Email: chowe@pocatello.gov		

**Application for Federal Assistance SF-424**

**\* 9. Type of Applicant 1: Select Applicant Type:**

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\* Other (specify):

**\* 10. Name of Federal Agency:**

Department of Energy

**11. Catalog of Federal Domestic Assistance Number:**

CFDA Title:

**\* 12. Funding Opportunity Number:**

81.128

\* Title:

Energy Efficiency and Conservation Block

**13. Competition Identification Number:**

Title:

**14. Areas Affected by Project (Cities, Counties, States, etc.):**

Add Attachment

Delete Attachment

View Attachment

**\* 15. Descriptive Title of Applicant's Project:**

City of Pocatello Energy Efficiency and Conservation Block Grant Program

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments



**Application for Federal Assistance SF-424**

**16. Congressional Districts Of:**  
\* a. Applicant  \* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

**17. Proposed Project:**  
\* a. Start Date:  \* b. End Date:

**18. Estimated Funding (\$):**

* a. Federal	<input type="text" value="118,810.00"/>
* b. Applicant	<input type="text"/>
* c. State	<input type="text"/>
* d. Local	<input type="text"/>
* e. Other	<input type="text"/>
* f. Program Income	<input type="text"/>
* g. TOTAL	<input type="text" value="118,810.00"/>

**19. Is Application Subject to Review By State Under Executive Order 12372 Process?**  
 a. This application was made available to the State under the Executive Order 12372 Process for review on .  
 b. Program is subject to E.O. 12372 but has not been selected by the State for review.  
 c. Program is not covered by E.O. 12372.

**20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**  
 Yes  No  
If "Yes", provide explanation and attach

**21. \*By signing this application, I certify (1) to the statements contained in the list of certifications\*\* and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances\*\* and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 18, Section 1001)**  
 \*\* I AGREE  
\*\* The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

**Authorized Representative:**  
Prefix:  \* First Name:   
Middle Name:   
\* Last Name:   
Suffix:   
\* Title:   
\* Telephone Number:  Fax Number:   
\* Email:   
\* Signature of Authorized Representative:  \* Date Signed:

### 6.3. B. STANDARD FORM 424A (BUDGET)

#### **Budget Justification**

**Supplies (\$500):** The supplies budgeted will cover anything necessary to support community engagement and other activities the Energy Task Force will be completing. This could include marketing and information gathering, survey supply costs, and other engagement activity costs.

**Contractual (\$117,310):** The majority of EECEBG funding will be used to contract with a firm who is able to complete building energy audits on the identified municipal facilities. These expenses will be competitively bid out. Building energy audits can be up to \$0.50 per square foot, which would allow for an audit area of up to 232,620. The City anticipates audits on buildings totaling approximately 120,000 square feet and contracting with a vendor for implementation of measures for energy efficiency (ie – weatherization, LED light installation, etc.) with any remaining funds.

**Other Direct Costs (\$1,000):** This funding will cover direct costs related to the administration and implementation of the strategy such as printing costs, legal ad publications, meeting expenses and other similar eligible expenses necessary to complete the proposed project.

**BUDGET INFORMATION - Non-Construction Programs**

OMB Number: 4040-0006  
Expiration Date: 02/28/2025

**SECTION A - BUDGET SUMMARY**

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. Pocatello Energy Task Force		\$ 1,500.00	\$ 0.00	\$	\$	\$ 1,500.00
2. Building Audits and Retrofits		117,310.00	0.00			117,310.00
3.						
4.						
5. <b>Totals</b>		\$ 118,810.00	\$ 0.00	\$	\$	\$ 118,810.00

**SECTION B - BUDGET CATEGORIES**

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1)	(2)	(3)	(4)	
	Pocatello Energy Task Force	Building Audits and Retrofits			
a. Personnel	\$	\$	\$	\$	\$
b. Fringe Benefits					
c. Travel					
d. Equipment					
e. Supplies	500.00				500.00
f. Contractual		117,310.00			117,310.00
g. Construction					
h. Other	1,000.00				1,000.00
i. Total Direct Charges (sum of 6a-6h)	1,500.00	117,310.00			\$ 118,810.00
j. Indirect Charges					\$
k. TOTALS (sum of 6i and 6j)	\$ 1,500.00	\$ 117,310.00	\$	\$	\$ 118,810.00
7. Program Income	\$	\$	\$	\$	\$

**SECTION C - NON-FEDERAL RESOURCES**

(a) Grant Program		(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS
8.	Pocatello Energy Task Force	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
9.	Building Audits and Retrofits	0.00	0.00	0.00	0.00
10.					
11.					
12. TOTAL (sum of lines 8-11)		\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

**SECTION D - FORECASTED CASH NEEDS**

	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$ 118,810.00	\$ 25,000.00	\$ 30,000.00	\$ 30,000.00	\$ 33,810.00
14. Non-Federal					
15. TOTAL (sum of lines 13 and 14)	\$ 118,810.00	\$ 25,000.00	\$ 30,000.00	\$ 30,000.00	\$ 33,810.00

**SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT**

(a) Grant Program	FUTURE FUNDING PERIODS (YEARS)			
	(b) First	(c) Second	(d) Third	(e) Fourth
16. Pocatello Energy Task Force	\$ 1,500.00			
17. Building Audits and Retrofits	117,310.00			
18.				
19.				
20. TOTAL (sum of lines 16 - 19)	\$ 118,810.00			

**SECTION F - OTHER BUDGET INFORMATION**

21. Direct Charges:		22. Indirect Charges:	
23. Remarks:			

# DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C.1352

Approved by OMB  
4040-0013

<b>1. * Type of Federal Action:</b> <input type="checkbox"/> a. contract <input checked="" type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	<b>2. * Status of Federal Action:</b> <input type="checkbox"/> a. bid/offer/application <input checked="" type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	<b>3. * Report Type:</b> <input checked="" type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change
--	--	--

**4. Name and Address of Reporting Entity:**

Prime     SubAwardee

\* Name:

\* Street 1:     Street 2:

\* City:     State:     Zip:

Congressional District, if known:

**5. If Reporting Entity in No.4 is Subawardee, Enter Name and Address of Prime:**

<b>6. * Federal Department/Agency:</b> <input type="text" value="Department of Energy"/>	<b>7. * Federal Program Name/Description:</b> <input type="text"/> CFDA Number, if applicable: <input type="text"/>
---	---

<b>8. Federal Action Number, if known:</b> <input type="text"/>	<b>9. Award Amount, if known:</b> \$ <input type="text"/>
--	--

**10. a. Name and Address of Lobbying Registrant:**

Prefix  \* First Name  Middle Name

\* Last Name  Suffix

\* Street 1:     Street 2:

\* City:     State:     Zip:

**b. Individual Performing Services** (including address if different from No. 10a)

Prefix  \* First Name  Middle Name

\* Last Name  Suffix

\* Street 1:     Street 2:

\* City:     State:     Zip:

**11.** Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when the transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

\* Signature:

\* Name: Prefix  \* First Name  Middle Name

\* Last Name  Suffix

Title:     Telephone No.:     Date:

**U.S. DEPARTMENT OF ENERGY**

**FINANCIAL ASSISTANCE**  
**CERTIFICATIONS AND ASSURANCES**  
**FOR USE WITH SF 424**

Applicant: City of Pocatello

Solicitation No.: DE-FOA-0002882

*The following certifications and assurances must be completed and submitted with each application for financial assistance. The name of the person responsible for making the certifications and assurances must be typed in the signature block on the forms.*

***Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug Free Workplace Requirements***

***DOE F 1600.5, Assurance of Compliance Nondiscrimination in Federally Assisted Programs***

**CERTIFICATIONS REGARDING LOBBYING;  
DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS;  
AND DRUG FREE WORKPLACE REQUIREMENTS**

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 10 CFR Part 601 "New Restrictions on Lobbying," 10 CFR Part 606 "Governmentwide Debarment and Suspension (Nonprocurement) and 10 CFR Part 607 "Governmentwide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Energy determines to award the covered transaction, grant, or cooperative agreement.

**1. LOBBYING**

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, 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 awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) 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 this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

**2. ADDITIONAL LOBBYING REPRESENTATION**

Applicant organizations which are described in section 501(c)(4) of the Internal Revenue Code of 1986 and engage in lobbying activities after December 31, 1995, are not eligible for the receipt of Federal funds constituting an award, grant, or loan.

As set forth in section 3 of the Lobbying Disclosure Act of 1995 as amended, (2 U.S.C. 1602), lobbying activities are defined broadly to include, among other things, contacts on behalf of an organization with specified employees of the Executive Branch and Congress with regard to Federal legislative, regulatory, and program administrative matters.

Check the appropriate block:

The applicant is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986?  Yes  No

If you checked "Yes" above, check the appropriate block:

The applicant represents that after December 31, 1995 it  has  has not engaged in any lobbying activities as defined in the Lobbying Disclosure Act of 1995, as amended.

**3. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS**

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
  - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
  - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust



statutes or commission of embezzlement, theft, forgery, bribery; falsification or destruction of records, making false statements, or receiving stolen property;

- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
  - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

#### **4. DRUG-FREE WORKPLACE**

This certification is required by the Drug-Free Workplace Act of 1988 (Pub.L. 100-690, Title V, Subtitle D) and is implemented through additions to the Debarment and Suspension regulations, published in the Federal Register on January 31, 1989, and May 25, 1990.

##### ***ALTERNATE I (GRANTEES OTHER THAN INDIVIDUALS)***

- (1) The grantee certifies that it will or will continue to provide a drug-free workplace by:
- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
  - (b) Establishing an ongoing drug-free awareness program to inform employees about:
    - (1) The dangers of drug abuse in the workplace;
    - (2) The grantee's policy of maintaining a drug-free workplace;
    - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
    - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
  - (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
  - (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:
    - (1) Abide by the terms of the statement; and
    - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace not later than five calendar days after such conviction;
  - (e) Notifying the agency, in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
  - (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:
    - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
    - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local health, law enforcement, or other appropriate agency;
  - (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a),(b),(c),(d),(e), and (f).

- (2) The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance: (Street address, city, county, state, zip code)

911 N. 7th Avenue, Pocatello, Bannock County, ID 83201

---

---

Check if there are workplaces on file that are not identified here.

***ALTERNATE II (GRANTEES WHO ARE INDIVIDUALS)***

- (1) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant.
- (2) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

**5. SIGNATURE**

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

Name of Applicant: City of Pocatello

Printed Name and Title of Authorized Representative: Brian Blad, Mayor

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

**U.S. Department of Energy**  
**Assurance of Compliance**

**Nondiscrimination in Federally Assisted Programs**

**OMB Burden Disclosure Statement**

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Office of Information Resources Management Policy, Plans, and Oversight, Records Management Division, HR-422 - GTN, Paperwork Reduction Project (1900-0400), U.S. Department of Energy, 1000 Independence Avenue, S.W., Washington, DC 20585; and to the Office of Management and Budget (OMB), Paperwork Reduction Project (1900-0400), Washington, DC 20503.

City of Pocatello

(Hereinafter called the "Applicant")

HEREBY AGREES to comply with Title VI of the Civil Rights Act of 1964 (Pub. L.88-352), Section 16 of the Federal Energy Administration Act of 1974 (Pub.L.93-275), Section 401 of the Energy Reorganization Act of 1974 (Pub.L.93-438), Title IX of the Education Amendments of 1972, as amended (Pub.L.92-318, Pub.L.93-568, and Pub.L.94-482), Section 504 of the Rehabilitation Act of 1973 (Pub.L.93-112), the Age Discrimination Act of 1975 (Pub.L.94-135), Title VIII of the Civil Rights Act of 1968 (Pub.L.90-284), the Department of Energy Organization Act of 1977 (Pub.L.95-91), and the Energy Conservation and Production Act of 1976, as amended (Pub.L.94-385) and Title 10, Code of Federal Regulations, Part 1040. In accordance with the above laws and regulations issued pursuant thereto, the Applicant agrees to assure that no person in the United States shall, on the ground of race, color, national origin, sex, age, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity in which the Applicant receives Federal assistance from the Department of Energy.

**Applicability and Period of Obligation**

In the case of any service, financial aid, covered employment, equipment, property, or structure provided, leased, or improved with Federal assistance extended to the Applicant by the Department of Energy, this assurance obligates the Applicant for the period during which Federal assistance is extended. In the case of any transfer of such service, financial aid, equipment, property, or structure, this assurance obligates the transferee for the period during which Federal assistance is extended. If any personal property is so provided, this assurance obligates the Applicant for the period during which it retains ownership or possession of the property. In all other cases, this assurance obligates the Applicant for the period during which the Federal assistance is extended to the Applicant by the Department of Energy.

**Employment Practices**

Where a primary objective of the Federal assistance is to provide employment or where the Applicant's employment practices affect the delivery of services in programs or activities resulting from Federal assistance extended by the Department, the Applicant agrees not to discriminate on the ground of race, color, national origin, sex, age, or disability, in its employment practices. Such employment practices may include, but are not limited to, recruitment advertising, hiring, layoff or termination, promotion, demotion, transfer, rates of pay, training and participation in upward mobility programs; or other forms of compensation and use of facilities.

**Subrecipient Assurance**

The Applicant shall require any individual, organization, or other entity with whom it subcontracts, subgrants, or subleases for the purpose of providing any service, financial aid, equipment, property, or structure to comply with laws cited above. To this end, the subrecipient shall be required to sign a written assurance form, however, the obligation or both recipient and subrecipient to ensure compliance is not relieved by the collection or submission of written assurance forms.

**Data Collection and Access to Records**

The Applicant agrees to compile and maintain information pertaining to programs or activities developed as a result of the Applicant's receipt of Federal assistance from the Department of Energy. Such information shall include, but is not limited to, the following: (1) the manner in which services are or will be provided and related data necessary for determining whether any persons are or will be denied such services on the basis of prohibited discrimination; (2) the population eligible to be served by race, color, national origin, sex, age, and disability; (3) data regarding covered employment including use or planned use of bilingual public contact employees serving beneficiaries of the program where necessary to permit effective participation by beneficiaries unable to speak or understand English; (4) the location of existing or proposed facilities connected with the program and related information adequate for determining whether the location has or will have the effect of unnecessarily denying access to any person on the basis of prohibited discrimination; (5) the present or proposed membership by race, color, national origin, sex, age, and disability, in any planning or advisory body which is an integral part of the program; and (6) any additional written data determined by the Department of Energy to be relevant to its obligation to assure compliance by recipients with laws cited in the first paragraph of this assurance.

The Applicant agrees to submit requested data to the Department of Energy regarding programs and activities developed by the Applicant from the use of Federal assistance funds extended by the Department of Energy, Facilities of the Applicant (including the physical plants, building, or other structures) and all records, books, accounts, and other sources of information pertinent to the Applicant's compliance with the civil rights laws shall be made available for inspection during normal business hours on request of an officer or employee of the Department of Energy specifically authorized to make such inspections. Instructions in this regard will be provided by the Director, Office of Civil Rights, U.S. Department of Energy.

This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts (excluding procurement contracts), property, discounts or other Federal assistance extended after the date hereto, to the Applicants by the Department of Energy, including installment payments on account after such data of application for Federal assistance which are approved before such date. The Applicant recognizes and agrees that such Federal assistance will be extended in reliance upon the representation and agreements made in this assurance and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the Applicant, the successors, transferees, and assignees, as well as the person(s) whose signature appears below and who are authorized to sign this assurance on behalf of the Applicant.

### Applicant Certification

The Applicant certifies that it has complied, or that, within 90 days of the date of the grant, it will comply with all applicable requirements of 10 C.F.R. § 1040.5 (a copy will be furnished to the Applicant upon written request to DOE).

Designated Responsible Employee

Christine Howe, Grants Manager

(208) 234 - 6186

\_\_\_\_\_  
Name and Title (Printed to Typed)

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

City of Pocatello

(208) 234 - 6163

\_\_\_\_\_  
Applicant's Name

\_\_\_\_\_  
Telephone Number

911 N. 7th Avenue, Pocatello, ID 83201

\_\_\_\_\_  
Address:

\_\_\_\_\_  
Date

Authorized Official:  
President, Chief Executive Officer  
or Authorized Designee

Brian Blad, Mayor

(208) 234 - 6163

\_\_\_\_\_  
Name and Title (Printed to Typed)

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



### EECBG PROGRAM PRE-AWARD INFORMATION SHEET

Each Energy Efficiency and Conservation Block Grant (EECBG) Program recipient shall provide the following information on behalf of itself and all subrecipients and certify that the information is accurate and complete. Recipients may choose to provide this information in whatever format they like, as this form is optional.

EECBG Program recipients representing local and tribal entities may select from two options: 1) a grant or 2) a voucher for technical assistance and/or equipment rebates. EECBG Program recipients choosing a grant must provide data requested in sections 1 through 8 below. EECBG Program recipients choosing a voucher may skip sections 4 through 7. Please submit this form to the EECBG Program Inbox: [eecbg@hq.doe.gov](mailto:eecbg@hq.doe.gov).

#### SECTION 1: CONTACT & LOCATION INFORMATION *(All recipients)*

Recipient Name:	City of Pocatello	Award Number:	606
UEI:	C1H5KKGYA7F8	DUNS (if applicable):	073112690
Business Officer:	Brian C. Blad	BO Phone Number/Email:	208-234-6163
Principal Investigator (PI):	Christine Howe	PI Phone Number/Email:	208-234-6186

A. TYPE OF ORGANIZATION – Please indicate the type of organization of the Recipient by selecting one of the following:

- Local Government
- Tribal Government
- State

#### B. LOCATION AND CONGRESSIONAL DISTRICT

List the address and Congressional district(s) for the primary location where the grant will be performed.

Street Address:	911 N. 7th Avenue
City:	Pocatello
State:	Idaho
Zip:	83201
Congressional District(s):	02

#### SECTION 2: GRANT OR VOUCHER *(All recipients)*

EECBG Program recipients representing local and tribal entities must select whether to receive their EECBG Program award in the form of a grant or a voucher for technical assistance and/or equipment rebates. Please indicate your choice here. All States & Territories must select "Grant." (Select one option) [response to this question is non-binding]

- Voucher for Technical Assistance
- Voucher for Equipment Rebate
- Voucher for both Technical Assistance and Equipment Rebate
- Grant

### SECTION 3: BUSINESS ASSURANCES *(All recipients)*

#### A. DISCLOSURE OF POTENTIAL IMPROPRIETIES

Below, please disclose if any of the following conditions exist. If the answer to any question (a) through (g) below is yes, provide a detailed explanation in an attachment to this form.

- a. Is the proposed Recipient, Subrecipient(s), or any of the Recipient's or Subrecipient's principals<sup>1</sup> under investigation for or charged with a covered offense<sup>2</sup>?
- Yes  
 No
- b. Has the proposed Recipient, Subrecipient(s), or any of the Recipient's or Subrecipient's principals been convicted of a covered offense in the last five years or had a civil judgment rendered against them for one of those offenses in that time period?
- Yes  
 No
- c. Is the proposed Recipient, Subrecipient(s), or any of the Recipient's or Subrecipient's principals under investigation for potential violation of U.S. export control laws and regulations, or has the proposed Recipient, Subrecipient(s), or any of the Recipient's or Subrecipient's principals been convicted of any violations of U.S. export control laws and regulations?
- Yes  
 No
- d. Is the proposed Recipient or Subrecipient(s) under investigation for potential violations of the Drug-Free Workplace Act of 1988, or has the proposed Recipient or Subrecipient(s) been convicted of any violations of the Drug-Free Workplace Act of 1988?
- Yes  
 No
- e. Is the proposed Recipient, Subrecipient(s), or any of the Recipient's or Subrecipient's principals under investigation for research misconduct, or has the proposed Recipient, Subrecipient(s), or the Recipient's or Subrecipient's principals been convicted of research misconduct?
- Yes  
 No
- f. Has any Federal Agency recommended or initiated proceedings against the proposed Recipient, Subrecipient(s), or the Recipient's or Subrecipient's principals for suspension or debarment, or is the proposed Recipient, Subrecipient(s), or the Recipient's or Subrecipient's principals debarred, suspended, publicly banned from doing business with the Federal government, or otherwise declared ineligible from

---

<sup>1</sup> For this form, "principal" means: (1) An officer, director, owner, partner, PI, or other person (as defined in 2 C.F.R. 180.95) within the Project Team with management or supervisory responsibilities related to this project and any resulting transaction; or (2) A consultant or other person, whether or not employed by the Recipient, Subrecipient, or their principals, or paid with Federal funds, who (a) is in a position to handle Federal funds, (b) is in a position to influence or control the use of those funds, or (c) occupies a technical or professional position capable of substantially influencing the development or outcome of an activity required to perform the transaction, including but not limited to, any Co-PIs.

<sup>2</sup> For this form, "covered offenses" include: (1) Commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public or private agreement or transaction; (2) Violation of Federal or State antitrust statutes, including those proscribing price fixing between competitors, allocation of customers between competitors, and bid rigging; (3) Commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice; or (4) Commission of any other offense indicating a lack of business integrity or business honesty that seriously and directly affects the Recipient's present responsibility.

receiving Federal Contracts, subcontracts or financial assistance?

Yes

No

- g. Is the proposed Recipient or Subrecipient(s) delinquent on federal debt or insolvent or at risk of insolvency or have the proposed Recipient or Subrecipient(s) filed for bankruptcy in any domestic or foreign jurisdiction?

Yes

No

## B. POTENTIAL CONFLICTS OF INTEREST

1. **Financial Conflicts of Interest.** The Recipient must disclose in writing any managed or unmanageable financial conflicts of interest involving a member of the project team (i.e., Investigators) and include sufficient information to enable DOE to understand the nature and extent of the financial conflict, and to assess the appropriateness of the non-Federal entity's management plan. See Section V(b)(3) of the DOE Interim Conflict of Interest Policy. As part of this DOE funded project, does the recipient or any subrecipients have any managed or unmanageable financial conflicts of interest involving a member of the project team (i.e., Investigators)?

No

Yes. If yes, in a separate attachment, the Recipient must provide relevant disclosures/supporting documentation as required by the DOE Interim Conflict of Interest Policy Section V(b)(3).

- C. **Organizational Conflicts of Interest<sup>3</sup>.** The Recipient must disclose in writing any potential or actual organizational conflict of interest to DOE. See DOE Interim Conflict of Interest Policy Section VI and 2 CFR 200.318 for more information. As part of this DOE funded project, does the recipient or any subrecipients intend to engage in a procurement with a parent, affiliate, or subsidiary organization that is not a state, local government, or Indian tribe?

No

Yes. If yes, in a separate attachment, the Recipient must provide relevant disclosures/supporting documentation as required by the DOE Interim Conflict of Interest Policy Section VI.

*\*\*Recipients choosing a voucher may skip to Section 8\*\**

## SECTION 4: PAYMENT INFORMATION *(Grant recipients only)*

Provide (1) the awardee seven-digit ASAP (Automated Standard Application for Payment System) ID number that is under the DOE / Golden Field Office (GO) Agency Locator Code (ALC) and Region Code (#8900-0001-04) if available; (2) the name, phone number and email for the ASAP / Payments Contact Person; and (3) indicate whether the preferred payment method is by advance or reimbursement.

- |   |
|---|
| 1) ASAP Number:   |
| 2) ASAP/Payments Contact Person: Christine Howe, Grants Manager |
| 3) The preferred payment method is: Reimbursement               |

<sup>3</sup> Organizational Conflict of Interest means a situation where because of relationships with a parent company, affiliate, or subsidiary organization, the non-Federal entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization. 2 CFR 200.318(c)(2).

**SECTION 5: PERFORMANCE AND FINANCIAL INFORMATION REQUEST** *(Grant recipients only)*

Before providing this information, please read the ADDITIONAL INFORMATION at the end of this form. Each field identified below must be completed.

1. Has the Recipient had prior Federal awards?  Yes  No

If Yes:

Is the Recipient up to date on all reporting requirements on all other current and prior awards, including submitting acceptable final technical reports, with other Federal or non-Federal organizations? If you check No to this question, please attach an explanation.  Yes  No

2a. Has the Recipient had an independent Single Audit or independent Compliance Audit per Federal regulations, or had a prior Defense Contract Audit Agency (DCAA) Audit performed? (Please see attached instructions regarding Independent Audit requirements.)  Yes  No

2b. Has the Recipient undergone a Financial Audit within the last 3 years?  Yes  No

If Yes to either 2a. or 2b.:

- a. A copy of the audit is attached to this form.  Yes  No
- b. An electronic copy of the audit was provided with application package.  Yes  No

An electronic copy of the audit can be found at <https://pocatello.gov/ArchiveCenter/ViewFile/Item/1841>

If audit was not provided, please explain why it has not been completed and/or provided:

N/A

3. Recipient's fiscal year end date is September 30

4a. Identify the Federal Agency providing the preponderance of funding from ALL Government Awards which the Recipient's organization is/was the prime recipient, including any DOE Awards. Provide Agency name, Cognizant Agency point of contact (individual in charge of negotiating billing rates), phone number, and e-mail. (If the Recipient's organization has a DCAA contact, please provide this information in 4(c) below):

Agency: Federal Transit Administration (USDOT)

Point of Contact: Linda Gehrke

Phone/Email: 206-220-7954/ Linda.gehrke@dot.gov

4b. DCAA Contact Information:

DCAA Office: \_\_\_\_\_

Point of Contact: Linda Gehrke

Phone/Email: 206-220-7954/ Linda.gehrke@dot.gov



**SECTION 6: FINANCIAL MANAGEMENT SYSTEM – ACCOUNTING SYSTEM SURVEY** (*Grant recipients only*)

To qualify for Financial Assistance, compliance with 2 CFR 200 as amended by 2 CFR 910 is required. This includes assurance of an adequate accounting system for estimating, accounting and billing for governmental funding received. Please complete the checklist below as assurance of this requirement.

For additional information, please visit <https://www.dcaa.mil>. Please refer specifically to the “Pre-award Accounting System Adequacy Checklist” under CUSTOMERS-->Checklists and Tools.

	<u>Yes</u>	<u>No</u>	<u>NA</u>
1. Is the Accounting System in accordance with Generally Accepted Accounting Principles applicable to the circumstances and associated applicable Federal regulations?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Accounting System provides for:			
a. Segregation of direct costs from indirect costs.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. Identification and accumulation of direct costs by project.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. A logical and consistent method for the allocation of indirect costs to intermediate and final cost objectives. (Project line items are final cost objective)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. Accumulation of costs under general ledger control.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
e. A timekeeping system that identifies employees’ labor by intermediate and final cost objective (i.e., project level, division level).	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
f. A labor distribution system that charges direct and indirect labor to appropriate cost objectives.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
g. Interim (at least monthly) determination of costs charged to a project through routine posting of books of account.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
h. Excluding costs charged to Government projects which are not allowable in terms of FAR 31, Contract Cost Principles and Procedures, or other provisions.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
i. Identification of costs by project line item and by units (as if each unit or line item were a separate project) if required by the proposed award.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Is the Accounting System designed, and are the records maintained in such a manner that adequate, reliable data are developed for use in developing cost proposals?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. Is the Accounting System currently in full operation?	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

**SECTION 7: REPRESENTATION/CERTIFICATION** (*Grant recipients only*)

Certification of the information is required by the organization’s authorized representative

- I certify that I have registered in the System for Award Management (SAM).
- I certify that I have registered in FedConnect.net in order to receive award documentation.
- I certify that all subrecipient cost information has been reviewed, and that all subrecipient costs are reasonable, allowable, and allocable in accordance with the applicable cost principles. All subrecipient budget documents should be available upon DOE request.

- I certify that all direct costs proposed in the application (under the personnel, travel, equipment, supplies, contractual, construction, and/or other direct costs categories) are direct to the project and are not duplicated in the proposed indirect costs.
- I certify that the processes undertaken to solicit any subrecipients, subawards, subcontracts and vendors comply with our organization's written procurement procedures as outlined in "Procurement Standards" 2 CFR 200.317 through 2 CFR 200.326 inclusive.
- I certify the Recipient:
  - (1) Has in effect an up-to-date, written, and enforced administrative process to identify and manage conflicts of interest with respect to all projects for which financial assistance funding is sought or received from DOE;
  - (2) Shall promote and enforce Investigator compliance with DOE's Interim Conflict of Interest (COI) Policy's requirements including those pertaining to disclosure of significant financial interests;
  - (3) Shall manage financial conflicts of interest and provide initial and ongoing financial conflicts of interest reports to DOE;
  - (4) Agrees to make information available, promptly upon request, to DOE relating to any Investigator disclosure of financial interests and the Recipient's review of, and response to, such disclosure, whether or not the disclosure resulted in the Recipient's determination of a financial conflict of interest; and
  - (5) Shall fully comply with the requirements of the DOE Interim COI Policy.

**SECTION 8: SIGNATURES** *(All recipients)*

I, the Authorization Official named below, represent by my signature that I am authorized to certify this information on behalf of the Recipient. I certify to the best of my knowledge and belief that the information contained in this Pre-Award Information Sheet is true, complete and accurate. I understand that any false, fictitious, or fraudulent information, misrepresentations, half-truths, or omissions of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise. (18 U.S.C. §§ 1001 and 287, and 31 U.S.C. 3729-3730 and 3801-3812). I further understand and agree that (1) the statements and representations made herein are material to DOE's funding decision, and (2) I have a responsibility to update the disclosures during the period of performance of the award should circumstances change which impact the responses provided above.

Name: Brian C. Blad

Title: Mayor

Signature of Authorized Official: \_\_\_\_\_

Date: \_\_\_\_\_

I, the Principal Investigator named below, certify to the best of my knowledge and belief that the information contained in this Pre-Award Information Sheet is true, complete and accurate. I understand that any false, fictitious, or fraudulent information, misrepresentations, half-truths, or omissions of any material fact may subject me to criminal, civil, or administrative penalties for fraud, false statements, false claims or otherwise. (18 U.S.C. §§ 1001 and 287, and 31 U.S.C. 3729-3730 and 3801-3812). I further understand and agree that (1) the statements and representations made herein are material to DOE's funding decision, and (2) I have a responsibility to update the disclosures during the period of performance of the award should circumstances change which impact the responses provided above.

Name: Christine Howe

Title:

**Grants Manager**

---

Signature of Principal  
Investigator:

---

Date:

---

## ADDITIONAL INFORMATION

This information will assist DOE in determining: 1) cognizance; 2) whether the Recipient has adequate internal financial and management controls; and 3) whether the Recipient has an adequate accounting system. Generally, cognizance means that an organization has a Federal oversight agency (cognizant agency). Cognizance of an organization is used for many purposes including: determining which agency is responsible for verifying correct allocation of indirect rates to incurred costs; issuing the Provisional and Final Indirect Rate Agreements; and ordering audits. Adequate internal controls and accounting systems are essential to ensure that the Recipient's costs are correctly estimated, recorded, and billed. The Recipient has the responsibility to ensure that these systems are in place. The cognizant Agency has the responsibility for verifying these systems through audits or other methods.

For additional information, please visit <https://www.dcaa.mil>. Please refer specifically to the "Pre-award Accounting System Adequacy Checklist" under CUSTOMERS-->Checklists and Tools.

Cognizance is determined by TOTAL Federal award/contract dollars received by the Recipient/Contractor from all Federal agencies. This information is used to determine which Federal agency has the largest preponderance of funding and is cognizant. Once a Federal agency assumes cognizance for a contractor, it should remain cognizant for at least 5 years to ensure continuity and ease of administration.

Cognizance related duties are the responsibility of the Cognizant Federal Agency (CFA). The CFA is the Federal agency (e.g., Department of Defense, Department of Energy, Navy, etc.) that provided the preponderance (largest amount) of funding for your awards, across all federal agencies. It is very important to confirm that you work with the correct office.

**General Rule of Thumb:** Department of Health & Human Services (DHHS) is usually the CFA for Universities, Cities, States, and Counties. DHHS cognizance is not usually transferred.

If it is determined that the Department of Energy/Golden Field Office (GO) is the Cognizant Federal Office, the Recipient will have the following ANNUAL responsibilities:

1. Submit a Certified Annual Incurred Cost Claim (ICE Model – see #3 below) to the GO Cost/Price mailbox ([CostPrice@ee.doe.gov](mailto:CostPrice@ee.doe.gov)). **This should represent the total organization's costs (representing the Company General Ledger), not just the Recipient's DOE award(s).**
2. Due Date: 180 days after the Recipient's fiscal year end.
3. For an example of the ICE Model, please visit <https://www.dcaa.mil>. Under "CUSTOMERS->Checklists and Tools", click on ICE (Incurred Cost Electronically) Model and download the ICE model.

Once the information is received, GO will have the responsibility of providing your organization with an annual indirect rate agreement. This indirect rate must be used on all Federal grants and contracts.

If it is determined that GO is not the Cognizant Federal Office, the Recipient should contact the Cognizant Office for additional instructions.

## ANNUAL AUDIT REQUIREMENTS

### Independent (Single & Compliance) Audit Requirements

**2 CFR 200, Section F** located at:

<http://www.ecfr.gov/cgi-bin/text-idx?SID=6e187b05cfeca4f534c659f20983b14e&mc=true&node=pt2.1.200&rgn=div5>

**For-Profits: 2 CFR 910, Section F** located at:

<http://www.ecfr.gov/cgi-bin/text-idx?node=pt2.1.910&rgn=div5>

Below are excerpts from Section F.

#### Audit requirements.

- (a) Audit required. A non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single (program-specific, *not applicable for For-Profits*) or compliance audit conducted for that year in accordance with the provisions of this part.
- (b) *Single* audit. A non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single audit conducted in accordance with §200.514 - Scope of audit except when it elects to have a program-specific audit conducted in accordance with paragraph (c) of this section.
- (b) *Compliance* audit. (1) If a for-profit entity has one or more DOE awards with expenditures of \$750,000 or more during the for-profit entity's fiscal year, they must have a compliance audit for each of the awards with \$750,000 or more in expenditures. A compliance audit should comply with the applicable provisions in §910.514—Scope of Audit. The remaining awards do not require, individually or in the aggregate, a compliance audit.
- (c) Program-specific audit election. (*Not applicable to For-Profits*). When an auditee expends Federal awards under only one Federal program (excluding R&D) and the Federal program's statutes, regulations, or the terms and conditions of the Federal award do not require a financial statement audit of the auditee, the auditee may elect to have a program-specific audit conducted in accordance with §200.507 Program-specific audits. A program-specific audit may not be elected for R&D unless all of the Federal awards expended were received from the same Federal agency, or the same Federal agency and the same pass-through entity, and that Federal agency, or pass-through entity in the case of a subrecipient, approves in advance a program-specific audit.
- (d) Exemption when Federal awards expended are less than \$750,000. A non-Federal entity that expends less than \$750,000 during the non-Federal entity's fiscal year in Federal awards is exempt from Federal audit requirements for that year, except as noted in §200.503 Relation to other audit requirements, but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and Government Accountability Office (GAO).
- (e) Federally Funded Research and Development Centers (FFRDC). Management of an auditee that owns or operates a FFRDC may elect to treat the FFRDC as a separate entity for purposes of this part.
- (f) Subrecipients and Contractors. An auditee may simultaneously be a recipient, a subrecipient, and a contractor. Federal awards expended as a recipient or a subrecipient are subject to audit under this part. The payments received for goods or services provided as a contractor are not Federal awards. Section §200.331 Subrecipient and contractor determinations sets forth the considerations in determining whether payments constitute a Federal award or a payment for goods or services provided as a contractor.

(g) Compliance responsibility for contractors. In most cases, the auditee's compliance responsibility for contractors is only to ensure that the procurement, receipt, and payment for goods and services comply with Federal statutes, regulations, and the terms and conditions of Federal awards. Federal award compliance requirements normally do not pass through to contractors. However, the auditee is responsible for ensuring compliance for procurement transactions which are structured such that the contractor is responsible for program compliance or the contractor's records must be reviewed to determine program compliance. Also, when these procurement transactions relate to a major program, the scope of the audit must include determining whether these transactions are in compliance with Federal statutes, regulations, and the terms and conditions of Federal awards.

(h) For-profit *subrecipient*. Since this part does not apply to for-profit subrecipients, the pass-through entity is responsible for establishing requirements, as necessary, to ensure compliance by for-profit subrecipients. The agreement with the for-profit subrecipient must describe applicable compliance requirements and the for-profit subrecipient's compliance responsibility. Methods to ensure compliance for Federal awards made to for-profit subrecipients may include pre-award audits, monitoring during the agreement, and post-award audits. See also §200.332 Requirements for pass-through entities.

ADMINISTRATIVE AND LEGAL REQUIREMENTS DOCUMENT (ALRD)



U.S. Department of Energy  
Office of the Under Secretary for Infrastructure  
Golden Field Office

Energy Efficiency and Conservation Block Grant (EECBG) Program  
Infrastructure Investment and Jobs Act (IIJA) of 2021

Energy Efficiency and Conservation Block Grant (EECBG) Program Formula Awards  
(EECBG Program Formula) - IIJA ALRD

CFDA Number: 81.128, Energy Efficiency and Conservation Block Grant Program

**PURPOSE**

The purpose of this Administrative and Legal Requirements Document (ALRD) is to provide guidance to States, Local Governments, and Indian tribes for preparation of EECBG Program Formula Grant applications submitted in response to Section 40552 of the Infrastructure Investment and Jobs Act (IIJA), also known as the Bipartisan Infrastructure Law (BIL).

**Issue Date: January 18, 2023**

**Application Due Dates:**

- All Applicants: *Pre-Award Information Sheet* due by **April 28, 2023**, 8:00 PM Eastern Time ET
- For State and Territory Applicants Only: *Application* due by **July 31, 2023**, at 8:00 PM ET
- Local and Tribal Government Applicants Only: *Application* due by **January 31, 2024**, at 8:00 PM ET

DOE will accept applications using four application periods. Applications meeting DOE priority criteria (see application instructions section 6.2 for more information) may apply in application Periods 1 and 2. All other applicants may apply in Periods 3 and 4:

Application Period	Application Submittal Timeframe	Applications Accepted
1	January 18, 2023 – April 28, 2023	State, Local and Tribal applications in one or more priority categories
2	June 1, 2023 – July 31, 2023	
3	Sept 1, 2023 – Oct 31, 2023	All Other Local and Tribal applications
4	December 1, 2023 – Jan 31, 2024	

**Note: Due to the volume of applications, DOE may not review your application immediately upon submittal. Once a complete application is received and reviewed by DOE, it typically takes up to 60 days to process an EECBG Program formula grant. Applications are not necessarily considered complete upon submission. For additional information on application requirements, see Section 6.0 of the application instructions.**

## REGISTRATION/SUBMISSION REQUIREMENTS

### **Registration Requirements (GRANT APPLICANTS ONLY): Allow at least 21 days to complete.**

If you have not already registered, there are several one-time actions grant applicants must complete:

1. Register with the System for Award Management (SAM) at <https://www.sam.gov>. Designating an Electronic Business Point of Contact (EBiz POC) and obtaining a special password called an MPIN are important steps in SAM registration. **Please update your SAM registration annually.** Upon registration, SAM will automatically assign a Unique Entity ID (UEI).

Unique Entity ID and System for Award Management (SAM) — Each applicant (unless the applicant is excepted from those requirements under 2 CFR 25.110) is required to: (1) be registered in the SAM at <https://www.sam.gov> before submitting its application, (2) provide a valid UEI number in its application; and (3) continue to maintain an active SAM registration with current information at all times during which it has an active federal award or an application or plan under consideration by a federal awarding agency. DOE may not make a federal award to an applicant until the applicant has complied with all applicable UEI and SAM requirements. If an applicant has not fully complied with the requirements by the time DOE is ready to make a federal award, the DOE will determine that the applicant is not qualified to receive a federal award and use that determination as a basis for making a federal award to another applicant.

**NOTE: Due to the high demand of UEI requests and SAM registrations, entity legal business name and address validations are taking longer than expected to process. Entities should start the UEI and SAM registration process as soon as possible. If entities have technical difficulties with the UEI validation or SAM registration process, they should utilize the HELP feature on SAM.gov. SAM.gov will work on entity service tickets in the order in which they are received and asks that entities not create multiple service tickets for the same request or technical issue. Additional entity validation resources can be found here: [GSAFSD Tier 0 Knowledge Base - Validating your Entity](#).**

2. Register in FedConnect to receive and acknowledge your award at <https://www.fedconnect.net/>. See the Quick Start Guide at [https://www.fedconnect.net/FedConnect/Marketing/Documents/FedConnect\\_Ready\\_Set\\_Go.pdf](https://www.fedconnect.net/FedConnect/Marketing/Documents/FedConnect_Ready_Set_Go.pdf) For additional questions, email [support@fedconnect.net](mailto:support@fedconnect.net) or call 1-800-899-6665.
3. Have a login for the Performance and Accountability for Grants in Energy (PAGE) System at <https://www.page.energy.gov/default.aspx> in order to submit your application. For questions regarding PAGE, refer to the Help Menu in PAGE or contact the PAGE hotline at [PAGE-Hotline@ee.doe.gov](mailto:PAGE-Hotline@ee.doe.gov) or 1-866-492-4546.

**Electronic Signatures:** Acknowledgement of award documents by the Grantee's authorized representative through electronic systems used by the Department of Energy, including FedConnect, constitutes the Grantee's acceptance of the terms and conditions of the award. Acknowledgement via FedConnect by the Grantee's authorized representative constitutes the Grantee's electronic signature.

**IMPORTANT:** The electronically signed Assistance Agreement with attached award documents distributed via FedConnect is the formal authorization and approval from the Contracting Officer. Grantees may not rely on PAGE as the formal authorization and approval. Award documents in the initial award and any modifications to the award must be reviewed and acknowledged by the Grantee in FedConnect.



## TABLE OF CONTENTS

<b>PART I AUTHORITY</b> .....	3
<b>PART II AWARD INFORMATION</b> .....	3
A. TYPE OF AWARD INSTRUMENT.....	3
B. ESTIMATED FUNDING.....	3
C. PERIOD OF PERFORMANCE .....	4
<b>PART III ELIGIBILITY INFORMATION</b> .....	4
A. ELIGIBLE APPLICANTS .....	4
B. COST MATCHING .....	4
<b>PART IV APPLICATION AND SUBMISSION INFORMATION</b> .....	4
A. CONTENT AND FORM OF APPLICATION: GRANTS.....	4
<b>PART V AWARD ADMINISTRATION INFORMATION</b> .....	5
A. AWARD NOTICES.....	5
B. FUNDING RESTRICTIONS .....	5
C. REPORTING .....	5
D. ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS.....	6
<b>PART VI OTHER INFORMATION</b> .....	10
A. INTERGOVERNMENTAL REVIEW .....	10
B. GOVERNMENT RIGHT TO REJECT OR NEGOTIATE.....	11
C. COMMITMENT OF PUBLIC FUNDS .....	11
D. LOBBYING RESTRICTIONS.....	11
E. EXPENDITURE RESTRICTIONS.....	11
F. MODIFICATIONS.....	11
G. PROPRIETARY APPLICATION INFORMATION .....	11
H. PROTECTED PERSONALLY IDENTIFIABLE INFORMATION .....	12
<b>PART VII REFERENCE MATERIAL</b> .....	13

## **PART I AUTHORITY**

The EECBG Program is authorized by Title V, Subtitle E of the Energy Independence and Security Act of 2007 (EISA), as amended,<sup>1</sup> and signed into Public Law (PL 110-140) on December 19, 2007. All awards made under this program shall comply with applicable laws and regulations including, but not limited to, 2 CFR Part 200 as amended by 2 CFR Part 910 and Section 40552 of the Infrastructure Investment and Jobs Act (IIJA) (PL 117-58).

## **PART II AWARD INFORMATION**

### **A. TYPE OF AWARD INSTRUMENT**

DOE will award grants or vouchers.

Entities eligible for formula EECBG Program allocations, including state, local, and Tribal governments can apply to DOE for an EECBG Program award. States are eligible to apply for a grant. Local and Tribal governments can apply for either a grant or a voucher. Vouchers may be used for technical assistance and/or equipment rebates. Local governments and Tribal entities must **choose either a grant or voucher and must allocate 100% of their EECBG Program funding to either a voucher or a grant.** States are not eligible to apply for a voucher. Local and Tribal governments are encouraged to indicate whether they are choosing a grant or a voucher as soon as possible, but no later April 28, 2023, by submitting the Pre-Award Information Sheet. See “EECBG Program Application Instructions” for additional details.

### **B. ESTIMATED FUNDING**

Entities shall administer DOE funds received under the EECBG Program in accordance with Federal rules and regulations as well as applicable state, local or Tribal policies and procedures. The Grantee is to manage Federal Funds in a prudent, effective, and efficient manner to accomplish program objectives.

The Infrastructure Investment and Jobs Act, Section 40552 provides \$550 million for EECBG Program for fiscal year 2022, to remain available until expended. DOE will distribute \$440 million in formula and competitive EECBG Program funding to eligible units of local government, states, and Indian tribes. Of the amount appropriated by IIJA, DOE will allocate funds as prescribed in section 543 of EISA:

- 34% to eligible units of local government-alternative 1 through formula grants;
- 34% to eligible units of local government-alternative 2 through formula grants;
- 28% to states through formula grants;
- 2% to Indian tribes through formula grants; and
- 2% for competitive grants to ineligible local governments and Indian tribes.<sup>2</sup>

IIJA allocations for EECBG Program direct formula awards from the DOE, as adjusted, are based on the following funding amounts:

- \$299,200,000 for formula awards to eligible units of local government
  - \$149,600,000 to eligible units of local government-alternative 1
  - \$149,600,000 to eligible units of local government-alternative 2
- \$123,200,000 for formula awards to states

---

<sup>1</sup> 42 U.S.C. 17151 et seq.

<sup>2</sup> 42 U.S.C. 17153(a).

- Each state (except for those noted as exempt in Section 6.3.E of the application instructions) is required to pass not less than 60% of its allocation through to cities and counties within the state that are ineligible for direct formula grants from DOE.
- \$8,800,000 for formula awards to eligible Indian tribes

DOE also intends to allocate \$8.8 million for competitive grants available to units of local government (including Indian tribes) and consortia of units of local government that are not eligible to receive direct formula grants from DOE. Availability of competitive grants will be announced through a separate future Funding Opportunity Announcement (FOA).

Prior to distributing funding to eligible entities, DOE intends to utilize \$110 million to ensure delivery of an effective and efficient EECBG Program and to provide technical assistance to eligible entities throughout the lifetime of the EECBG Program.

**Funding Amount:** Funding allocations to states, local governments, and Indian tribes are included as attachments to this document.

### **C. PERIOD OF PERFORMANCE**

Grants will consist of a **3-year** Project and Budget Period for States, and a **2-year** Project and Budget Period for Local Governments and Indian tribes. Vouchers to Local Governments and Indian tribes will be for a **2-year** Project and Budget Period. Recipients may request a no-cost time extension (or a modification to shorten the period of performance) of their grant or voucher.

## **PART III ELIGIBILITY INFORMATION**

### **A. ELIGIBLE APPLICANTS**

In accordance with Section 543 of EISA, eligible entities for EECBG Program formula allocations include States (including U.S. Territories, and the District of Columbia, hereinafter referred to as “states”), local governments, and Indian tribes.<sup>3</sup> Eligibility for this award is restricted to eligible states, local governments and Indian tribes applying for formula grant financial assistance under the EECBG Program. No other entity types may be considered for this funding.

### **B. COST MATCHING**

Cost match is not required for these awards.

## **PART IV APPLICATION AND SUBMISSION INFORMATION**

### **A. CONTENT AND FORM OF APPLICATION: GRANTS**

The application must be submitted via the PAGE online system at <https://www.page.energy.gov/default.aspx>. DOE reserves the right to request additional or clarifying information for any reason deemed necessary. Applications will be reviewed for consistency with the EECBG Program objectives.

---

<sup>3</sup> 42 U.S.C. 17153(a).

The EECBG Program Grant Application consists of:

- Standard Form 424 (Application form)
- Standard Form 424A (Budget summary)
- Budget Justification
- Energy Efficiency and Conservation Strategy
- EECBG Program Activity File
- Required certifications
- Electronic copy (or web link) to the applicant's latest single or program-specific audit as required by 2 CFR 200 Subpart F
- An environmental questionnaire (if applicable)
- Pre-Award Information Sheet

**Please see Section 6.3 in the Application Instructions for more detail.**

Note: applicants choosing a Voucher do not need to submit a grant application at this time. Additional Guidance on the Voucher application process will be forthcoming from DOE and made available on the following website, <https://www.energy.gov/clean-energy-infrastructure/energy-efficiency-and-conservation-block-grant-program>.

## **PART V AWARD ADMINISTRATION INFORMATION**

### **A. AWARD NOTICES**

An Assistance Agreement issued by the Contracting Officer is the authorizing award document. The Assistance Agreement normally includes, either as an attachment or by reference: (1) Special Terms and Conditions; (2) Application as approved by DOE; (3) DOE Financial Assistance regulations at 2 CFR Part 200 as amended by 2 CFR Part 910; (4) National Policy Assurances To Be Incorporated As Award Terms; (5) Budget Summary; (6) Intellectual Property Provisions; (7) Federal Assistance Reporting Checklist, which identifies the Reporting Requirements; and (8) National Environmental Policy Act (NEPA) Determination. These documents are sent to the Recipient via FedConnect.

### **B. FUNDING RESTRICTIONS**

All expenditures must be allowable, allocable, and reasonable in accordance with the applicable Federal cost principles. Refer to the following Federal cost principles for more information: 2 CFR Part 200 as amended by 2 CFR Part 910.

Under 2 CFR Part 200 as amended by 2 CFR Part 910 regulations, the cost principles are contained in Subpart E—Cost Principles within 2 CFR Part 200.

### **C. REPORTING**

Reporting requirements are identified on the Federal Assistance Reporting Checklist (FARC), attached to the award agreement.

Awards initiated since 10/1/2010 are subject to the requirement of Reporting Subawards and Executive Compensation to comply with the Federal Funding and Transparency Act of 2006 (FFATA). Additional information about this requirement can be found in the Special Terms and Conditions of the recipient's award, at <https://www.fsr.gov>, and in 2 CFR Part 170.

Additional information regarding reporting will be available from the EECBG Program website, at: <https://www.energy.gov/clean-energy-infrastructure/energy-efficiency-and-conservation-block-grant-program>.

## **D. ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS**

### **1. Administrative Requirements**

- The administrative requirements for DOE grants and cooperative agreements are contained in:
  - [2 CFR Part 200](#) as amended by [2 CFR Part 910](#) and [10 CFR Part 420](#)
  - [2 CFR Part 25](#) – Universal Identifier and Central Contractor Registration
  - [2 CFR Part 170](#) – Reporting Subaward and Executive Compensation

The Electronic Code of Federal Regulations is found at [www.ecfr.gov](http://www.ecfr.gov).

### **2. National Policy Requirements**

The National Policy Assurances to be incorporated as Award Terms are located at <http://www.nsf.gov/awards/managing/rtc.jsp>.

Intellectual Property Provisions. The standard DOE financial assistance intellectual property provisions applicable to the various types of recipients are located at <http://energy.gov/gc/standard-intellectual-property-ip-provisions-financial-assistance-awards>

### **3. Environmental Review in Accordance with National Environmental Policy Act (NEPA)**

The Office of the Under Secretary for Infrastructure’s decision whether and how to distribute Federal funds is subject to the National Environmental Policy Act (42 U.S.C. 4321, et seq.). NEPA requires Federal agencies to integrate environmental values into their decision-making processes by considering the potential environmental impacts of their proposed actions.

For further information on NEPA requirements, see section 6.3.G in the Application Instructions.

### **4. Build America, Buy America Requirements**

Federally assisted projects which involve infrastructure work, undertaken by applicable recipient types, require that:

- All iron, steel, and manufactured products used in the infrastructure work are produced in the United States; and
- All construction materials used in the infrastructure work are manufactured in the United States.

Whether a given project must apply this requirement is project-specific and dependent on several factors, such as the recipient’s entity type, whether the work involves “infrastructure,” as that term is defined in Section 70914 of the BIL, and whether the infrastructure in question is publicly owned or serves a public function.

Applicants are strongly encouraged to consult the Build America, Buy America Guidance and Resources<sup>4</sup> to determine whether their project may have to apply this requirement, both to make an early determination as to the need of a waiver, as well as to determine what impact, if any, this requirement may have on the proposed project’s budget.

---

<sup>4</sup> See: <https://www.madeinamerica.gov> and <https://www.whitehouse.gov/omb/management/made-in-america/build-america-buy-america-act-federal-financial-assistance/>

## 5. Definitions

a. For purposes of the Buy America requirements, the following definitions apply:

- **Construction materials** includes an article, material, or supply—other than an item of primarily iron or steel; a manufactured product; cement and cementitious materials; aggregates such as stone, sand, or gravel; or aggregate binding agents or additives—that is or consists primarily of:
  - non-ferrous metals;
  - plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables);
  - glass (including optic glass);
  - lumber; or
  - drywall.
  
- **Infrastructure** includes, at a minimum, the structures, facilities, and equipment for, in the United States, roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property. Infrastructure includes facilities that generate, transport, and distribute energy.  
  
In addition to the above, the infrastructure in question must be publicly owned or must serve a public function; privately owned infrastructure that is solely utilized for private use is not considered “infrastructure” for purposes of Buy America applicability. The Agency, not the applicant, will have the final say as to whether a given project includes infrastructure, as defined herein. Accordingly, in cases where the “public” nature of the infrastructure is unclear, DOE strongly recommends that applicants complete their full application with the assumption that Buy America requirements will apply to the proposed project.
  
- **Project** means the construction, alteration, maintenance, or repair of infrastructure in the United States.

b. *Buy America Requirements for Infrastructure Projects (“Buy America” Requirements)*

In accordance with Section 70914 of the BIL, none of the project funds (includes federal share and recipient cost share) may be used for a project for infrastructure unless:

- (1) all iron and steel used in the project are produced in the United States—this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
  
- (2) all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and

(3) all construction materials<sup>5</sup> are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States. The Buy America requirements only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor do Buy America requirements apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project, but are not an integral part of the structure or permanently affixed to the infrastructure project.

These requirements must flow down to all sub-awards, all contracts, subcontracts, and purchase orders for work performed under the proposed project. For additional information related to the application and implementation of these Buy America requirements, please see OMB Memorandum M-22-11, issued April 18, 2022: <https://www.whitehouse.gov/wp-content/uploads/2022/04/M-22-11.pdf>.

### *c. DOE Submission Requirements for Full Application*

Within the activity file, applicants must provide a short statement on whether the project will involve the construction, alteration, and/or repair of infrastructure in the United States. The ultimate determination about whether a project includes infrastructure remains with DOE. However, the applicant’s statement will assist project planning and integration of domestic preference requirements, which may impact the project’s proposed budget.

### **Waivers<sup>6</sup>**

In limited circumstances, DOE may waive the application of the Buy America requirements where DOE determines that:

- (1) applying the Buy America requirements would be inconsistent with the public interest;
- (2) the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality;
- or,
- (3) the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent.

If an applicant is seeking a waiver of the Buy America requirements, it must include a written waiver request with the Full Application. A waiver request must include:

- A detailed justification for the use of “non-domestic” iron, steel, manufactured products, or construction materials to include an explanation as to how the non-domestic item(s) is essential to the project
- A certification that the applicant or recipient made a good faith effort to solicit bids for domestic products supported by terms included in requests for proposals, contracts, and nonproprietary communications with potential suppliers
- Applicant /Recipient name and Unique Entity Identifier (UEI)
- Total estimated project cost, DOE and cost-share amounts

---

<sup>5</sup> Excludes cement and cementitious materials, aggregates such as stone, sand, or gravel, or aggregate binding agents or additives.

<sup>6</sup> As of the date this guidance was written, OMB guidance on waivers and the waiver process is still relatively sparse. As more information is provided to the Agencies, this guidance will be updated.

- Project description and location (to the extent known)
- List and description of iron or steel item(s), manufactured goods, and construction material(s) the applicant or recipient seeks to waive from Domestic Content Procurement Preference requirement, including name, cost, country(ies) of origin (if known), and relevant PSC and NAICS code for each.
- Waiver justification including due diligence performed (e.g., market research, industry outreach) by the applicant or recipient
- Anticipated impact if no waiver is issued DOE may require additional information before considering the waiver request.

DOE may require additional information before considering the waiver request. See [DOE Buy America Requirement Waiver Requests | Department of Energy](#)

Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the Made in America Office. There may be instances where an award qualifies, in whole or in part, for an existing waiver described at <https://www.madeinamerica.gov/waivers/>.

## **5. Davis Bacon Prevailing Wage Requirements**

Projects awarded under this ALRD will be funded under Division D of the BIL. Accordingly, per section 41101 of that law, all laborers and mechanics employed by the applicant, subrecipients, contractors or subcontractors in the performance of construction, alteration, or repair work funded in whole or in part under this ALRD shall be paid wages at rates not less than those prevailing on similar projects in the locality, as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code commonly referred to as the “Davis-Bacon Act” (DBA).

By accepting an award as a result of this ALRD, the Applicant is acknowledging the DBA requirements above, and confirming that the laborers and mechanics performing construction, alteration, or repair work on projects funded in whole or in part by awards made as a result of this ALRD are paid or will be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by subchapter IV of Chapter 31 of Title 40, United States Code (Davis-Bacon Act). Applicants acknowledge that they will comply with all of the Davis-Bacon Act requirements, including but not limited to:

- (1) Ensuring that the wage determination(s) and appropriate Davis-Bacon clauses and requirements are flowed down to and incorporated into any applicable subcontracts or subrecipient awards.
- (2) Ensuring that if wage determination(s) and appropriate Davis-Bacon clauses and requirements are improperly omitted from contracts and subrecipient awards, the applicable wage determination(s) and clauses are retroactively incorporated to the start of performance.
- (3) Being responsible for compliance by any subcontractor or subrecipient with the Davis-Bacon labor standards.
- (4) Receiving and reviewing certified weekly payrolls submitted by all subcontractors and subrecipients for accuracy and to identify potential compliance issues.
- (5) Maintaining original certified weekly payrolls for 3 years after the completion of the project and must make those payrolls available to the DOE or the Department of Labor upon request, as required by 29 CFR 5.6(a)(2).



(6) Conducting payroll and job-site reviews for construction work, including interviews with employees, with such frequency as may be necessary to assure compliance by its subcontractors and subrecipients and as requested or directed by the DOE.

(7) Cooperating with any authorized representative of the Department of Labor in their inspection of records, interviews with employees, and other actions undertaken as part of a Department of Labor investigation.

(8) Posting in a prominent and accessible place the wage determination(s) and Department of Labor Publication: WH-1321, Notice to Employees Working on Federal or Federally Assisted Construction Projects.

(9) Notifying the Contracting Officer of all labor standards issues, including all complaints regarding incorrect payment of prevailing wages and/or fringe benefits, received from the recipient, subrecipient, contractor, or subcontractor employees; significant labor standards violations, as defined in 29 CFR 5.7; disputes concerning labor standards pursuant to 29 CFR parts 4, 6, and 8 and as defined in FAR 52.222-14; disputed labor standards determinations; Department of Labor investigations; or legal or judicial proceedings related to the labor standards under this Contract, a subcontract, or subrecipient award.

(10) Preparing and submitting to the Contracting Officer, the Office of Management and Budget Control Number 1910-5165, Davis Bacon Semi-Annual Labor Compliance Report, by April 21 and October 21 of each year. Form submittal will be administered through the iBenefits system (<https://doeibenefits2.energy.gov>) or its successor system.

Recipients of funding under this ALRD will also be required to undergo DBA compliance training and to maintain competency in DBA compliance. The Contracting Officer will notify the recipient of any DOE sponsored DBA compliance trainings. The U.S. Department of Labor (“DOL”) offers free Prevailing Wage Seminars several times a year that meet this requirement, at <https://www.dol.gov/agencies/whd/government-contracts/construction/seminars/events>.

For additional guidance on how to comply with the DBA provisions and clauses, see <https://www.dol.gov/agencies/whd/government-contracts/construction> and <https://www.dol.gov/agencies/whd/government-contracts/protections-for-workers-in-construction>.

## **PART VI OTHER INFORMATION**

### **A. INTERGOVERNMENTAL REVIEW**

Program Subject to Executive Order 12372

This program is subject to Executive Order 12372 (Intergovernmental Review of Federal Programs) and the regulations at 10 CFR Part 1005.

One of the objectives of the Executive Order is to foster an intergovernmental partnership and a strengthened federalism. The Executive Order relies on processes developed by state and local governments for coordination and review of proposed Federal financial assistance.

Applicants should contact the appropriate State Single Point of Contact (SPOC) to find out about, and to comply with, the state's process under Executive Order 12372. The names and addresses of the SPOCs are listed on the Web site of the Office of Management and Budget at Intergovernmental Review (SPOC List) ([whitehouse.gov](http://whitehouse.gov)) Intergovernmental Review (SPOC List) (whitehouse.gov).

**B. GOVERNMENT RIGHT TO REJECT OR NEGOTIATE**

DOE reserves the right, without qualification, to reject any or all applications received in response to this ALRD 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. LOBBYING RESTRICTIONS**

By accepting funds under this award, you agree that none of the funds obligated on the award shall be expended, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913. This restriction is in addition to those prescribed elsewhere in statute and regulation.

**E. EXPENDITURE RESTRICTIONS**

By accepting funds under this award, you agree that none of the funds obligated on the award shall be expended, directly or indirectly, to support or oppose union organizing.

**F. MODIFICATIONS**

Modifications to this ALRD will be processed and disseminated in the same manner as other EECBG Program Notices.

**G. PROPRIETARY APPLICATION INFORMATION**

DOE will use data and other information contained in applications strictly for evaluation purposes. Applicants should not include confidential, proprietary, or privileged information in their applications unless such information is necessary to convey an understanding of the proposed project.

Applications containing confidential, proprietary, or privileged information must be marked as described below. Failure to comply with these marking requirements may result in the disclosure of the unmarked information under the Freedom of Information Act or otherwise. The U.S. Government is not liable for the disclosure or use of unmarked information and may use or disclose such information for any purpose.

The cover sheet of the application must be marked as follows and identify the specific pages containing confidential, proprietary, or privileged information:

Please be aware that all information provided to DOE (including confidential proprietary or confidential commercial information) is subject to public release under the Freedom of Information Act (FOIA). (5 U.S.C. § 552(a) (3) (A) (2006), amended by OPEN Government Act of 2007, Pub. L. No. 110175, 121 Stat. 2524). When a FOIA request covers information submitted to DOE by an applicant, and the cognizant DOE FOIA Officer cannot make an independent determination regarding the public releasability of this information, the cognizant DOE FOIA Officer will contact the submitter and ask for comment regarding the redaction of information under one or more of the nine FOIA exemptions. However, the cognizant DOE FOIA Officer will make the final decision regarding FOIA redactions. Submitters are given a minimum of 7 days to provide redaction comments and if DOE disagrees with the submitter's comment, DOE will notify the submitter of the intended public release no less than seven (7) days prior to the public disclosure of the information in question." (10 CFR Part 1004.11).

## H. **PROTECTED PERSONALLY IDENTIFIABLE INFORMATION**

In responding to this ALRD, Applicants must ensure that Protected Personally Identifiable Information (PII) is not included in the application documents. PII is defined by the Office of Management and Budget (OMB) and DOE as:

Any information about an individual maintained by an agency, including but not limited to, education, financial transactions, medical history, and criminal or employment history and information that can be used to distinguish or trace an individual's identity, such as their name, social security number, date and place of birth, mother's maiden name, biometric records, etc., including any other personal information that is linked or linkable to an individual.

This definition of PII can be further defined as: (1) Public PII and (2) Protected PII.

**Public PII:** PII found in public sources such as telephone books, public websites, business cards, university listing, etc. Public PII includes first and last name, address, work telephone number, email address, home telephone number, and general education credentials.

**Protected PII:** PII that requires enhanced protection. This information includes data that if compromised could cause harm to an individual such as identity theft.

Listed below are examples of Protected PII that Applicants must not include in their application.

- Social Security Numbers in any form
- Place of birth associated with an individual
- Date of birth associated with an individual
- Mother's maiden name associated with an individual
- Biometric record associated with an individual
- Fingerprint
- Iris scan
- DNA
- Medical history information associated with an individual
- Medical conditions, including history of disease
- Metric information, e.g., weight, height, blood pressure
- Criminal history associated with an individual
- Employment history and other employment information associated with an individual
- Ratings
- Disciplinary actions
- Performance elements and standards (or work expectations) are PII when they are so intertwined with performance appraisals that their disclosure would reveal an individual's performance appraisal
- Financial information associated with an individual
- Credit card numbers
- Bank account numbers
- Security clearance history or related information (not including actual clearances held)

**PART VII REFERENCE MATERIAL**

**IIJA EECBG Program Formula Allocations**

**IIJA EECBG Program Application Instructions**

**IIJA EECBG Program Formula Pre-Award Information Sheet**

**IIJA EECBG Program Energy Efficiency and Conservation Strategy Templates**

**SUBJECT: INFRASTRUCTURE INVESTMENT AND JOBS ACT OF 2021 ENERGY  
EFFICIENCY AND CONSERVATION BLOCK GRANT PROGRAM FORMULA GRANT  
APPLICATION INSTRUCTIONS**

**TABLE OF CONTENTS**

**1.0 PURPOSE**..... 3

**2.0 SCOPE** ..... 3

    2.1 ELIGIBLE APPLICANTS ..... 3

    2.2 ALLOWABLE ACTIVITIES..... 6

    2.3 EECBG PROGRAM FORMULA AWARDS: GRANTS AND VOUCHERS..... 8

    2.4 TEAMING AND PARTNERSHIPS ..... 10

**3.0 LEGAL AUTHORITY** ..... 11

**4.0 PROGRAM OVERVIEW & GOALS**..... 11

    4.1 DIVERSITY, EQUITY, INCLUSION, AND ACCESSIBILITY ..... 12

    4.2 JUSTICE40 INITIATIVE..... 13

    4.3 JOB GROWTH AND QUALITY ..... 16

    4.4 TECHNICAL ASSISTANCE..... 16

    4.5 BLUEPRINTS ..... 17

**5.0 FUNDING** ..... 18

    5.1 IIJA FORMULA ALLOCATIONS ..... 18

    5.2 COST MATCH..... 18

    5.3 PROGRAM INCOME ..... 19

**6.0 APPLICATION INSTRUCTIONS FOR IIJA EECBG PROGRAM FORMULA GRANTS**..... 19

    6.1 OVERVIEW ..... 19

    6.2 APPLICATION REVIEW PROCESS..... 20

    6.3 EECBG PROGRAM GRANT AWARD APPLICATION ..... 20

        6.3. A. STANDARD FORM 424 (APPLICATION)..... 21

        6.3. B. STANDARD FORM 424A (BUDGET) ..... 21

        6.3. C. ENERGY EFFICIENCY AND CONSERVATION STRATEGY ..... 23

        6.3. D. EECBG PROGRAM ACTIVITIES FILE ..... 24

        6.3. E. LIMITATIONS ..... 24

        6.3. F. OTHER FORMS ..... 25

        6.3. G. NATIONAL ENVIRONMENTAL POLICY ACT INFORMATION ..... 26

<b>7.0. APPLICATION FORMAT AND CHANGES (FORMULA GRANTS)</b> .....	31
7.1. A. CONTENT AND FORM OF APPLICATION.....	31
7.1. B. OTHER SUBMISSION AND REGISTRATION REQUIREMENTS.....	31
7.1. C. QUESTIONS/AGENCY CONTACTS.....	31
<b>8.0 REPORTING REQUIREMENTS</b> .....	31
<b>9.0 VOUCHERS</b> .....	32
9.1 PURPOSE.....	32
9.2 A. TECHNICAL ASSISTANCE VOUCHERS.....	32
9.2 B. VOUCHERS FOR EQUIPMENT REBATES.....	32
9.3 VOUCHER APPLICATION PROCESS.....	33
<b>10.0 CONCLUSION</b> .....	33
<b>APPENDIX 1: APPLICATION MATERIALS CHECKLIST</b> .....	36
<b>APPENDIX 2: BLUEPRINTS – TOPICS AND KEY ACTIVITIES WITH STREAMLINED REVIEWS</b> .....	37

## 1.0 PURPOSE

The Department of Energy (DOE) is establishing Formula Grant Application Instructions and management information for the Infrastructure Investment and Jobs Act (IIJA) Energy Efficiency and Conservation Block Grant (EECBG) Program, including (1) Administrative and Legal Requirements Document (ALRD), (2) IIJA Formula Allocations to States, Local Governments and Indian tribes, (3) IIJA Application Checklist, (4) IIJA EECBG Program Pre-Award Information Sheet, and (5), IIJA Energy Efficiency and Conservation Strategy Templates.

The EECBG Program assists eligible states, units of local government, and Indian tribes, as described below (herein called “entities” or “eligible entities”) in implementing strategies to:

- Reduce fossil fuel emissions in a manner that is environmentally sustainable and, to the maximum extent practicable, maximizes benefits for local and regional communities;
- Reduce the total energy use of the eligible entities; and
- Improve energy efficiency in the transportation sector, the building sector, and other appropriate sectors.<sup>1</sup>
- Build a clean and equitable energy economy that prioritizes disadvantaged communities and promotes equity and inclusion in workforce opportunities and deployment activities, consistent with the Justice40 Initiative.

These stated purposes describe the overall intent of the EECBG Program. Entities may develop various initiatives and projects that address one or more of the purposes and each activity an entity undertakes is not required to meet all of the stated purposes. Entities may choose from a range of eligible activities, as defined in Section 544 of the Energy Independence and Security Act of 2007<sup>2</sup>(EISA) as amended by Section 40552(a) of the IIJA (Public Law 117-58).

Each entity receiving EECBG Program funds (including State sub-recipients) is required to use the funds in a cost-effective manner that is of maximum benefit to the population of that entity and in a manner that will yield sustained long-term impacts in terms of energy, emission reductions, and equitable workforce and community investment opportunities. To these ends, DOE encourages entities to develop new and innovative approaches within the framework of the legislation and Program Guidance.

## 2.0 SCOPE

The provisions of this Program Notice apply to eligible entities applying for formula grant financial assistance under DOE’s EECBG Program with appropriations provided by the IIJA under Section 40552(b). The information in this Program Notice incorporates relevant provisions from the Code of Federal Regulations (CFR) applicable to financial assistance awards under the EECBG Program, including 2 CFR Part 200 as amended by 2 CFR Part 910 (the DOE Financial Assistance Rules) and the EECBG Statute, located at 42 U.S.C. Chapter 152, Subchapter IV, Part C.

These regulations are the official sources for program requirements.

## 2.1 ELIGIBLE APPLICANTS

In accordance with Section 543 of EISA, eligible entities for EECBG Program formula allocations include States, local governments, and Indian tribes.<sup>3</sup> Eligibility is restricted to eligible state, local, and Tribal governments applying for funding under the EECBG Program. The list of eligible entities and

---

<sup>1</sup> 42 U.S.C. 17152(b).

<sup>2</sup> 42 U.S.C. 17154.

<sup>3</sup> 42 U.S.C. 17153(a).

funding allocations are attached to the ALRD and available on the EECBG Program website at: <https://www.energy.gov/clean-energy-infrastructure/energy-efficiency-and-conservation-block-grant-program>.

### **State Government Eligibility**

For the purposes of the EECBG Program, there are 56 entities eligible for state formula grants. These are the 50 states, the District of Columbia, and the following five U.S. Territories: the Commonwealth of Puerto Rico, the U.S. Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands.

### **Local Government Eligibility**

Section 541(2) of EISA divides eligible units of local government into two categories, defined as “eligible unit of local government-alternative 1” (“local government-alternative 1”) and “eligible unit of local government-alternative 2” (“local government-alternative 2”).<sup>4</sup> DOE determined that 1,878 local governments are eligible for EECBG Program formula grants.

#### *Local Government-Alternative 1*

There are 1,878 local governments eligible under the definition of Local Government-Alternative 1 and meet the following criteria outlined in section 541(3)(A) of EISA:

- cities that are one of the top 10 most populous cities within their state or that have a population of at least 35,000; and
- counties that are one of the 10 most populous counties within their state or that have a population of more than 200,000.<sup>5</sup>

#### *Local Government-Alternative 2*

There are 1,032 local governments eligible under the definition of the Local Government-Alternative 2 and meet the following criteria outlined in section 541(3)(B) of EISA:

- cities with populations of at least 50,000; or
- counties with populations of at least 200,000.<sup>6</sup>

Local governments eligible for Local Government-Alternative 2 funding are also eligible for Local Government-Alternative 1 funding.

DOE used the U.S. Census Bureau’s 2020 Decennial Census Redistricting Data to determine the population of local governments. City and county governments that do not meet the eligibility requirements for direct formula grants from DOE are eligible for EECBG Program funds through the state in which they are located and can also apply for EECBG Program competitive grants from DOE. While EISA directs DOE to provide grants to cities and counties that qualify as eligible units of local government, EISA does not define “city” or “county.” DOE established the definitions of “city” and “county” in alignment with the eligibility criteria DOE used for the EECBG Program under the American Recovery and Reinvestment Act (ARRA), to the extent practicable.<sup>7</sup>

---

<sup>4</sup> 42 U.S.C. 17151(2).

<sup>5</sup> 42 U.S.C. 17151(3)(A).

<sup>6</sup> 42 U.S.C. 17151(3)(B).

<sup>7</sup> 71 FR 17461, 17462 (Apr. 15, 2009).



## Definition of “City”

For the purposes of the EECBG Program, DOE is defining “city” to include certain city-equivalent units of local government. Specifically, a city-equivalent unit of local government such as a town, village, or other municipality will be considered eligible if it is listed in the 2021 Census of Governments Survey as a currently incorporated entity, has a governance structure consisting of an elected official and governing body, is capable of carrying out the activities outlined in EISA, and meets the required population thresholds outlined in EISA. DOE used the 2022 Boundary and Annexation Survey Code Lists to identify eligible local governments within the Commonwealth of Puerto Rico. Additionally, a consolidated or unified city-county government in which a city and a county overlap geographically and govern as one consolidated government is considered a city by DOE.

DOE includes the following clarifications to the records used to calculate the universe of cities that are eligible for the EECBG Program:

- In the Commonwealth of Puerto Rico, Municipios are treated as cities. Though designated as counties by the 2020 Census: Redistricting File (Public Law 94-171) Dataset, governments of Municipios have the functionality of city governments.
- Towns, townships, and boroughs that are incorporated places are treated as cities. The governments of these places have the functionality of city governments.
- In the states of Connecticut, Maine, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and Wisconsin, minor civil divisions are treated as cities.<sup>8</sup>
- There are no eligible entities in the District of Columbia, U.S. Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands.

## Definition of “County”

For the purposes of the EECBG Program, a county will be considered eligible for direct formula grants if it is listed in the 2021 Census of Governments Survey as a currently incorporated county, has a governance structure with an elected official and governing body, is capable of carrying out the activities outlined in EISA, and meets the required population thresholds outlined in EISA.

For counties, all population figures are adjusted to reflect only the balance of their population, excluding the populations of any eligible cities therein. This population is referred to as the “county balance population.” In determining county balance populations, DOE identified a number of cities with geographic boundaries that cross the borders of multiple counties. In calculating county balance populations for those counties that contain only a part of an eligible city, DOE subtracted the portion of the eligible city’s population living within that county.

DOE includes the following clarifications to the records used to calculate the universe of counties that are eligible for the EECBG Program:

- Counties that are not a part of the 2021 Census of Governments Survey and are without governmental authority are not a part of the database and are thus not eligible for direct EECBG Program formula grants. This pertains to some counties in Alaska and Massachusetts, as well as all counties in Connecticut and Rhode Island.

---

<sup>8</sup> United States Census Bureau Terms and Definitions – Minor Civil Divisions.

- If one or more of the 10 most populated counties is ineligible or considered a city (i.e., a city-county consolidated government), the next largest county by population will be moved into the list of the 10 most populated counties for that state.
- Census areas in Alaska were not considered eligible counties because they have limited government functions.<sup>9</sup>
- There are no counties in the District of Columbia.

### **Indian Tribe Eligibility**

As defined by section 541(4) of EISA, the term “‘Indian tribe’ has the meaning given the term” in section 4 of the Indian Self-Determination and Education Assistance Act.”<sup>10</sup> The Indian Self-Determination and Education Assistance Act states that the term “Indian tribe” means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (ANSCA),<sup>11</sup> which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

There are 774 Indian tribes eligible for a formula grant through the EECBG Program including: 574 federally recognized Indian tribes listed by the Bureau of Indian Affairs (BIA) in the 2022 Federal Register Notice;<sup>12</sup> six additional Indian tribes because eight bands of Indian tribes comprise two of the federally recognized Indian tribes, 12 Alaska Native Regional Corporations established under the ANSCA,<sup>13</sup> and 182 currently active Alaska Native Village Corporations, group corporations, and urban corporations. ANSCA defines “group corporation” and “urban corporation,” which are similar to village corporations except that they apply to established Native groups and urban communities of Alaska Native people. As such, “group corporations” and “urban corporations” are included in the definition of Indian tribes defined by DOE for the EECBG Program.

DOE includes the following clarifications to the records used to identify the Indian tribes that are eligible for the EECBG Program, in line with the BIA’s 2022 Federal Register Notice:

- Minnesota Chippewa is comprised of six separate bands of Indian tribes each eligible for a direct formula grant: Boise Forte Band, Fond Du Lac Band, Grand Portage Band, Leech Lake Band, Mille Lacs Band, and White Earth Band.
- Capitan Grande Band of Diegueno Mission Indians of California is comprised of two separate bands of Indian tribes both eligible for a direct formula grant: Barona Group of Capitan Grande Band of Mission Indians of the Barona Reservation and Viejas (Baron Long) Group of Capitan Grande Band of Mission Indians of the Viejas Reservation.
- The Passamaquoddy Tribe is made up of Pleasant Point and Indian Township. There will be one formula allocation made to the Passamaquoddy Tribe that will be split proportionally between the two parts upon the grant being awarded.

## **2.2 ALLOWABLE ACTIVITIES**

Under the EECBG Program, entities will develop various initiatives and projects that address one or more of the program purposes. Entities are encouraged to use their EECBG Program funds in a manner that is of maximum benefit to their population, in a manner that will leverage other sources of financing or

<sup>9</sup> Guide to the State and Local Census Geography – Alaska.

<sup>10</sup> 42 U.S.C. 17151(4), referencing 25 U.S.C. 5304(e).

<sup>11</sup> Public Law 92-203, Dec. 18, 1971, 85 Stat. 688.

<sup>12</sup> 87 FR 4636 (Jan. 28, 2022).

<sup>13</sup> 33 U.S.C. 1602 et seq.

funding, and will yield maximum benefits over time in terms of energy and emission reductions. DOE also encourages entities to consider investing the funding in ways that lead to equitable and just outcomes. To these ends, DOE encourages entities to develop new and innovative approaches within the framework of the legislation and the guidance. Eligible activities are listed below, and full details are described in section 544 of the EISA.<sup>14</sup>

An eligible entity may use its EECBG Program 2022 formula award to carry out activities to achieve the purposes of the program, including—

- (1) Development and implementation of an Energy Efficiency and Conservation Strategy;
- (2) Retaining technical consultant services to assist the eligible entity in the development of such a strategy, including—
  - (A) formulation of energy efficiency, energy conservation, and energy usage goals;
  - (B) identification of strategies to achieve those goals—
    - (i) through efforts to increase energy efficiency and reduce energy consumption; and
    - (ii) by encouraging behavioral changes among the population served by the eligible entity;
  - (C) development of methods to measure progress in achieving the goals;
  - (D) development and publication of annual reports to the population served by the eligible entity describing—
    - (i) the strategies and goals; and
    - (ii) the progress made in achieving the strategies and goals during the preceding calendar year; and
  - (E) other services to assist in the implementation of the energy efficiency and conservation strategy;
- (3) Conducting residential and commercial building energy audits;
- (4) Establishment of financial incentive programs for energy efficiency improvements;
- (5) The provision of grants to nonprofit organizations and governmental agencies for the purpose of performing energy efficiency retrofits;
- (6) Development and implementation of energy efficiency and conservation programs for buildings and facilities within the jurisdiction of the eligible entity, including—
  - (A) design and operation of the programs;
  - (B) identifying the most effective methods for achieving maximum participation and efficiency rates;
  - (C) public education;
  - (D) measurement and verification protocols; and
  - (E) identification of energy efficient technologies;
- (7) Development and implementation of programs to conserve energy used in transportation, including—
  - (A) use of flex time by employers;
  - (B) satellite work centers;
  - (C) development and promotion of zoning guidelines or requirements that promote energy efficient development;
  - (D) development of infrastructure, such as bike lanes and pathways and pedestrian walkways;
  - (E) synchronization of traffic signals; and

---

<sup>14</sup> 42 U.S.C. 17154.

- (F) other measures that increase energy efficiency and decrease energy consumption;
- (8) Development and implementation of building codes and inspection services to promote building energy efficiency;
- (9) Application and implementation of energy distribution technologies that significantly increase energy efficiency, including—
- (A) distributed resources; and
  - (B) district heating and cooling systems;
- (10) Activities to increase participation and efficiency rates for material conservation programs, including source reduction, recycling, and recycled content procurement programs that lead to increases in energy efficiency;
- (11) The purchase and implementation of technologies to reduce, capture, and, to the maximum extent practicable, use methane and other greenhouse gases generated by landfills or similar sources;
- (12) Replacement of traffic signals and street lighting with energy efficient lighting technologies, including—
- (A) light emitting diodes; and
  - (B) any other technology of equal or greater energy efficiency;
- (13) Development, implementation, and installation on or in any government building of the eligible entity of onsite renewable energy technology that generates electricity from renewable resources, including—
- (A) solar energy;
  - (B) wind energy;
  - (C) fuel cells; and
  - (D) biomass; and
- (14) Programs for financing energy efficiency, renewable energy, and zero-emission transportation (and associated infrastructure), capital investments, projects, and programs, which may include loan programs and performance contracting programs, for leveraging of additional public and private sector funds, and programs that allow rebates, grants, or other incentives for the purchase and installation of energy efficiency, renewable energy, and zero-emission transportation (and associated infrastructure) measures; and
- 15) Any other appropriate activity, as determined by the Secretary, in consultation with—
- (A) the Administrator of the Environmental Protection Agency;
  - (B) the Secretary of Transportation; and
  - (C) the Secretary of Housing and Urban Development.<sup>15</sup>

### **2.3 EECBG PROGRAM FORMULA AWARDS: GRANTS AND VOUCHERS**

To streamline the award process, DOE is providing local and Tribal governments applying for an EECBG Formula Program award with the option to select a grant or voucher. In addition, DOE is providing project blueprints, which are designed to help further streamline the award process. Blueprints may be used with either grants or vouchers. Entities selecting a grant should follow the application instructions shown in Section 7.0. Additional guidance will be forthcoming from DOE on the application process for Vouchers. The expected award period for vouchers is up to two years.

---

<sup>15</sup> 42 U.S.C. 17154.

IIJA grant awards will consist of a Project and Budget Period up to two years for local governments and Tribes, and up to three years for states, with options for extensions upon approval by the DOE Contracting Officer.

To assist applicants with planning, DOE is providing estimated award processing timeframes for each award type below. Note that these timeframes are estimates and are subject to change based on total volume of applications received, completeness of submitted applications, and award negotiation requirements. Applications may be subject to additional review prior to award or release of funds, including financial, legal, programmatic, or NEPA review.

Type of Award	Vouchers	Grants following Blueprints	Grants not following Blueprints
Typical award processing timeframe*	30-60 days	Up to 60 days	Minimum of 90 days
Additional application requirements or award conditions	Comply with Voucher Terms and Conditions	May be subject to additional review (e.g., indirect cost rates, sub-grants, accounting system and financial controls)	May be subject to additional review and award conditions (e.g., NEPA)**
Application method	Submit voucher application by January 31, 2024***	Submit grant application in Period 1 or 2 (select one or more blueprints)	Submit grant application in Period 3 or 4.

Table notes:

\*Award processing times shown are estimates, based on submission of a complete application that is responsive to all required application materials and system registration requirements. Award processing times may vary depending on multiple factors, including the number of applications submitted, complexity of award applications, and additional review required to process applications (such as NEPA review and approval of proposed projects). The above timeframes do not include the time required for applicants to prepare and submit an application to DOE.

\*\*Awards requiring NEPA review will require extended time to review applications, including completion of environmental assessment or an EIS, depending on the scope of the proposed activity. Awards may be partially or fully conditioned (funds restricted from expenditure) until completion of required NEPA reviews.

\*\*\*Additional information on the Voucher application process will be forthcoming from the EECBG Program.

Local and Tribal entities will have the choice between a grant OR a voucher. The financial value of the voucher is expected to be equivalent to the formula award allocated to the eligible entity.<sup>16</sup> Vouchers are subject to the same legislation and guidance that applies to EECBG Program formula grants, including Voucher Terms and Conditions. Vouchers will be available to formula-eligible local governments and Indian tribes for two purposes:

- technical assistance (TA) and
- equipment rebates.

A separate application process will be utilized for entities interested in applying for a voucher in lieu of a grant. The scope of activities eligible for vouchers and application procedures, and comparison of grant

<sup>16</sup>Administrative costs directly associated with the voucher, including contracting, reporting, site inspections and regulatory compliance are included as part of the total financial amount of the voucher. Recipients will be responsible for ongoing costs of installed equipment, such as operations and maintenance.

and voucher application requirements is provided in Section 9 to assist applicants in selecting whether to choose a grant or voucher for their formula award under the EECBG Program.

## 2.4 TEAMING AND PARTNERSHIPS

All EECBG Program formula-eligible entities are encouraged to team up with neighboring or peer entities that are also eligible for EECBG Program formula awards, to align EECBG Program 2022 plans and efforts. Pooling funds could allow jurisdictions to share the costs of analyses or programs in an efficient and mutually beneficial way. Opportunities for collaboration are vast, and could foster peer learning, reduced administrative burden, more effective use of limited grant dollars, and more impactful outcomes. Teams could collaborate on regional activities, create programs to serve multiple jurisdictions regardless of geography, or simply team up to work in parallel on similar proposals.

Below are illustrations of teaming opportunities:

- Create a regional clean energy infrastructure strategy and hire consultants to develop regional economic development analyses
- Stand up an energy efficiency workforce training program<sup>17</sup> to serve several neighboring communities, and pool EECBG Program funds to hire a part-time program administrator
- Create a low-interest financing program for income-qualified residential energy retrofits and rooftop solar to serve community members across a state
- Design and establish a revolving loan fund<sup>18</sup> to deploy virtual power plants (e.g., grid-interactive efficient buildings, battery storage systems) and building and transportation electrification projects across a utility territory
- Coordinate with peer municipalities to design and execute innovative programs to lower energy burdens in rural or urban settings
- Pursue energy audits and retrofits of municipal buildings across several communities and hire a shared energy manager to support projects across the state
- Develop a regional stretch energy code for new construction and a building performance standard for existing buildings and provide technical support and training for local code adoption and compliance

Each team will opt for either vouchers or grants. Each entity within a team will receive its own EECBG Program grant or voucher, and entities on a team may choose to jointly fund EECBG Program activities. However, each entity will be ultimately responsible for accounting and tracking the use of their own funds and for reporting outcomes of their own efforts. Teams may consist of any number of eligible entities, with two as the minimum.

Teams pursuing a grant award will submit a single joint application to DOE, with one eligible EECBG Program entity as the Prime Applicant. Team applications will describe the plan for the use of each entity's EECBG Program funds and list the primary point of contact for the team, as well as points of contact for all entities on the team. Each entity must submit and receive approval of its own EECS, as part of the team application.

Teaming partners should indicate their permission allowing the prime applicant to submit the application on their behalf. Teams may consider developing a separate partnership agreement, such as a

---

<sup>17</sup> For more information on related BIL workforce development funding opportunities, see the [Career Skills Training Program](#) and the [Energy Auditor Training Grant Program](#).

<sup>18</sup> For more information on related state Revolving Loan Fund formula allocations, see the [EE RLF Infrastructure Investment and Jobs Act Administrative and Legal Requirements Document \(ALRD\)](#).

Memorandum of Understanding, in which all parties agree in writing to how the funds will be spent, roles and responsibilities, and any other terms and conditions to ensure clear expectations and a mutually beneficial approach.

### Partnerships

In addition to eligible entities teaming with other eligible entities to co-invest their awards, EECBG Program grantees may partner with other stakeholders that can help drive the progress and success of their programs and projects, including utilities, energy industry and financial companies, community-based organizations, labor unions, and other non-profit organizations.

### 3.0 LEGAL AUTHORITY

The EECBG Program is authorized under Title V, Subtitle E of the Energy Independence and Security Act of 2007 (EISA), as amended,<sup>19</sup> and signed into Public Law (PL 110-140) on December 19, 2007. All awards made under this program shall comply with applicable laws and regulations including, but not limited to, the DOE financial assistance regulations at 2 CFR Part 200 as amended by 2 CFR Part 910 and Section 40552 of the Infrastructure Investment and Jobs Act.

### 4.0 PROGRAM OVERVIEW & GOALS

Projects awarded under this ALRD will be funded, in whole or in part, with funds appropriated by IJA,<sup>20</sup> also known as the Bipartisan Infrastructure Law (BIL).

The BIL is a once-in-a-generation investment in infrastructure, designed to modernize and upgrade American infrastructure to enhance United States competitiveness, drive the creation of good-paying union jobs, tackle the climate crisis, and ensure stronger access to economic, environmental, and other benefits for disadvantaged communities<sup>21</sup>. The BIL appropriates more than \$62 billion to the Department of Energy (DOE)<sup>22</sup> to invest in American manufacturing and workers; expand access to energy efficiency and clean energy; deliver reliable, clean, and affordable power to more Americans; and demonstrate and deploy the technologies of tomorrow through clean energy demonstrations.

As part of and in addition to upgrading and modernizing infrastructure, DOE's BIL investments will support efforts to build a clean and equitable energy economy that achieves a zero-carbon electricity system by 2035, and to put the United States on a path to achieve net-zero emissions economy-wide by no later than 2050 to benefit all Americans.<sup>23</sup>

Through this funding action, the BIL will invest appropriations of \$550,000,000 for fiscal year 2022, to remain available until expended to 2,708 eligible entities, in accordance with the EECBG Program allocation formulas issued on June 29, 2022. EECBG Program recipients may use funds for a diverse

---

<sup>19</sup> 42 U.S.C. 17151 et seq.

<sup>20</sup> Infrastructure Investment and Jobs Act, Public Law 117-58 (November 15, 2021).

<https://www.congress.gov/bill/117th-congress/house-bill/3684>

<sup>21</sup> Pursuant to Executive Order (EO) 14008, "Tackling the Climate Crisis at Home and Abroad," January 27, 2021, and the Office of Management and Budget's Interim Justice40 Implementation Guidance M-21-28, DOE has developed a definition and tools to locate and identify disadvantaged communities. These resources can be located at <https://energyjustice.egs.anl.gov/>. DOE will also recognize disadvantaged communities as defined and identified by the White House Council of Environmental Quality's Climate and Economic Justice Screening Tool (CEJST), which can be located at <https://screeningtool.geoplatform.gov/>.

<sup>22</sup> U.S. Department of Energy. November 2021. "DOE Fact Sheet: The Bipartisan Infrastructure Deal Will Deliver For American Workers, Families and Usher in the Clean Energy Future." <https://www.energy.gov/articles/doe-fact-sheet-bipartisan-infrastructure-deal-will-deliver-american-workers-families-and-0>

<sup>23</sup> EO14008.

range of eligible activities that support investments in programs, policies, and projects, including actions that: 1) reduce energy use and carbon emissions; 2) achieve ongoing energy and operational cost-savings for local governments and taxpayers; and 3) increase community investment/workforce development opportunities.

DOE seeks to deliver an efficient and effective EECBG Program designed to achieve sustained impacts that put communities on a pathway to reducing fossil fuel use and total energy use and improving energy efficiency while fulfilling Justice40 Initiative goals (see Section 4.2). As part of the whole-of-government approach to advance equity and encourage worker organizing and collective bargaining,<sup>24,25,26</sup> this funding action and any related activities will seek to encourage meaningful engagement and participation of workforce organizations, including labor unions, as well as underserved communities and underrepresented groups, including consultation with Tribal Nations.<sup>27,28</sup> Consistent with EO 14008,<sup>29</sup> this funding action is designed to help meet the goal that 40% of the overall benefits of certain investments in clean energy and climate solutions flow to disadvantaged communities (underserved, overburdened, and frontline communities) as defined by the Department pursuant to the EO and to drive the creation of good-paying jobs with the free and fair chance for workers to join a union.<sup>30</sup>

#### **4.1 DIVERSITY, EQUITY, INCLUSION, AND ACCESSIBILITY**

It is the policy of the Administration that:

“[T]he Federal Government should pursue a comprehensive approach to advancing equity<sup>31</sup> for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality. Affirmatively advancing equity, civil rights, racial justice, and equal opportunity is the responsibility of the whole of our government. Because advancing equity requires a systematic approach to embedding fairness in decision-making processes, executive departments and agencies must recognize and work to redress inequities in their policies and programs that serve as barriers to equal opportunity.

By advancing equity across the Federal Government, we can create opportunities for the improvement of communities that have been historically underserved, which benefits everyone.”<sup>32</sup>

---

<sup>24</sup> EO 13985, “Advancing Racial Equity and Support for Underserved Communities Through the Federal Government,” January 20, 2021.

<sup>25</sup> EO 14025, “Worker Organizing and Empowerment,” April 26, 2021.

<sup>26</sup> EO 14052, “Implementation of the Infrastructure Investment and Jobs Act,” November 18, 2021.

<sup>27</sup> EO 13175, “Consultation and Coordination with Indian Tribal Governments,” November 6, 2000, charges all executive departments and agencies with engaging in regular, meaningful, and robust consultation with Tribal officials in the development of federal policies that have Tribal implications.

<sup>28</sup> Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships | The White House

<sup>29</sup> EO 14008, “Tackling the Climate Crisis at Home and Abroad,” January 27, 2021.

<sup>30</sup> EXEC-2022-004682 - FINAL S1 J40 Letter 7-25-2022.pdf (energy.gov)

<sup>31</sup> The term “equity” means the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality. EO 13985.

<sup>32</sup> EO 13985.



As part of this whole-of-government approach, this funding action seeks to encourage eligible entities to include the participation of underserved communities<sup>33</sup> and underrepresented groups in the activities they undertake with these funds. EECBG Program eligible entities are highly encouraged to include contractors and sub-contractors from groups historically underrepresented<sup>34,35</sup> in their project scoping. Further, Minority Serving Institutions<sup>36</sup>, Minority Business Enterprises, Minority Owned Businesses, Woman Owned Businesses, Veteran Owned Businesses, or entities located in an underserved community that meet the eligibility requirements (See Section III) are encouraged to be considered as sub-recipients for proposed EECBG Program-funded projects.

## 4.2 JUSTICE40 INITIATIVE

EECBG Program is a Justice40-covered program<sup>37</sup> and as such contributes to the President's goal that 40% of the overall benefits of Federal investments in clean energy and climate solutions flow to Disadvantaged Communities that for too long have faced disinvestment and underinvestment. DOE strongly encourages eligible entities to maximize project benefits and describe how these benefits will flow to Disadvantaged Communities to the greatest extent practicable. DOE has released General Guidance on Justice40 Implementation designed to help eligible entities and other interested parties incorporate Justice40 Initiative goals into DOE-funded projects. Information from the General Guidance on Justice40 Implementation is provided below.

---

<sup>33</sup> The Office of Management and Budget Interim Implementation Guidance for Justice40 defines a disadvantaged community as either: (1) a group of individuals living in geographic proximity (such as census tract), or (2) a geographically dispersed set of individuals (such as migrant workers or Native Americans), where either type of group experiences common conditions.

<sup>34</sup> According to the National Science Foundation's 2019 report titled, "Women, Minorities and Persons with Disabilities in Science and Engineering", women, persons with disabilities, and underrepresented minority groups—blacks or African Americans, Hispanics or Latinos, and American Indians or Alaska Natives—are vastly underrepresented in the STEM (science, technology, engineering and math) fields that drive the energy sector. For example, in the U.S., Hispanics, African Americans and American Indians or Alaska Natives make up 24 percent of the overall workforce, yet only account for 9 percent of the country's science and engineering workforce. DOE seeks to inspire underrepresented Americans to pursue careers in energy and support their advancement into leadership positions. <https://www.energy.gov/articles/introducing-minorities-energy-initiative>

<sup>35</sup> Note that Congress recognized in section 305 of the American Innovation and Competitiveness Act of 2017, Public Law 114-329: "[I]t is critical to our Nation's economic leadership and global competitiveness that the United States educate, train, and retain more scientists, engineers, and computer scientists; (2) there is currently a disconnect between the availability of and growing demand for STEM-skilled workers; (3) historically, underrepresented populations are the largest untapped STEM talent pools in the United States; and (4) given the shifting demographic landscape, the United States should encourage full participation of individuals from underrepresented populations in STEM fields."

<sup>36</sup> Minority Serving Institutions (MSIs), including Historically Black Colleges and Universities/Other Minority Institutions as educational entities recognized by the Office of Civil Rights (OCR), U.S. Department of Education, and identified on the OCR's Department of Education U.S. accredited postsecondary minorities' institution list.

<sup>37</sup> Justice40 Initiative | Department of Energy

## Identifying Benefits

Benefits include (but are not limited to) measurable direct or indirect investments or positive project outcomes that achieve or contribute to the following in Disadvantaged Communities:

- (1) a decrease in energy burden;
- (2) a decrease in environmental exposure and burdens;
- (3) an increase in access to low-cost capital;
- (4) an increase in job creation, the clean energy job pipeline, and job training for individuals;
- (5) increases in clean energy enterprise creation and contracting (e.g., minority-owned or disadvantaged business enterprises);
- (6) increases in energy democracy, including community ownership;
- (7) increased parity in clean energy technology access and adoption; and
- (8) an increase in energy resilience.

Not all eight policy priorities will be applicable to all DOE programs or funding opportunities. The matrix below provides **examples** of measurable benefits and how they map to the different DOE policy priorities mentioned above.

Policy Priorities	Benefit Metric and Units
1. N/A	Dollars spent [\$] by DOE Covered Programs [\$] in Disadvantaged Communities
2. Decrease energy burden in Disadvantaged Communities	Dollars saved [\$] in energy <i>expenditures</i> due to technology adoption in Disadvantaged Communities
	Energy saved [MMBTU or MWh] or reduction in fuel [GGe] by Disadvantaged Communities
3. Decrease environmental exposure and burdens for Disadvantaged Communities	Avoided air pollutants (CO2 equivalents, NOx, SO2, and/or PM2.5) in Disadvantaged Communities
	Remediation impacts on surface water, groundwater, and soil in Disadvantaged Communities
	Reduction of legacy contaminated waste in Disadvantaged Communities
4. Increase clean energy jobs, job pipeline, and job training for individuals from Disadvantaged Communities	Dollars spent [\$] and/or number of participants from Disadvantaged Communities in job training programs, apprenticeship programs, STEM education, tuition, scholarships, and recruitment.
	Number of hires from Disadvantaged Communities resulting from DOE job trainings
	Number of jobs created for Disadvantaged Communities because of DOE program
	Number of and/or dollar value [\$] of partnerships, contracts, or training with minority serving institutions (MSIs)
5. Increase clean energy enterprise creation and contracting for minority or disadvantaged businesses in Disadvantaged Communities	Number of contracts and/or dollar value [\$] awarded to businesses that are principally owned by women, minorities, disabled veterans, and/or LGBT persons
6. Increase energy democracy in Disadvantaged Communities	Number of stakeholder events, participants, and/or dollars spent to engage with organizations and residents of Disadvantaged Communities, including participation and notification of how input was used

	Number of tools, trainings for datasets/tools, people trained and/or hours dedicated to dataset/tool and technical assistance and knowledge transfer efforts to Disadvantaged Communities
	Dollars spent [\$] or number of hours spent on technical assistance for Disadvantaged Communities
	Dollar value [\$] and number of clean energy assets owned by Disadvantaged Communities members
7. Increase access to low-cost capital in Disadvantaged Communities	Dollars spent [\$] by source and purpose and location
	Leverage ratio of private to public dollars [%]
	Loan performance impact through dollar value [\$] of current loans and of delinquent loans (30-day or 90-day) and/or number of loans (30-day delinquent or 90-day default)
8. Increase parity in clean energy technology access and adoption in Disadvantaged Communities	Clean energy resource [MWh] adopted in Disadvantaged Communities
9. Increase reliability, resilience, and infrastructure to support reliability and resilience in Disadvantaged Communities	Increase in community resilience hubs in Disadvantaged Communities
	Number and size (MWh) of community resilience infrastructure deployed in Disadvantaged Communities (e.g., Distributed solar plus storage, utility scale, Distributed Energy Resources, microgrids)

### Identifying Disadvantaged Communities

Justice40 directs that 40% of the overall benefits realized from Covered Programs flow to “disadvantaged communities.” OMB’s Interim Implementation Guidance defines a community as either: (1) a group of individuals living in geographic proximity (such as census tract), or (2) a geographically dispersed set of individuals (such as migrant workers or Native Americans), where either type of group experiences common conditions. [M-21-28 \(whitehouse.gov\)](#).

Pursuant to the Interim Implementation Guidance, DOE has developed DOE’s working definition and tool to identify applicable Disadvantaged Communities at [Energy Justice Dashboard \(anl.gov\)](#). DOE will also recognize Disadvantaged Communities as defined and identified by the White House Council of Environmental Quality’s Climate and Economic Justice Screening Tool (CEJST), which can be located at <https://screeningtool.geoplatform.gov/>.

DOE’s working definition of disadvantaged is based on cumulative burden and includes data for thirty-six (36) indicators collected at the census tract level.

To be considered a Disadvantaged Communities under the DOE definition, a census tract must rank in or above the 80th percentile of the cumulative sum of the 36 burden indicators for its state and have at least 30% of households classified as low-income.

Nationwide, 13,581 census tracts were identified as disadvantaged (18.6% of 73,056 total U.S. census tracts). Additionally, federally recognized Tribal lands and U.S. territories, in their entirety, are categorized as Disadvantaged Communities in accordance with OMB’s Interim Implementation Guidance “common conditions” definition of community

Please see [General Guidance on Justice40 Implementation](#) for more information regarding identifying Disadvantaged Communities with available tools.

### Justice40 Implementation:

As a best practice, DOE recommends that recipients develop and sustain procedures and systems that can easily track what benefits are flowing to specific communities or locations (e.g., connecting benefits accrued with zip codes, and/or census tracts). Tracking benefits will allow funding recipients to measure progress and ensure programs are meeting intended goals. Further analysis of this data can also be used to empower program designers and lawmakers with information that is often needed to update or create new programs that better assist communities most in need.

To understand state, local, and Tribal government needs around equity and the Justice40 Initiative, DOE hosted listening sessions for state and local governments that discussed the Justice40 Initiative. The feedback received in those sessions informed this document and the IJA application materials for the EECBG Program.

DOE may provide eligible entities with support and training on tools and resources for implementing the Justice40 initiatives (e.g., Justice40 dashboard, EJ Screen, LEAD tool, etc.), along with other training opportunities, such as webinars and workshops.

### **4.3 JOB GROWTH AND QUALITY**

As an agency whose mission is to help strengthen our country's energy prosperity, DOE strongly supports efforts to invest in the American workforce. This includes investments that expand quality jobs by adopting labor standards; ensure workers have a free and fair chance to join a union; engage responsible employers; reduce systemic barriers to accessibility of quality jobs; foster safe, healthy, and inclusive workplaces and communities; and develop a diverse workforce well-qualified to build and maintain the country's energy infrastructure and to grow domestic manufacturing.

Through the EECBG Program, DOE intends to support eligible entities in their efforts to support good-paying jobs with the free and fair choice to join a union and support labor-management training partnerships, such as registered apprenticeships. In their project planning, eligible entities are highly encouraged to engage with an inclusive collection of local stakeholders including labor unions and community-based organizations that support or work with Disadvantaged Communities. The DOE Justice40 Guidance provides a helpful template strategy for undertaking strategic stakeholder engagement.

Stakeholder engagement is a relatively small cost that delivers high value. Proactive and meaningful engagement with stakeholders ensures stakeholders' perspectives can be incorporated into the project plan, allows for transparency, and helps reduce or eliminate certain risks associated with the project. Eligible entities are encouraged to include information in their EECBG Program application about how they have engaged labor and community stakeholders in ways that foster the negotiation of new community and workforce agreements.

DOE will provide future guidance and resources to assist eligible entities in incorporating workforce and community agreements and other tools into their EECBG Program-funded programs and activities, including blueprints and technical assistance resources focused on workforce and economic development.

### **4.4 TECHNICAL ASSISTANCE**

Local governments and Indian tribes have the option to select a voucher for technical assistance and/or an equipment rebate in lieu of applying for and administering an EECBG Program formula grant. The intent in offering this option is to 1) reduce the administrative burden associated with applying for and managing a federal grant and 2) provide additional resources and assistance needed to accomplish eligible entities' goals. Additional information on vouchers is provided in Section 9.0.

In addition to the technical assistance vouchers described above, DOE plans to provide technical assistance support to all entities, to help accelerate their efforts and preparations to leverage other IJA funding. This assistance may include tools, online resources, access to experts, webinars, peer learning opportunities, and local and regional workshops. The technical resources will span a wide range of topic areas, with an emphasis on the blueprint topics described below.

#### 4.5 BLUEPRINTS

Blueprints are step-by-step roadmaps of energy project and programs that guide EECBG Program entities to success. By no means an exclusive list, the blueprints are a select list of high-impact projects and programs based on proven practices that entities can choose to follow. While entities may use their EECBG Program funds for a wide array of energy-related activities, those that choose to spend their EECBG Program funds exclusively on “key activities” listed in the blueprints should expect a streamlined and expedited application review because these key activities fall within the NEPA bounded categories (See Section 6.3 G). DOE will provide resources such as webinars, trainings, tools, and additional support along these topic areas.

The blueprints are designed to achieve several goals: 1) guide grantees towards high-impact and effective projects and programs; 2) focus DOE’s technical assistance and support in key areas; 3) support grantees as they leverage other BIL and Inflation Reduction Act (IRA) investments; and 4) streamline the application review and approval process for eligible entities. The blueprints span a wide variety of topic areas: energy planning, energy efficiency, renewable energy, transportation infrastructure, workforce and economic development, and financing.

##### Blueprint Topics:<sup>38</sup>

1. Energy Planning
2. Energy Efficiency
  - A. Energy Efficiency: Building Audits and Retrofits, including grid interactivity and electrification
  - B. Energy Savings Performance Contracts for Efficiency & Electrification in Municipal Buildings
  - C. Building Efficiency & Electrification Campaign
  - D. Building Performance Standards for Existing Buildings and Stretch Codes for New Construction
3. Renewables
  - A. Solar (and battery storage) Power Purchase Agreement
  - B. Community Solar
  - C. Solarize Campaign
  - D. Renewable Resource Planning for Communities
4. Transportation
  - A. Electric Vehicles for Municipal Fleets
  - B. EV Charging Infrastructure for the Community
5. Unlocking Sustainable Financing Solutions for Energy Projects and Programs
6. Workforce Development

**Key activities:** Under each blueprint, DOE has identified key activities that are critical to successful program or project implementation. These activities have been reviewed and vetted as eligible uses of EECBG Program formula award funds. Activities within NEPA determination may not require additional NEPA review for initial approval, provided that the scope of proposed activities adheres to the NEPA determination, including Historic Preservation (see Section 6.3.G, NEPA Bounded Categories). Projects

---

<sup>38</sup> This list shows proposed Blueprints by topic area. Blueprint topic areas may be added or revised, based on grantee and stakeholder interests, and effectiveness in achieving program goals.

involving public works or infrastructure may be subject to Build America, Buy America and Davis Bacon Act requirements. **Entities may choose to follow one or more blueprints and spend their EECBG Program funds on the recommended activities, which are pre-determined as eligible uses of EECBG Program funding. Doing so may lead to an expedited process for reviewing applications.**

See “Appendix 2” for a chart that outlines blueprint topic areas and the key activities for a streamlined approval process. Streamlined approval means DOE has determined that these activities fall within categories of eligible EECBG Program activities, including NEPA determination of activities within Bounded Categories. Applicants must read their NEPA determination included in their award documents, which is DOE’s form that records DOE’s NEPA review of a project or activities. Applicants may be required to complete additional NEPA documentation.

## 5.0 FUNDING

Funding for all awards and future budget periods is contingent upon the availability of funds appropriated by Congress for the purpose of this program.

### 5.1 IJA FORMULA ALLOCATIONS

The Infrastructure Investment and Jobs Act, Section 40552 provides \$550 million for EECBG Program for fiscal year 2022, to remain available until expended. DOE will distribute \$440 million in formula and competitive EECBG Program funding to eligible units of local government, states, and Indian tribes. Of the amount appropriated by IJA, DOE will allocate funds as prescribed in section 543 of EISA:

- 34% to eligible units of local government-alternative 1 through formula grants;
- 34% to eligible units of local government-alternative 2 through formula grants;
- 28% to states through formula grants;
- 2% to Indian tribes through formula grants; and
- 2% for competitive grants to ineligible local governments and Indian tribes.<sup>39</sup>

IJA allocations for EECBG Program direct formula awards from the DOE, as adjusted, are based on the following funding amounts:

- \$299,200,000 for formula awards to eligible units of local government
  - \$149,600,000 to eligible units of local government-alternative 1
  - \$149,600,000 to eligible units of local government-alternative 2
- \$123,200,000 for formula awards to states
  - Each state (except for those noted as exempt in section 6.3 E) is required to pass not less than 60% of its allocation through to cities and counties within the state that are ineligible for direct formula grants from DOE
- \$8,800,000 for formula grants to eligible Indian tribes

Individual state, local and Tribal EECBG Program allocations are included as an attachment to this document. See the [Federal Register Notice 87 FR13859](#) issued on June 29, 2022, for the allocation formulas.

### 5.2 COST MATCH

Cost match is not required for the EECBG Program. DOE encourages eligible entities to consider how they may leverage philanthropic and private sector funding to advance their goals and amplify the impact

---

<sup>39</sup> 42 U.S.C. 17153(a).

of the IIJA funding and include strategies to facilitate it to the extent practicable in the plans they are submitting for IIJA Section 40552 funding. DOE may provide ideas and assistance toward eligible entities' efforts during the application phase and implementation of the IIJA EECBG funds.

### **5.3 PROGRAM INCOME**

DOE allows eligible entities to earn income in connection with EECBG Program activities to defray program costs. If the Local strategy or program activities (e.g., loan funds) includes such activities, entities should include an estimated amount of earned income in the budget portion of their application for financial assistance. Program income is defined in federal regulations as gross income earned by the recipient that is directly generated by a supported activity or earned because of the award. Program income includes but is not limited to:

- Income from fees for services performed.
- The use or rental of real or personal property acquired with grant funds.
- The sale of commodities or items fabricated under a grant agreement.
- License fees and royalties on patents and copyrights.
- Payments of principal and interest on loans made with grant funds.

Program income does not include interest on grant funds except as otherwise provided in this subpart, program regulations, or the terms and conditions of the award. Nor does it include rebates, credits, discounts, refunds, etc., or interest earned on any of them.

(See 2 CFR Part 200.80 and 2 CFR Part 200.307 for further information.)

## **6.0 APPLICATION INSTRUCTIONS FOR IIJA EECBG PROGRAM FORMULA GRANTS**

### **6.1 OVERVIEW**

The application package for EECBG Program grants consists of the materials shown in Section 6.3, and includes the application for financial assistance, the budget, proposed energy efficiency and conservation strategy (if submitted at time of application) and required supporting documents. Applications must be submitted in accordance with the IIJA EECBG PROGRAM ALRD. Application due dates are identified on the cover page of the ALRD.

As a reminder, application documents, forms, and data submitted to the EECBG Program may be made available to the public at DOE's discretion, following all applicable laws and regulations that protect confidential or proprietary information.

## 6.2 APPLICATION REVIEW PROCESS

DOE will process EECBG Program applications for grants and vouchers on a rolling basis beginning January 18, 2023, and continuing through January 31, 2024.

### Grant Award Application Reviews Prioritization and Phasing

To assist in planning and phasing the processing of award applications, DOE is establishing four application periods for submission of grant applications. Applicants that meet one or more of the priority categories (see below), including Indian tribes, may apply in Periods 1 or 2. All States must apply in Period 1 or 2. All other Applicants may apply in Periods 3 or 4.

Application Period	Application Submittal Timeframe	Applications Accepted
1	January 18, 2023 – April 28, 2023	State, Local and Tribal Government applications in one or more priority categories (see below)
2	June 1, 2023 – July 31, 2023	
3	Sept 1, 2023 – Oct 31, 2023	All Other Local and Tribal Government applications
4	December 1, 2023 – Jan 31, 2024	

Grant Applications will be accepted on a rolling basis, and DOE will prioritize its review of applications based on the order in which complete applications are received and as follows:

1. States<sup>40</sup>
2. Entities following blueprints
3. Teams
4. Entities with activities benefitting disadvantaged communities
5. Entities with activities limited to Energy Efficiency and Conservation Strategy Development, Technical Consultant Services (or other activities strictly limited to planning, analysis, and stakeholder engagement).
6. All other

Applicants are strongly encouraged to review the application instructions and submit complete applications. Submission of incomplete applications may result in a significant delay in processing individual grant awards.

***Note: Due to the volume of applications, DOE may not review an application immediately upon submittal. Once a complete application is received and reviewed by DOE, it typically takes up to 60 days to process a formula grant. Applications are not necessarily considered complete upon submission. For additional information on application requirements, see the application instructions, which includes a pre-award checklist.***

## 6.3 EECBG PROGRAM GRANT AWARD APPLICATION

The EECBG Program Formula Application (for grant awards only) consists of:

- Standard Form 424 (Application form)
- Standard Form 424A (Budget summary)
- Budget Justification
- Energy Efficiency and Conservation Strategy
- EECBG Program Activity File
- Required certifications

<sup>40</sup> Expedited review of State applications will enable speedier subgrants to other local governments



- Electronic copy (or web link) to the applicant's latest single or program-specific audit as required by 2 CFR 200 Subpart F<sup>41</sup>
- An environmental questionnaire (if applicable)
- Pre-Award Information Sheet

**Note: applicants choosing a Voucher do not need to submit a grant award application at this time. Additional Guidance on the Voucher application process will be forthcoming from DOE.**

DOE financial assistance regulations govern all funds budgeted in the EECBG Program Application, whatever their source. All funds must be spent on the activities described in the Application and addressed in the financial and performance reports required under the grant.

### **6.3. A. STANDARD FORM 424 (APPLICATION)**

A completed and signed Standard Form 424 (SF424) containing current information must be submitted. Please ensure all sections have been updated to reflect any changes, including changes to the person to be contacted on matters involving the application and the authorized representative. Applicants should select "New" in section 2.c.

The list of certifications and assurances referenced in Field 21 may be found [here](#). Please verify compliance with Intergovernmental Review ([SPOC List](#)).

Once the SF424 is completed, **add an attachment to the document with the name, title, phone number and email address for both the Principal Investigator and the Business Officer.**

### **6.3. B. STANDARD FORM 424A (BUDGET)**

The budget includes Standard Form 424A Summary which includes a Budget Justification. Each of these forms should be completed following the guidelines set out below.

**Standard Form 424A:** Applications must include a budget for all funds. It should be completed as follows:

- Section A: Budget Summary Lines 1-4, Columns (a) through (g). On line 1, enter new DOE funds. Section B: Budget Categories. Separate column headings (with the same name as the rows in Section A) should be utilized for each funding source. The total in Column G, Section A, must equal the total of all columns in Section B.

**Budget Justification:** The Budget Justification consists of a detailed explanation of the object class categories listed in line 6, Section B, of Standard Form 424A. In preparing the Budget Justification, states should address the following as requested for each budget category.

**Personnel:** Identify all positions to be supported by title and the amounts of time (e.g., % of time) to be expended on EECBG Program activities, the base pay rate, and the total direct personnel compensation.

---

<sup>41</sup> For additional information, see CFR § 200.501, Audit requirements. "A non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single or program-specific audit conducted for that year in accordance with the provisions of this part."

Personnel must be direct costs to the project and not duplicative of personnel costs included in the indirect pool that is the basis of any indirect rate applied for this project.

**Fringe Benefits:** If fringe cost rates are approved by a federal agency, identify the agency and date of latest rate agreement and include a copy of the rate agreement with the application. If fringe cost rates are not approved by a federal agency, explain how total fringe benefit costs were calculated. Your calculations should identify all rates used along with the base they were applied to (and how the base was derived), and a total for each (along with the grand total). established computation methodology approved for your jurisdiction, provide a copy with the SF424 Application.

**Travel:** Provide the purpose of travel, such as professional conference(s), DOE sponsored meeting(s), project monitoring, etc. Identify the number of trips, and the destination/location if known. Provide the basis for the travel estimate such as past trips, current quotations, federal or state travel regulations, etc. All listed travel must be necessary or beneficial to the performance of the EECBG Program. All foreign travel must be identified and requires pre-approval.

**Equipment:** Equipment is defined as an item with an acquisition cost greater than \$5,000 and a useful life expectancy of more than one year. List all proposed equipment and briefly justify its need as it applies to the objectives of this award. Provide a basis of cost such as vendor quotes, catalog prices, prior invoices, etc. If the equipment is being proposed as cost match and was previously acquired, provide the value of its contribution to the project and a rationale for the estimated value shown. If it is new equipment that will retain a useful life upon completion of the project, provide a rationale for the estimated value shown. Also, indicate whether the equipment is being used for other projects or is 100% dedicated to this project.

**Supplies:** Supplies are defined as items with an acquisition cost of \$5,000 or less or a useful life expectancy of less than one year. Supplies are generally consumed during the project performance. List all proposed supplies and the estimated cost and briefly justify the need for the supplies as they apply to the objectives of this award. Supply items must be direct costs to the project and not duplicative of supply costs included in the indirect pool that is the basis of any indirect rate applied for this project. Provide a basis of cost for each item listed. Examples include vendor quotes, prior purchases of similar or like items, published price list, etc.

**Contractual:** All sub-recipients, vendors, contractors and consultants and their estimated costs should be identified. Use TBD if the entity is unknown. Provide a brief description of the work to be performed or the service to be provided and reference the individual activity the work or service falls under. Include the basis of cost for each item listed (competitive, historical, quote, catalog, etc.).

**Other Direct Costs:** Other direct costs are direct cost items required for the project that do not fit clearly into other categories. These direct costs must not be included in the indirect costs (if indirect costs are proposed for this project). Examples are conference fees, meetings within the scope of work, subscription costs, printing costs, etc. that can be directly charged to the project and are not duplicated in indirect (overhead) costs. Provide a general description, cost, and justification of need for each direct cost item. Provide a basis of cost for each item. Examples include vendor quotes, prior purchases of similar or like items, published price list, etc.

**Indirect Costs:** If the indirect cost rate has been approved by a federal agency, identify the agency and the date of the latest rate agreement and submit a copy of the agreement with the application. If the indirect cost rate has not been approved by a federal agency, provide the basis for computation of rates including the types of benefits to be provided, the rate(s) used and the cost basis for each rate.

### **6.3. C. ENERGY EFFICIENCY AND CONSERVATION STRATEGY**

Per section 545 of EISA, each eligible unit of government that receives funding under this program must submit an Energy Efficiency and Conservation Strategy for approval by DOE that meets the guidelines outlined below.<sup>42</sup>

#### **Eligible Units of Local Governments and Indian Tribes: Proposed Energy Efficiency and Conservation Strategy (EECS)**

Units of local government and Indian tribes must submit to the DOE a proposed EECS. The proposed strategy shall include:

- a description of the goals of the eligible unit of local government or Indian tribe for increased energy efficiency and conservation in the relevant jurisdiction; and
- a plan for the use of the grant to assist the eligible unit of local government or Indian tribe in achieving those goals in accordance with the eligible use of funds outlined in section 544 of EISA.<sup>43</sup>

The EECS can be submitted through one of two methods:

- a) submit the EECS with the application through the PAGE application system; or
- b) submit the EECS not later than 1 year after the effective date of the award.

**If an entity chooses option B, the entity must submit an EECBG Program Activity File with their application and select Activity 1 (Energy Efficiency and Conservation Strategy).** The EECS should be a comprehensive strategy that covers, at a minimum, all items detailed in the EECS Template provided by DOE. DOE will provide informational resources and technical assistance to support the development of comprehensive strategies.

#### **Eligible Units of Local Government: Additional EECS Requirements**

In developing the strategy, section 544 of EISA directs that an eligible unit of local government shall:

- take into account any plans for the use of funds by adjacent eligible units of local governments that receive grants under the EECBG Program; and
- coordinate and share information with the State in which the eligible unit of local government is located to maximize the energy efficiency and conservation benefits.<sup>44</sup>

DOE has provided a streamlined EECS Template that local governments and Indian tribes may use when submitting their EECS, but the template is not required. If an entity chooses to submit an EECS using an alternative format, the information outlined in Part A of the EECS Template must be included in the submission. DOE has a maximum of 120 days after receiving a complete proposed strategy to approve or disapprove it. If DOE disapproves a proposed strategy, DOE shall provide to the grantee the reasons for the disapproval, and the grantee may revise and resubmit the proposed strategy as many times as necessary until DOE approves a proposed strategy.

#### **States and Territories: Revision of the State Energy Conservation Plan**

---

<sup>42</sup> 42 U.S.C. 17155(b).

<sup>43</sup> 42 U.S.C. 17155(b)(1)(B).

<sup>44</sup> 42 U.S.C. 17155(b)(1)(C).

DOE has determined that states are already meeting the requirement outlined in 42 U.S.C. 17155(c)(2)(A) through their annual reporting for the State Energy Program.

### **States and Territories: EECS Requirements**

States and Territories must submit to DOE a proposed EECS that:

- 1) establishes a process for providing subgrants to units of local government that are not eligible for direct formula grants from DOE; and
- 2) includes a plan of the state for the use of funds received under the EECBG Program to assist the state in achieving the goals established in EISA, in accordance with EISA section 545(c)(2)(B).<sup>45</sup>

DOE has provided a streamlined EECS Template that states and territories may use when submitting their EECS, but the template is not required. If an entity chooses to submit an EECS using an alternative format, the information outlined in Part A of the EECS Template must be included in the submission. DOE has a maximum of 120 days after receiving a complete proposed strategy to approve or disapprove it. If DOE disapproves a proposed strategy, DOE shall provide to the state the reasons for the disapproval, and the state may revise and resubmit the proposed strategy as many times as necessary until DOE approves a proposed strategy.

### **6.3. D. EECBG PROGRAM ACTIVITIES FILE**

As program-wide performance indicators are valuable to all EECBG Program stakeholders, metrics are an important element of formula grant reporting. For additional information, see the EECBG Program website for reporting guidance.

“Unpaired” metrics should be avoided. For example, if an eligible entity reports the number of buildings retrofitted, the square footage retrofitted must be included as well. DOE is working to identify metrics for future reporting on how EECBG Program-funded investments by recipients of DOE financial assistance impact additional topics including energy equity and environmental justice and how they relate to disadvantaged communities. DOE will provide guidance and technical assistance to assist eligible entities in addressing these metrics.

EECBG Program applicants are encouraged to consult with the EECBG Program to identify metrics that best capture the work they will be performing. EECBG Program activities that do not fit well into the metrics section should be reported in the Milestones section. Entities should list planned milestones in the Activity Milestones section in their applications. If entities are proposing use of EECBG Program funds to develop their EECS, the EECS should be listed as a separate activity with all subsequent project activities following the EECS completion milestone. Approval of the EECS by DOE is required prior to initiating any EECBG Program project activities.

For each Activity, applicants should identify the dollar amounts allocated. The sum of the budgets of each Activity must equal the totals in Section A of the SF424A.

### **6.3. E. LIMITATIONS**

#### **Administrative Expenses**

Grantees should use their established definitions of “administrative expenses”. States may not use more than 10 percent of amounts provided under the program for administrative expenses<sup>46</sup>). Units of local

---

<sup>45</sup> 42 U.S.C. 17155(c)(2)(B).

<sup>46</sup> 42 U.S.C. 17155(c)(4).

government and Indian tribes may not use more than 10 percent or \$75,000, whichever is greater, for administrative expenses.<sup>47</sup> EECBG Program funds may be used for compensation of employees or contractors. Whether or not the administrative cost cap applies depends on the nature of the responsibilities of the staff hired. Administrative activities are those that cannot be identified with any single program but are necessary to the general conduct of the activities of the entity organization; this could include such items as the overall direction of the organization, record keeping, budgeting, and business management.

### States and Territories: Distribution of Subgrants

Each state that receives a grant under the program shall use not less than 60% of the amount received to provide subgrants to units of local government in the state that are not eligible for direct formula grants. The state shall provide the subgrants no later than 180 days after the date on which DOE approves the proposed energy efficiency and conservation strategy.<sup>48</sup>

States are required to develop a subgranting process that expeditiously allocates funding, prevents fraudulent spending, generates robust reporting, and promotes the EECBG Program principles outlined in law.

The District of Columbia is explicitly included in the definition of a state, according to section 541(6)(B) of EISA.<sup>49</sup> Because the District of Columbia is a consolidated city-state government, it is not subject to the requirement applicable to states that not less than 60% of state funding must be subgranted to local units of government.

American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Hawaii, and the U.S. Virgin Islands have no eligible entities; these entities are exempt from having to provide subgrants.

### Summary of Limitations on Use of Funds

	State	Formula-eligible unit of local government and Formula-eligible Indian tribe	Formula-ineligible unit of local government and Formula-ineligible Indian tribe
Limit on administrative expenses including the cost of the reporting requirements	Not more than 10% of the amounts provided to the State	Not more than the greater of a. 10% of the amount provided to the eligible unit of local gov't (or eligible Tribe); or b. \$75,000	None
Amount required to be provided as subgrants to formula-ineligible units of local government	Not less than 60% of the amount provided to the State (subgrantees must be within the jurisdiction of the State)	None	None

### 6.3. F. OTHER FORMS

The following files should be submitted as attachments with your application if applicable:

<sup>47</sup> 42 U.S.C. 17155(b)(3)(A).

<sup>48</sup> 42 U.S.C. 17155(c)(1).

<sup>49</sup> 42 U.S.C. 17151(6)(B).

1. Indirect Rate Agreement or Rate Proposal
2. Certifications regarding Lobbying (SF-LLL Disclosure Form to report lobbying)
3. A document providing the name, phone number and email address of the Program Manager and Business Officer
4. Pre-Award Information Sheet

### 6.3. G. NATIONAL ENVIRONMENTAL POLICY ACT INFORMATION

DOE must comply with NEPA prior to authorizing the use of Federal funds. DOE must also consider the effects on historic properties, pursuant to Section 106 of the National Historic Preservation Act (NHPA). Additionally, DOE must consider the impacts to floodplains and wetlands, pursuant to 10 CFR Part 1022—Compliance with Floodplain and Wetland Environmental Review Requirements. To streamline these required reviews, DOE carries out each of these reviews under the umbrella of its NEPA review. Entities should review and follow the NEPA determination in their award documents for restrictions, and the list of activities that have been categorically excluded from further NEPA review.

DOE has developed a NEPA and Historic Preservation training website with PowerPoint presentations, sample template documents (including a NEPA log, project scope of work, and a project layout), word document of an Environmental Questionnaire-1 (EQ1) and an EQ1 submission guide. Applicants are responsible for completing mandatory online NEPA training and reviewing the sample documents provided at [www.energy.gov/node/4816816](http://www.energy.gov/node/4816816) prior to initiating projects. Recipients may contact the NEPA team with any questions at [NEPALogs@ee.doe.gov](mailto:NEPALogs@ee.doe.gov). Subgrantees and 3<sup>rd</sup> party loan administrators are also encouraged to review the NEPA training website prior to initiating projects.

All states and most territories have a DOE executed Historic Preservation Programmatic Agreement (PA) to assist DOE with historic preservation compliance. The territory of Guam and Indian tribes do not have a PA. EECBG Program applicants that do NOT have a PA must follow the added restrictions in the NEPA determination to ensure compliance with the National Historic Preservation Act. All PAs and amendments can be found [here](#).

For most applicants there are three paths to complete a NEPA review for EECBG Program activities covered by the ALRD-wide NEPA determination: 1) entities determine and document that a project falls within a Blueprint 2) entities determine and document that a project falls within a Bounded Category (see your NEPA determination for the complete list of Bounded Categories and restrictions, and documentation requirements), or 3) entities determine a project does not fit within a Bounded Category and submits an Environmental Questionnaire (EQ-1) in the Project Management Center for DOE to complete a NEPA review. Bounded Categories are activities listed in a NEPA determination that restrict the size, location, installation methods, or other elements to complete a project. EECBG Program recipients will receive approval from a DOE Contracting Officer with a NEPA determination for their records. All paths require a documented NEPA review. DOE has developed a NEPA log as a tool to assist entities in documenting that their projects fit within the Bounded Categories. A sample NEPA log can be found at [www.energy.gov/node/4816816](http://www.energy.gov/node/4816816). For applicants who do not choose a voucher, a Blueprint activity, or activities within the Bounded Categories, they will need to submit an EQ-1.

The two lists of Bounded Categories (one list for applicants with a PA and one list for applicants that do not have a PA) detailed below apply to activities funded by the EECBG Program ALRD. Most Bounded Categories are more restrictive than the Categorical Exclusion. The restrictions must be followed for the Bounded Category to be applicable.

NEPA reviews must be completed prior to initiating project activities; this includes DOE NEPA reviews and entities' documentation of their review of Bounded Categories in a NEPA log. Project expenses incurred without either a DOE NEPA review or completion of an applicant's NEPA log, as applicable for

Bounded Categories activities, may be deemed unallowable and entities may be required to repay any unallowable funds to DOE.

The following list of Bounded Categories of activities is applicable to applicants applying with a DOE executed PA. The list of applicants and their PAs and amendments can be found [here](#). This list below may be slightly different than the NEPA determination. The NEPA determination included in each recipient's award documents must be followed.

#### **Bounded Categories:**

Administrative activities associated with management of the designated state, local government or Indian tribe, and management of programs and strategies to encourage energy efficiency and renewable energy, including energy audits.

1. Development of energy efficiency and conservation strategies, project-specific plans that may require feasibility studies, preparation of preliminary project design, outreach, and technical support to state agencies, local governments, Indian tribes and affected stakeholders. All project activities identified from these planning efforts and funded from this ALRD must be listed within the Bounded Categories. Projects not listed within these Bounded Categories would require submission of an Environmental Questionnaire (EQ-1).
2. Development and implementation of programs and strategies to encourage energy efficiency and renewable energy such as policy development and stakeholder engagement.
3. Development and implementation of classroom or virtual training programs.
4. Development and implementation of building codes including inspection services, and associated activities to support code compliance and promote building energy efficiency.
5. Implementation of financial incentive programs including rebates and energy savings performance contracts for existing facilities; grants and loans to support energy efficiency, renewable energy and energy/water saving projects. All project activities funded under a financial incentive program must be listed within the Bounded Categories or would require submission of an Environmental Questionnaire (EQ-1).
6. Funding commercially available energy or energy/water efficiency or renewable energy upgrades, provided that projects adhere to the requirements of the respective recipient's DOE executed Historic Preservation Programmatic Agreement, are installed in existing buildings, do not require structural reinforcement, no trees are removed, are appropriately sized and are limited to:
  - a. Installation of insulation.
  - b. Installation of energy efficient lighting.
  - c. HVAC upgrades (to existing systems).
  - d. Weather sealing.
  - e. Purchase and installation of energy efficient or water efficient appliances and equipment (including, but not limited to, energy or water monitoring and control systems, and thermostats).
  - f. Retrofit of energy efficient pumps and motors, for such uses as wastewater treatment plants, where it would not alter the capacity, use, mission, or operation of an existing facility.
  - g. Retrofit and replacement of windows and doors.
  - h. Installation of Combined Heat and Power Systems—systems sized appropriately for the buildings in which they are located, not to exceed peak electrical production at 300kW.

7. Development, implementation, and installation of onsite renewable energy technology from renewable resources, provided that projects are installed in or on an existing structure or within the boundaries of a facility (defined as an already disturbed area due to regular ground maintenance), do not require structural reinforcement, no trees are removed, are appropriately sized, and are limited to:
  - a. Solar Electricity/Photovoltaic—appropriately sized system or unit not to exceed 60 kW.
  - b. Battery storage, if applicable, would be attached to a structure (e.g., inside a garage), or within the boundaries of a facility.
  - c. Wind Turbine—20 kW or smaller.
  - d. Solar Thermal (including solar thermal hot water)—system must be 200,000 BTU per hour or smaller.
  - e. Ground Source Heat Pump—5.5 tons of capacity or smaller, horizontal/vertical, ground, closed-loop system<sup>8</sup>
8. Biomass Thermal—3 MMBTUs per hour or smaller system with appropriate Best Available Control Technologies (BACT) installed and operated.
9. Installation of fueling pumps and systems for fuels such as compressed natural gas, hydrogen, ethanol, and other commercially available biofuels, (but not storage tanks) installed on the site of a current fueling station.
10. Purchase of alternative fuel vehicles.
11. Installation of electric vehicle supply equipment (EVSE), such as electric vehicle charging stations, including testing measures to assess the safety and functionality of the EVSE, restricted to existing footprints and levels of previous ground disturbance, within an existing parking facility defined as any building, structure, land, right-of-way, facility, or area used for parking of motor vehicles. All activities must use reversible, non-permanent techniques for installation, where appropriate, use the lowest profile EVSE reasonably available that provides the necessary charging capacity; place the EVSE in a minimally visibly intrusive area; use colors complementary to surrounding environment, where possible, and are limited to the current electrical capacity. This applies to Level 1, Level 2, or Level 3 (also known as Direct Current (DC) Fast Charging) EVSE. Installation of EVSE on Tribal Lands, or installations of EVSE that may affect historic properties located on Tribal Lands, is excluded from this Bounded Category, without first contacting your DOE Project Officer who will coordinate with the DOE NEPA Specialist.
12. Installation of battery storage systems including electrochemical and thermal storage systems, provided that projects adhere to the requirements of the respective applicant's DOE executed Historic Preservation PA are installed in or on an existing structure or within the boundaries of a facility (defined as an already disturbed area due to regular ground maintenance), do not require structural reinforcement, no trees are removed, and are appropriately sized not to exceed 1,000 kWh.

All EECBG Program applicants shall adhere to the restrictions of the relevant DOE executed Historic Preservation Programmatic Agreement, as applicable.

**The following list of Bounded Categories of activities is applicable to applicants from Guam and Indian tribes-entities without a DOE executed Historic Preservation Programmatic Agreement (PA). This list may be slightly different than the NEPA determination. The NEPA determination included in each entities' award documents must be followed.**



#### Bounded Categories:

1. Administrative activities associated with management of the designated entity and management of programs and strategies to encourage energy efficiency and renewable energy, including energy audits.
2. Development of plans that may require feasibility studies, preparation of preliminary project design, outreach and technical support to local governments, Indian Tribes and affected stakeholders. All project activities identified and funded from these planning efforts from this ALRD must be listed within the Bounded Categories. Projects not listed within these Bounded Categories would require submission of an Environmental Questionnaire (EQ-1).
3. Development and implementation of programs and strategies to encourage energy efficiency and renewable energy such as policy development and stakeholder engagement.
4. Development and implementation of training programs.
5. Development and implementation of building codes including inspection services, and associated activities to support code compliance and promote building energy efficiency.
6. Implementation of financial incentive programs including rebates and energy savings performance contracts for existing facilities; grants and loans to support energy efficiency, renewable energy and energy/water saving projects. All project activities funded under a financial incentive program must be listed within the Bounded Categories or will require submission of an Environmental Questionnaire (EQ-1).
7. Funding commercially available energy or energy/water efficiency or renewable energy upgrades, provided that projects are **installed in or on existing buildings less than 45 years old**, do not require structural reinforcement, remove no trees, are appropriately sized and are limited to:
  - a. Installation of insulation
  - b. Installation of energy efficient lighting
  - c. HVAC upgrades (to existing systems)
  - d. Weather sealing
  - e. Purchase and installation of energy efficient or energy/water efficient home and commercial appliances and equipment (including, but not limited to, energy or water monitoring and control systems, and thermostats)
  - f. Retrofit of energy efficient pumps and motors, for such uses as wastewater treatment plants, where it would not alter the capacity, use, mission, or operation of an existing facility
  - g. Retrofit and replacement of windows and doors
  - h. Installation of Combined Heat and Power System—systems sized appropriately for the buildings in which they are located, not to exceed peak electrical production at 300kW.
8. Development, implementation, and installation of onsite renewable energy technology from renewable resources, provided that projects are installed in or on an existing structure **less than 45 years old** or within the boundaries of a facility **less than 45 years old**, (defined as an already disturbed area due to regular ground maintenance), do not require structural reinforcement, no trees are removed, are appropriately sized, and limited to:
  - a. Solar Electricity/Photovoltaic—appropriately sized roof mounted system or unit not to exceed 60 kW
  - b. Battery storage, if applicable, would be attached to a structure (e.g., inside a garage), or within the boundaries of a facility
  - c. Wind Turbine—20 kW or smaller

- d. Solar Thermal (including solar thermal hot water)—system must be 200,000 BTU per hour or smaller
  - e. Ground Source Heat Pump—5.5 tons of capacity or smaller, horizontal/vertical, ground, closed-loop system
  - f. Biomass Thermal—3 MMBTUs per hour or smaller system with appropriate Best Available Control Technologies (BACT) installed and operated.
9. Installation of fueling pumps and systems for fuels such as compressed natural gas, hydrogen, ethanol, and other commercially available biofuels, (but not storage tanks).
  10. Purchase of alternative fuel vehicles including but not limited to cars, buses, ferries, and other forms of transportation.
  11. Installation of electric vehicle supply equipment (EVSE), such as electric vehicle charging stations including testing measures to assess the safety and functionality of the EVSE, restricted to existing footprints and levels of previous ground disturbance, within an existing parking facility defined as any building, structure, land, right-of-way, facility, or area used for parking of motor vehicles. All activities must use reversible, non-permanent techniques for installation, where appropriate, use the lowest profile EVSE reasonably available that provides the necessary charging capacity; place the EVSE in a minimally visibly intrusive area; use colors complementary to surrounding environment, where possible, and are limited to the current electrical capacity. This applies to Level 1, Level 2, or Level 3 (also known as Direct Current (DC) Fast Charging) EVSE. Installation of EVSE on Tribal Lands, or installations of EVSE that may affect historic properties located on Tribal Lands, is excluded from this Bounded Category, without first contacting your DOE Project Officer who will coordinate with the DOE NEPA Specialist.
  12. Installation of battery storage systems including electrochemical and thermal storage systems, provided that projects adhere to the requirements of the respective applicant's DOE executed Historic Preservation PA are installed in or on an existing structure or within the boundaries of a facility (defined as an already disturbed area due to regular ground maintenance), do not require structural reinforcement, no trees are removed, and are appropriately sized not to exceed 1,000 kWh.

Recipients must document all activities (e.g., via a NEPA log) to ensure compliance with the restrictions of the Bounded Categories. The documentation must be available for DOE review upon request and submitted quarterly to [NEPALogs@ee.doe.gov](mailto:NEPALogs@ee.doe.gov).

Recipients are responsible for identifying and promptly notifying DOE of extraordinary circumstances, cumulative impacts, or connected actions that may lead to significant impacts on the environment, or any inconsistency with the “integral elements” (as contained in 10 C.F.R. Part 1021, Appendix B) as they relate to a particular Project; compliance with Section 106 of the NHPA and 10 CFR Part 1022.4—Compliance with Floodplain and Wetland Environmental Review Requirements, as applicable.

Entities must adhere to the requirements included in the “Historic Preservation” term included in the Special Terms and Conditions of the financial assistance agreement.

DOE is required to consider floodplain management and wetland protection as part of its environmental review process (Subpart B of 10 CFR 1022). As part of this required review, DOE determined requirements set forth in Subpart B of 10 CFR 1022 are not applicable to the activities described in Bounded Categories 1–7g above that would occur in a floodplain or wetland because the activities would not have short-term or long-term adverse impacts to the floodplain or wetland. These activities are administrative or minor modifications of existing facilities to improve environmental conditions. All other

integral elements and environmental review requirements are still applicable. All projects (except those under Bounded Categories 1–7g) must document that project activities do not occur in a floodplain or wetland. If the project activities do occur in a floodplain or wetland (except those under Bounded Categories 1–7g), those project activities are subject to additional NEPA review and approval by DOE.

For activities/projects requiring additional DOE NEPA review, entities must complete the environmental questionnaire (<https://www.eere-pmc.energy.gov/NEPA.aspx>) for review by DOE.

## **7.0. APPLICATION FORMAT AND CHANGES (FORMULA GRANTS)**

### **7.1. A. CONTENT AND FORM OF APPLICATION**

The EECBG Program application must be submitted via the PAGE online system [here](#). All applicants must first establish an account in PAGE to submit an application. Instructions will be submitted to the authorized contact, as designated in the applicant’s pre-application information sheet.

The PAGE Help System has detailed instructions for creating and submitting an EECBG Program application. The Help instructions can be found in PAGE by selecting ‘help’ from the blue horizontal menu bar, and under the Contents in the left panel selecting ‘EECBG’ and the subtopic for ‘New Grant Application’.

From the Home PAGE, select ‘Create New Application.’ Then, select the ‘Add New Application Package’. Once the application has been completed, be sure to validate and submit the application.

### **7.1. B. OTHER SUBMISSION AND REGISTRATION REQUIREMENTS**

Submission of application documents and award documents, including modifications, through electronic systems used by the DOE, including PAGE and FedConnect, constitutes the authorized representative’s approval and acceptance of the terms and conditions of the award. Award acknowledgement via FedConnect constitutes the authorized representative’s electronic signature.

### **7.1. C. QUESTIONS/AGENCY CONTACTS**

Questions relating to the registration process, system requirements, how an application form works, or the submittal process must be directed to the PAGE hotline at 866-492-4546, or [page-hotline@ee.doe.gov](mailto:page-hotline@ee.doe.gov). Entities should contact the EECBG Program with specific questions at the contacts provided below.

EECBG Program email: [eecbg@hq.doe.gov](mailto:eecbg@hq.doe.gov).

For general information regarding the EECBG Program, please visit the EECBG Program website, at: [Energy Efficiency and Conservation Block Grant Program | Department of Energy](#).

## **8.0 REPORTING REQUIREMENTS**

Reporting requirements for each eligible entity are identified on the Financial Assistance Reporting Checklist (FARC), DOE EERE 355, attached to the award agreement.

Additional information and guidance that addresses the scope and purpose of reporting for EECBG Program formula grants and vouchers is available on the [EECBG program website](#).

Awards initiated since 10/1/2010 are subject to the requirement of Reporting Subawards and Executive Compensation at <https://www.fsr.gov>. Please see Part V.C. of the Administrative and Legal Requirements Document (ALRD) for additional information.

## **9.0 VOUCHERS**

### **9.1 PURPOSE**

DOE has sought to simplify and streamline the process for entities that choose a voucher in lieu of a grant. Entities that opt into a voucher are not required to apply for and administer a direct federal grant. Entities choosing vouchers will submit a separate application using a streamlined process with reduced documentation, monitoring and reporting requirements compared to applying for and administering a federal grant. For example, if an entity opts in for a voucher, entities that have never managed a federal grant before will not be required to establish the necessary financial management systems, including accounting for federal funds, invoicing, and internal audits typically needed to comply with federal grant management requirements as described in the following regulations:

- 2 CFR §200.302 Financial management
- 2 CFR §200.303 Internal controls
- 2 CFR § 200,305 Federal payment
- 2 CFR §200.232 Requirements for pass-through entities 2 CFR §200.344 Closeout
- 2 CFR §200.345 Post-closeout adjustments and continuing responsibilities.
- 2 CFR § 200 Subpart F – Audit Requirements.

### **9.2 A. TECHNICAL ASSISTANCE VOUCHERS**

Vouchers for technical assistance will be used to access support from experts, across a wide array of high-value opportunities in energy efficiency, renewable energy, transportation, and related areas. Activities will fit into the following broad categories:

- Policy, Planning & Program Design
- Building Retrofits Planning and Design
- Engineering and Modeling
- Community and Stakeholder Engagement
- Program Administration and Implementation Support

### **9.2 B. VOUCHERS FOR EQUIPMENT REBATES**

Vouchers for equipment purchase and installation rebates will also be available to reimburse entities for the purchase of energy-related equipment used to meet the program goals. Equipment eligible for rebates will span a wide range of technologies that are deployed to lower fossil fuel use or increase energy efficiency. Examples include:

- Efficient materials and technologies used to retrofit buildings such as HVAC equipment, air source heat pumps, heat pump water heaters, windows, doors, insulation, and other weatherization materials;
- Electric vehicles and electric vehicle charging stations and equipment;
- Equipment for renewable energy installations, including wind, solar, and storage;
- Metering equipment; and
- Ancillary equipment such as electric system upgrades to accommodate technology installations.

Voucher applications must be reviewed and approved, including additional NEPA review and approval if activities are outside of the NEPA determination (i.e., the DOE form that documents DOE's NEPA review of a project or activities), prior to the completion of a purchase or installation of equipment to be eligible for reimbursement.

### **9.3 VOUCHER APPLICATION PROCESS**

Voucher applications will be accepted on a rolling basis, and review of applications will be prioritized as follows:

- Teams opting into vouchers
- Voucher applicants following one or more EECBG Program Blueprints
- Entities opting for vouchers with >40% of their program benefits going to disadvantaged communities
- All other Local or Tribal entities choosing a voucher

In addition, applications that propose and prioritize activities that will benefit disadvantaged communities may be considered higher priority and may be reviewed before other applications.

Applicants are strongly encouraged to review the application and submit complete applications. Submission of incomplete applications may result in a significant delay in processing individual grant awards.

A comparison of the necessary application documents and some administrative steps needed for a grant vs. a voucher is shown in Appendix 1. While entities choosing a voucher must still submit and receive approval for their energy efficiency and conservation strategy as described below, they will follow a simplified application process to receive a voucher, which briefly describes their voucher selection, its intended use, and expected outcomes, such as energy savings, job creation, leveraged funds and benefits to disadvantaged communities.

DOE strongly encourages the following local and Tribal entities to consider the voucher option for their formula award:

1. Entities with limited or no experience managing federal grant awards
2. Entities with limited internal staff or local capacity to manage an EECBG Program formula grant over multiple years
3. Entities receiving EECBG Program award allocations of \$250,000 or less

Additional information on the voucher application process, scope of technical assistance services and administrative requirements for participating in the voucher program will be provided in forthcoming Guidance from the EECBG Program.

Applicants are strongly encouraged to review the application and submit complete applications. Submission of incomplete applications may result in a significant delay in processing individual grant awards.

### **10.0 CONCLUSION**

The EECBG Program seeks to support communities on their path to clean energy and decarbonization. The EECBG Program will assist States, local governments, and Indian tribes as they advance efficient and effective programs to develop and deploy equitable and inclusive community energy savings strategies, clean energy infrastructure investments and projects. Through the EECBG Program, DOE will provide direct funding, technical assistance, and local, regional, and national coordination support to States, Local Governments and Indian tribes and their stakeholders to build a clean and equitable energy economy that enhance United States competitiveness, drive the creation of good-paying union jobs, tackle the climate crisis, and ensure stronger access to economic, environmental, and other benefits for disadvantaged communities and promotes equity and inclusion in workforce opportunities and

deployment activities, as identified in the Biden Administration's Justice40, job growth and quality, and DEIA goals.

DOE looks forward to continuing to work with its State, Local and Tribal partners to implement new and innovative approaches that achieve sustained progress toward energy savings, carbon emissions reductions, and building more equitable and inclusive communities.

Henry McKoy, Director  
Office of State and Community Energy Programs  
Office of the Under Secretary for Infrastructure  
U.S. Department of Energy

REFERENCE MATERIAL

IIJA EECBG Administrative and Legal Requirements Document  
IIJA EECBG Program Formula Allocations  
IIJA EECBG Program Pre-Award Information Sheet  
IIJA EECBG Program Energy Efficiency and Conservation Strategy Templates

**APPENDIX 1: APPLICATION MATERIALS CHECKLIST**

<b>Grant</b>	<b>Voucher<sup>50</sup></b>
Register in SAM (allow several weeks)	
Obtain DUNS number for all prime and sub awardees	
Obtain EIN and UEI number	
Register in FedConnect	
Register in PAGE	
Contact information for Principal Investigator and Business Officer	Contact information for Principal Investigator and Business Officer
Teaming partners (if applicable)	Teaming partners (if applicable)
Energy Efficiency and Conservation Strategy	Energy Efficiency and Conservation Strategy
EECBG Program Activity file	For TA voucher: Summary description of the technical assistance request, including a proposed scope of work and budget.  For Rebate: Summary description of the requested equipment, proposed location and facility type (i.e., municipal building, school, commercial or residential building, or site) and estimated cost
Verify compliance with Intergovernmental Review SPOC list	
EECBG Program Pre-Award Information Sheet	EECBG Program Pre-Award Information Sheet (Voucher sections only)
Standard Form 424 (Application form)	EECBG Formula Program Voucher Application
Standard Form 424A (Budget summary)	
Budget Justification: - Personnel, fringe benefits, travel, equipment, supplies, contractual, other direct costs, indirect costs	
Authorized Applicant: (Assurance Letter or Tribal Resolution)	
Assurance Letter: Davis Bacon Act	
A link to the applicant's latest single audit as required by 2 CFR 200 Subpart F	
NEPA Statement of Work (for expedited reviews)	
NEPA Environmental Questionnaire (EQ-1), if directed to submit	NEPA environmental questionnaire (EQ-1), If directed to submit.
Indirect Rate Agreement or Rate Proposal (if applicable)	
Certifications regarding Lobbying (SF-LLL Disclosure Form to report lobbying)	

<sup>50</sup> Additional details on the voucher and rebate application process will be distributed to entities eligible for EECBG Program formula grants.



**APPENDIX 2: BLUEPRINTS – TOPICS AND KEY ACTIVITIES WITH STREAMLINED REVIEWS**

<b>Blueprint Topic</b>	<b>Key Activities with Streamlined Reviews</b>
1. Energy Planning	Energy data collection to assist in reducing fossil fuel emissions, reducing total energy use, or improving energy efficiency
	Develop energy vision, goals, and strategies
	Stakeholder engagement, education, and outreach
	Write, adopt, and publicize energy plan
2.A. Energy Efficiency: Building Audits and Retrofits, including grid interactivity and electrification	Building energy assessments
	Energy audits
	Building upgrades, including energy efficiency, grid-interactivity, and electrification upgrades (as defined below)
2.B. Energy Savings Performance Contracts for Efficiency and Electrification in Municipal Buildings	Explore potential future financing options
	Procurement of energy savings performance contractor and legal support/technical assistance
2.C. Building Efficiency & Electrification Campaign	Develop energy retrofit goal and strategies, e.g., how to reach disadvantaged or low-income residents or small businesses
	Bulk procurement of building energy efficiency and electrification equipment (as described below) to be installed by for-profit and non-profit installers and contractors
	Procurement, legal and technical support and assistance
	Communications and website development
	Program education, outreach, and advertising
2.D. Building Performance Standards for Existing Buildings and Stretch Codes for New Construction	Stakeholder engagement, education, and outreach
	Data collection & benchmarking
	Metric selection and target setting
	Determine compliance and enforcement approach
3.A. Solar (and battery storage) Power Purchase Agreement	Site assessment
	Project savings assessment
	Procurement & legal support
	Installation of solar systems & battery storage (Limited to solar projects ≤60kW and 1,000kWh battery storage, with further restrictions defined below)
3.B Community Solar	Site assessment

	Stakeholder engagement, education, and outreach
	Procurement of developer, legal and technical support
	Communications, program education and promotion, including advertising and program website development
	Installation of solar panels (Limited to projects $\leq 60\text{kW}$ with further restrictions defined below)
3.C. Solarize Campaign	Design program details, including financing options for customers and how to support low-income customers and EJ communities
	Stakeholder engagement through education and outreach
	Procurement of developer & legal, technical support
	Program education, outreach, and advertising
3.D. Renewable Resource Planning for Communities	Stakeholder engagement through education and outreach
	Plan development & publication
	Preliminary resource planning and siting assessments
4.A. Electric Vehicles for Municipal Fleets	Develop fleet replacement plan, including stakeholder engagement and input
	Siting planning and preliminary assessments
	Develop utility data sharing agreement
	Develop charging plan including cost assessment of electric bill
	Procurement, legal, and technical support to purchase EVs and EVSE
	Installation of electric vehicle supply equipment (further restrictions listed below)
4.B. EV Charging Infrastructure for the Community	Procurement, legal and technical support to purchase EVSE
	Siting plan and site assessments
	Stakeholder engagement through education and outreach
	Installation of electric vehicle supply equipment (EVSE) (further restrictions listed below)
	Communications and program promotion
5. Unlocking Sustainable Financing Solutions for Energy Projects and Programs	Market analysis; programmatic research and design
	Stakeholder engagement through outreach and education
	Legal and technical support
	Program evaluation
6. Workforce Development	Program design, and curriculum development
	Stakeholder engagement through education, outreach, and program advertising
	Paying trainers and trainees including supplemental services

**Limitations on Expedited Reviews:** Recipients' proposed activities must fall within the activities listed above, with the below restrictions, in order to receive an expedited NEPA review.

**Building Energy Efficiency:** Commercially available energy or water efficiency or renewable energy upgrades, provided that projects adhere to the requirements of the respective applicant's DOE executed Historic Preservation Programmatic Agreement (PA), or, if an applicant doesn't have a PA, projects are restricted to structures less than forty-five (45) years old, and all projects are installed in or on existing buildings, do not require structural reinforcement, are appropriately sized, and are limited to:

- a. Installation of insulation.
- b. Installation of energy efficient lighting.
- c. HVAC upgrades (to existing systems).
- d. Weather sealing.
- e. Purchase and installation of energy/water efficient residential and commercial appliances and equipment (including, but not limited to, grid-interactive building technologies, energy or water monitoring and control systems, thermostats, heat pumps, air conditioners, and related software).
- f. Retrofit of energy efficient pumps and motors, for such uses as (but not limited to) wastewater treatment plants, where it would not alter the capacity, use, mission, or operation of an existing facility.
- g. Retrofit and replacement of windows and doors.

A list of states and territories including their Programmatic Agreements and Executed Amendments can be found on the [DOE Historic Preservation – Executed Programmatic Agreements website](#).

**Solar installations** that will receive expedited NEPA review must be appropriately sized, are not to exceed 60kW, must be installed on existing buildings or on an existing structure or within the boundaries of a facility (defined as an already disturbed area due to regular ground maintenance), must not require structural reinforcement, and must not remove any trees. Further, all activities must adhere to the requirements of the respective applicants' DOE executed Historic Preservation Programmatic Agreement, or if an applicant doesn't have a PA, projects are restricted to structures less than forty-five (45) years old.

Installation of battery storage systems including electrochemical and thermal storage systems, provided that projects adhere to the requirements of the respective applicant's DOE executed Historic Preservation PA are installed in or on an existing structure or within the boundaries of a facility (defined as an already disturbed area due to regular ground maintenance), do not require structural reinforcement, no trees are removed, and are appropriately sized not to exceed 1,000 kWh.

A list of states and territories including their PAs and amendments can be found [here](#).

**Installation of EVSE**, including testing measures to assess the safety and functionality of the EVSE, are restricted to existing footprints and levels of previous ground disturbance, within an existing parking facility defined as any building, structure, land, right-of-way, facility, or area used for parking of motor vehicles. All activities must use reversible, non-permanent techniques for installation, where appropriate, use the lowest profile EVSE reasonably available that provides the necessary charging capacity; place the EVSE in a minimally visibly intrusive area; use colors complementary to surrounding environment, where possible, and are limited to the current electrical capacity. This applies to Level 1, Level 2, or Level 3 (also known as Direct Current (DC) Fast Charging) EVSE. Installation of EVSE on Tribal Lands, or installations of EVSE that may affect historic properties located on Tribal Lands, is excluded from this Bounded Category, without first contacting your DOE Project Officer who will coordinate with the DOE NEPA Specialist.

# **EECBG Program: Energy Efficiency and Conservation Strategy Template for Local Governments**

## **Part A:**

**Grantee: City of Pocatello**

**Date: 4/1/2024**

**UEI Number: C1H5KKGYA7F8**

**Program Contact Email: chowe@pocatello.gov**

- 1. Local governments must include within their proposed strategy a description of their goals for increased energy efficiency and conservation in the jurisdiction. Does your local government have existing energy efficiency and conservation or related goals?**

No, our local government does not have an existing goal, but we are selecting the following goal as part of our strategy. If you select option 5, you must also select from options 1-4 or option 6 (may select more than one option).

Other: Establish a baseline of energy use for municipal buildings; Reorganize the municipal energy committee to identify goals; Adopt goals such as carbon neutrality, energy reduction, clean energy use goals, transition to electric vehicles. Include dates and timelines for achieving the goals and adopt by Council Resolution; Reduce municipal building energy use at identified buildings immediately through the adoption of energy efficiency materials, equipment, and systems. This includes weatherization to seal doors and windows to eliminate air leaks; installation of LED lights; install energy certified equipment or systems where applicable; install alternative energy systems such as solar panels where applicable.

- 2. Does your local government have an existing plan or strategy document (e.g., climate action plan, energy conservation plan, comprehensive energy plan, etc.) to reduce energy use, increase energy efficiency, reduce emissions, or train workers for high-quality energy efficiency jobs?**

No

**Please briefly describe your strategy to achieve your goals listed in Question 1:**

The City will achieve the goals identified in Question one primarily through the re-established of the local energy Committee. The composition of the committee will be reviewed to ensure it has proper stakeholder representation. The committee will meet and review previous progress made by the City toward energy-related goals as well as review Statewide and other Local entity plans for energy-related goals to determine what goals the City can accomplish. This will include a review of baseline energy use, reasonable greenhouse gas emission reduction goals, community outreach to determine broader community goals, and adoption of a resolution by City Council to implement the identified goals. In addition, the City will review grant and funding opportunities to achieve clean energy options for municipal buildings and operations, including options such as: solar panel installation; conversion to energy efficient systems or electrification of systems; or adoption of electric vehicles for municipal fleet. Goals for adopting these measures will be

established by the Committee and presented as actions to be achieved in the timeframe for achieving the GHG emission reduction goals established by the resolution.

**3. Are you planning to use a blueprint (see Section 4.5 of the EECBG Program Formula Grant Application Instructions document for more details)?**

Yes

Energy Efficiency: Building Audits and Retrofits, including grid interactivity and electrification

**4. Local governments must coordinate and share information with the State in which the eligible local government is located regarding activities carried out using the grant to maximize the energy efficiency and conservation benefits under the EECBG Program. Have you coordinated and shared your planned activities with your State?**

The City works collaboratively with various state agencies on numerous projects which include energy efficiency and conservation related measures. The City has a close working relationship with Idaho Department of Environmental Quality (DEQ) which is overseeing the State Climate Pollution Reduction Action Plan. Pocatello has provided comment and projects for the CAP and will continue to be involved and engaged in that process. In addition, the City has been in contact with the Office of Energy and Mineral Resources regarding EECBG and will continue to update the office as well as learn about other collaborative opportunities and engagement efforts to ensure coordination of energy efficiency and conservation goals.

**5. Local governments must take into account any plans for the use of funds by adjacent eligible local governments that receive grants under the EECBG Program. Have you taken into account how adjacent eligible units of local governments plan to use their funds?**

The other adjacent communities that are receiving EECBG funding include Idaho Falls and Bingham County (Blackfoot). We will collaborate as needed but these communities will be expending their funds in accordance with the blueprints or other program requirements. At this time, Pocatello is not equipped for a larger scale collaborative effort but anticipates that the energy task force will work towards broader collaboration as the funds are expended and the plan is developed.

**Part B**

**1. Do you plan to collaborate with other eligible units of government?**

Yes, we are going to form a team and apply through a joint application

Yes, we are going to informally collaborate

We are not yet sure if we are going to collaborate with others

No

- 2. Are you planning to partner with other organizations including utilities, energy industry and financial companies, community-based organizations, labor unions, and other non-profit organizations for your project?**

The City will work with partners such as Idaho Power, Intermountain Gas, the Portneuf Resource Council, and Southeast Idaho Community Action Agency.

- 3. Have you engaged local stakeholders (such as utilities, energy industry and financial companies, community-based organizations, labor unions, and other non-profit organizations) in the development of your plan and/or how you intend to use your EECBG Program allocation?**

Yes, the City has engaged with its local utility providers to gather initial data to help inform the use of the EECBG funding. In addition, the City has met with local sustainability group representatives to identify engagement opportunities for use of the funds.

- 4. Will this EECBG Program funding help you to access additional sources of funding?**

No

- 5. Do you anticipate needing support for your project development/implementation?**

Yes

- Policy, planning and program design
- Retrofits
- Engineering and modeling
- Stakeholder engagement
- Program administration and implementation support
- Outreach, education and advertising
- Other

- 6. Do you anticipate the project(s) you use this funding for will continue after the EECBG Program funding period?**

No

- i. What would help you to continue? (check all that apply)

- Local sustainable financing
- Public and local political support
- Staff capacity
- Other

- 7. How do you intend for your project(s) to benefit disadvantaged communities? (check all that apply)**

- a. Benefits include (but are not limited to) measurable direct or indirect investments or positive project outcomes that achieve or contribute to the following in disadvantaged communities:

A decrease in energy burden

A decrease in environmental exposure and burdens

An increase in access to low-cost capital

An increase in job quality (including paying prevailing wages for construction and maintenance projects by 2025)

An increase in clean energy enterprise creation and contracting (e.g., minority-owned or disadvantaged business enterprises)

An increase in clean energy jobs, job pipeline, and job training for individuals from disadvantaged communities

An increase in parity in clean energy technology access and adoption

An increase in energy democracy

Other – The City will see potential cost savings for municipal building maintenance which would lead to reduction in budget needs and tax savings and subsequently less tax burden on the community. In addition, improved energy efficiency can reduce GHG emissions and carbon footprint which would have positive health benefits.

**8. How will your strategy support the goal that 40% of the overall benefits of certain federal investments flow to disadvantaged communities, in line with the Justice40 initiative?**

Potential cost savings for municipal building maintenance could lead to reduction in budget needs and tax savings resulting in less tax burden on community. This will have positive implications for the City as a whole which has the majority of its census tracts in historically disadvantaged communities (HDC). In addition, improved energy efficiency can reduce GHG emissions and carbon footprint which would have positive health benefits. The task force plan development will also target the HDC, which using the CEJST tool, show low-income census tracts to be most burdened. We can target future programming there.

## **Energy Efficiency and Conservation Block Grant Program (BIL) Activity File**

The Activity File section of the State Plan describes each “activity” for which the state requests financial assistance for a given year, including budget information and milestones and the intended scope and goals to be attained either qualitatively or quantitatively. The Activity File must account for all funds budgeted within the program year, including funds for administrative activities. This includes match and PVE funds. The Activity File must include at least one process metric for each activity (administrative activities are exempt from this requirement). The description section of the Activity File should explain concisely the activities that will be completed under each, including goals and objectives, with enough specificity to allow DOE to determine that the proposed work meets Energy Efficiency and Conservation Block Grant Program (BIL) requirements and includes no prohibited activities.

Title: Building Energy Audits

Activity: Building Energy Audits

Sector: Local Government

Technology/Topic Areas:

- Audits and Assessments
- Clean Energy/Clean Energy Technology
- Energy Management
- Energy Audits
- Energy Efficiency
- Retrofits

### **Blueprints**

Efficient Buildings

2a. Energy Efficiency - Energy Audits and Building Upgrades

### **Executive Summary**

Establish a baseline of energy use for municipal buildings; Reorganize the municipal energy committee to identify goals; Adopt goals such as carbon neutrality, energy reduction, clean energy use goals, transition to electric vehicles. Include dates and timelines for achieving the goals and adopt by Council Resolution; Reduce municipal building energy use at identified buildings immediately through the adoption of energy efficiency materials, equipment, and systems. This includes weatherization to seal doors and windows to eliminate air leaks; installation of LED lights; install energy certified equipment or systems where applicable; install alternative energy systems such as solar panels where applicable.



### **Activity Milestone**

- Identify Municipal Buildings for Energy Audits
- Establish a baseline of energy usage for the buildings
- Contract with Vendor to Conduct Audits
- Complete retrofits pending funding
- Re-establish Energy Task Force
- Complete Community Engagement and development of Energy Goals for City
- Adopt Goals and Ordinance

### 6.3. A. STANDARD FORM 424 (APPLICATION)

Add an attachment to the document with the name, title, phone number and email address for both the Principal Investigator and the Business Officer

Principal Investigator

Name: Jennifer Flynn

Title: Assistant Planner

Phone Number: 208-234-6500

Email Address: jflynn@pocatello.gov

Business Officer

Name: Christine Howe

Title: Grants Manager

Phone Number: 208-234-6186

Email Address: chowe@pocatello.gov