

*Request for Proposals  
Energy Efficiency and Conservation Block Grants*

*May 5, 2009*



***American Recovery and Reinvestment Act (ARRA)***



**Oklahoma Department of Commerce  
Oklahoma State Energy Office  
900 North Stiles Avenue  
Oklahoma City, Oklahoma 73104**

**405-815-6552**



# **PART I - FUNDING OPPORTUNITY DESCRIPTION**

## **INTRODUCTION AND BACKGROUND**

This Request for Proposal (RFP), details the submission requirements on proposed energy efficient projects to the Oklahoma Department of Commerce State Energy Office (SEO). Funding for this opportunity has been allocated to the Oklahoma SEO from the U. S. Department of Energy (DOE) Energy Efficiency and Conservation Block Grants (EECBG) Program.

The American Recovery and Reinvestment Act of 2009 appropriated \$3.2 billion for the EECBG Program. The Program was authorized in Title V, Subtitle E of the Energy Independence and Security (EISA) Act of 2007, and signed into Public Law (PL-110-140) on December 19, 2007. The program provides grants to units of local government, Indian tribes, states and territories to implement energy efficiency and conservation strategies -

- To reduce fossil fuel emissions created as a result of activities within the jurisdictions of eligible entities;
- To reduce total energy use; and
- To improve energy efficiency in the transportation, building, and other appropriate sectors.

In order to ensure transparency and accountability for the disbursement of ARRA funds, information about the projects will be posted on the Oklahoma Recovery website at <http://oklahoma.gov/recovery/>

## **PROGRAM OUTCOMES**

Desired outcomes of the EECBG Program include:

- Increased energy efficiency, reduced energy consumption and reduced energy costs through energy efficiency improvements in the building, transportation and other appropriate sectors;
- New jobs and increased productivity to spur economic growth and community development;
- Accelerated deployment of market-ready distributed renewable energy technologies, including wind, solar, geothermal, hydropower, biomass and hydrogen technologies;
- Improved air quality and related environmental and health indicators associated with the reduction of fossil fuel emissions;
- Improved coordination of energy-related policies and programs across jurisdictional levels of governance and with other local and community level programs in order to maximize the impact of this program on long-term priorities;
- Increased security, resilience, and reliability of energy generation and transmission infrastructure;
- Leveraging of the resources of federal, state and local governments, utilities and utility regulators, private sector and non-profit organizations to maximize the resulting energy, economic and environmental benefits; and
- Widespread use of innovative financial mechanisms that transform markets.

## ALLOCATIONS FOR OKLAHOMA EECBG

DOE funding allocations for Oklahoma Units of Local Government, State and Indian tribes are shown in the two tables that follow:

Energy Efficiency and Conservation Block Grants (EECBG) Formula Allocations 2009			
State	Name (City, County & SEO)	Level of Government	Allocation
OK	Oklahoma	State Energy Office	9,593,500
OK	Bartlesville	City	155,200
OK	Broken Arrow	City	814,700
OK	Edmond	City	726,700
OK	Enid	City	204,900
OK	Lawton	City	890,500
OK	Midwest City	City	526,600
OK	Moore	City	454,200
OK	Muskogee	City	181,700
OK	Norman	City	1,001,400
OK	Oklahoma City	City	5,482,300
OK	Stillwater	City	209,300
OK	Tulsa	City	3,883,500
OK	Canadian	County	258,100
OK	Carter	County	207,100
OK	Creek	County	283,400
OK	Grady	County	206,700
OK	Le Flore	County	206,700
OK	Oklahoma	County	501,100
OK	Pottawatomie	County	288,600
OK	Rogers	County	339,800
OK	Tulsa	County	554,300
OK	Wagoner	County	202,200

State	Name	Allocation
OK	Cherokee Nation, OK	3,254,200
OK	Muscogee (Creek) Nation, OK	2,298,200
OK	Choctaw Nation of OK	1,271,400
OK	Chickasaw Nation, OK	1,022,300
OK	Citizen Potawatomi Nation OK	472,700
OK	Cheyenne & Arapaho Tribes, OK (formerly Cheyenne-Arapaho Tribes of OK)	389,100
OK	Osage Nation, OK (formerly Osage Tribe)	284,500
OK	Comanche Nation, OK	235,500
OK	Kiowa Indian Tribe of OK	224,800
OK	Sac and Fox Nation, OK	206,600
OK	Absentee-Shawnee Tribe of Indians, OK	189,500
OK	Seminole Nation of OK	177,100
OK	Kaw Nation, OK	100,500
OK	Caddo Nation of OK	90,200
OK	Pawnee Nation of OK	89,900
OK	Wyandotte Nation, OK	87,700
OK	Kickapoo Tribe of OK	86,800
OK	Apache Tribe of OK	70,900
OK	Quapaw Tribe of Indians OK	65,800
OK	Peoria Tribe of Indians of OK	65,400
OK	Ponca Tribe of Indians of OK	58,600
OK	Ottawa Tribe of OK	51,400
OK	Thlopthlocco Tribal Town, OK	45,400
OK	Wichita and Affiliated Tribes (Wichita, Keechi, Waco & Tawakonie) OK	44,100
OK	Alabama-Quassarte Tribal Town, OK	37,400
OK	Seneca-Cayuga Tribe of OK	34,900
OK	Iowa Tribe of OK	30,600
OK	Miami Tribe of OK	30,200
OK	Tonkawa Tribe of Indians of OK	29,500
OK	Kialegee Tribal Town, OK	28,000
OK	Otoe-Missouria Tribe of Indians, OK	27,600
OK	Fort Sill Apache Tribe of OK	25,500
OK	Delaware Nation, OK	25,000
OK	Eastern Shawnee Tribe of OK	25,000
OK	Modoc Tribe of OK	25,000
OK	Shawnee Tribe, OK	25,000
OK	United Keetoowah Band of Cherokee Indians in OK	25,000

TIMETABLE FOR OKLAHOMA EECBG		
Date	Amount	Funding / Event
3/26/2009	N/A	Issue date of U.S. DOE Funding Opportunity Announcement for EECBG Formula Grants. Funding # DE-FOA-0000013.
<b>5/5/2009</b>	<b>N/A</b>	<b>Release date of Oklahoma State Energy Office Request for Proposal soliciting applications for EECBG.</b>
<b>5/19/2009</b>	<b>N/A</b>	<b>Project Proposals due to Oklahoma SEO for EECBG funding.</b>
5/26/2009	N/A	Oklahoma SEO application due date for EECBG Formula Grants Application to DOE.
Estimated 9/26/2009	\$4,796,750	50% of allocated funds if the Oklahoma SEO Energy Efficiency Conservation Strategy is approved or if not approved will receive \$250,000 to develop EECBS Strategy.
Estimated 9/26/2009	N/A	Oklahoma SEO announces award list for EECBG projects to be funded.
Estimated 9/26/2009	N/A	Oklahoma SEO enters into Grant Agreement with first phase of projects funded by EECBG
(pending)	\$4,796,750	Balance of funding will be obligated after Oklahoma SEO demonstrates to DOE that it has obligated funds appropriately, complied with reporting requirements and created jobs (DOE may require one or more reviews of the plan submitted).
(pending)	N/A	Oklahoma SEO enters into Grant Agreement with second phase of projects funded by EECBG
(pending)	\$9,593,500	Total Allocation of EECBG funds (100% of eligible funds to Oklahoma SEO.
Estimated 9/30/2012	<b>N/A</b>	<b>End date of Oklahoma State Energy Office EECBG funding. Close out of grants.</b>

Shaded areas indicate action dates for applicants/grantees of Oklahoma EECBG funds.

## PART II - AWARD INFORMATION

### TYPE OF AWARD INSTRUMENT

The Oklahoma SEO will be awarding grant agreements under this program announcement. All recipients will be required to comply with the provisions identified in the grant agreement.

### ESTIMATED FUNDING

The Oklahoma SEO anticipates awarding approximately \$8,634,150 in competitive grant funding for energy efficient projects in Oklahoma that best meet the criteria outlined in the EECSBG program and subject to the availability of funds. Actual disbursement of awards will be phased according to the timeline as established by DOE.

A requirement to receiving EECSBG funding is that all applicants must submit, or be prepared to submit, an Energy Efficiency and Conservation Strategy (EECS). Units of Local Government and Indian tribes are asked to submit either existing EECS plans at the time of application (that meet the criteria as shown in Attachment "C" on page 44), or within six months of the award (up to \$10,000 of the grant award can be used for development of the EECS).

Funding by the Oklahoma SEO will be allocated in four (4) groups with eligible applicants as shown in the following table:

ELIGIBLE APPLICANTS	ESTIMATED SET-ASIDE
<p><b>Oklahoma Units of Local Government and Indian Tribes (<u>not directly funded by DOE</u>):</b> This set-aside is open to eligible Units of local government and Indian tribes that <b>did not</b> receive direct grants from DOE for the EECSBG Program. Entities funded directly by DOE are shown on pages 4-5 of this document. Not less than 60% of the State Energy Program allocation will go to this se-aside.</p> <p>Grant Maximum: \$250,000</p>	5,756,100
<p><b>Oklahoma Units of Local Government and Indian Tribes:</b> This set-aside is open to all eligible Units of local government and Indian tribes. If you are a Unit of local government that submitted an application for the SEP ARRA funds, you may also submit an application for this set-aside. Another full application will not be required. However, the SEO requests that you submit a letter requesting funds from this program and outline any changes or revisions (if any) from the previous application submitted. In addition, you will have to submit or be prepared to submit an Energy Efficiency and Conservation Strategy.</p> <p>Grant Maximum \$250,000</p>	1,578,050

This table is continued on next page.

<b>ELIGIBLE APPLICANTS</b> (continued from page 7)	<b>ESTIMATED SET-ASIDE</b>
<p><b>Energy Smart Local Government:</b> This set aside is open to all Units of local government. The Oklahoma Department of Commerce will select two (2) Energy Smart Local Governments.</p> <p>An Energy Smart Local Government will have/or be prepared to implement a plan to create a healthy, sustainable, energy-efficient environment. The goal should be to reduce energy, as well as water use; reduce greenhouse gas emissions and other environmental impacts and; to ensure reliable, affordable energy for the community.</p> <p>We encourage Units of local government that have either established a community energy plan or are interested in developing a sustainable energy-efficient environment to submit a "Letter of Intent" with justification why your community should be considered as a pilot Oklahoma Energy Smart Community.</p> <p>The SEO will interview the top ten (10) communities and select two (2) finalists for award of EECBG grant funds. See page 42 for more details on topics of interest. Units of Local Government may apply for other set-asides' as listed above but if funded for this set-aside would not receive additional grant from EECBG.</p> <p>Grant Maximum \$500,000</p>	1,000,000
<p><b>Main Street Community:</b> This set-aside is open to Oklahoma Main Street Communities in partnership with their Unit of local government.</p>	300,000
<b>TOTAL</b>	<b>\$8,634,150</b>

## PERIOD OF PERFORMANCE

The estimated project period for the first round of awards resulting from this solicitation should begin by September 2009. The other dates are unknown at this time and dependent on both the performance by the Oklahoma SEO and DOE approval. The end date for all projects will be based on the contract term between the Oklahoma SEO and DOE. The State grant period is thirty-six (36) months from the date of approval (estimated to be on or before 9/26/09).

## AWARD MAXIMUM

Applicants will be able to apply for grants up to a maximum of **two hundred fifty thousand dollars** (\$250,000), in funding of the EECBG projects with the exception of two (2) five hundred thousand dollar (\$500,000) grants that will be awarded to the Energy Smart Communities.

## **BASIS FOR PAYMENT**

As consideration for the services rendered by the recipient under the terms of the grant agreement, the Oklahoma Department of Commerce shall pay the recipient on a **cost reimbursement** basis an amount not to exceed the awarded amount.

## **NUMBER OF PROPOSALS PER APPLICANT**

No limit.

## **AWARD NOTICES**

The Oklahoma SEO will announce projects selected for funding once approval is received from DOE, which is estimated to be on or before September 26, 2009. Projects will be funded when the Oklahoma SEO receives the phased allocations from DOE. The anticipated timeframe is shown in the table on page six (6) of this document.

## PART III – ELIGIBILITY INFORMATION

### ELIGIBLE APPLICANTS

Eligible applicants include Units of local government (city, town or county) and Indian tribes.

### ELIGIBLE ACTIVITIES

A list of eligible activities for use of program funds is contained in Sec. 544 of EISA. The activities below are not an exhaustive list and should be used as a guide to the intent of the program.

**1. Development of an Energy Efficiency and Conservation Strategy:** Entities may use a grant received under this part to develop and/or implement a strategy for energy efficiency and conservation and to carry out activities to achieve the purposes of the program.

**2. Technical Consultant Services:** Entities may retain technical consultant services to assist the eligible entity in the development of such a strategy, including formulation of energy efficiency, energy conservation, and energy usage goals; identification of strategies to achieve those goals through efforts to increase energy efficiency, reduce fossil fuel emissions or reduce energy consumption through investments or by encouraging behavioral changes.

**3. Residential and Commercial Building Energy Audits:** Entities may support conducting residential and commercial building energy audits.

**4. Financial Incentive Programs:** Entities may establish financial incentive programs and mechanisms for energy efficiency improvements such as energy saving performance contracting, on-bill financing, and revolving loan funds.

**5. Energy Efficiency Retrofits:** Grants may be made to nonprofit organizations and governmental agencies for the purpose of retrofitting existing facilities to improve energy efficiency.

**6. Energy Efficiency and Conservation Programs for Buildings and Facilities:** Entities may develop and implement energy efficiency and conservation programs for buildings and facilities within the jurisdiction of the entity. The range of activities includes the design and operation of the programs; the identification of the most effective methods for achieving maximum participation and efficiency rates; public education; measurement and verification protocols; and identification of energy efficient technologies.

**7. Development and Implementation of Transportation Programs:** Entities may develop and implement programs to conserve energy used in transportation, including but not limited to:

- Employee flex time programs;
- Promoting use of satellite work centers;
- Development and promotion of zoning guidelines or requirements that promote energy efficient development;
- Development of infrastructure such as bike lanes and pathways and pedestrian walkways;
- Synchronization of traffic signals;
- State/locals/regional integrated planning activities (i.e. transportation, housing, environmental, energy, land use) with the goal of reducing greenhouse gas emissions and vehicle miles traveled;

- Incentive programs to reduce commutes by single occupancy vehicles;
- Improvements in operational and system efficiency of the transportation system such as implementation of intelligent transportation system (ITS) strategies;
- Idle-reduction technologies and/or facilities to conserve energy, reduce harmful air pollutants, and greenhouse gas emissions from freight movement; and
- Installation of solar panels on interstate rights-of-way to conserve energy in highway operations and maintenance activities.

**8. Building Codes and Inspections:** Entities may develop and implement building codes and inspection services to promote building energy efficiency.

**9. Energy Distribution:** Entities may implement distributed energy resource technologies that significantly increase energy efficiency, including:

- District heating and cooling systems
- Combined heat and power systems
- Cogeneration systems
- Energy Storage systems
- Absorption chillers
- Desiccant humidifiers
- Micro turbines
- Ground source heat pumps

**10. Material Conservation Programs:** Entities may implement 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. Reduction and Capture of Methane and Greenhouse Gases:** Entities may use grant funds to purchase and implement technologies to reduce, capture, and, to the maximum extent practicable, use methane and other greenhouse gases generated by landfills or similar waste-related sources, such as wastewater treatment plants, operations producing food waste, dairy farms and other animal operations.

**12. Traffic Signals and Street Lighting:** Entities may use grant funds to replace traffic signals and street lighting with energy efficient lighting technologies, including light emitting diodes; and any other technology of equal or greater energy efficiency.

**13. Renewable Energy Technologies on Government Buildings:** Entities may use grant funds to develop, implement, and install on or in any government building of the eligible entity onsite renewable energy technology that generates electricity from renewable resources, including solar energy; wind energy; fuel cells; and biomass.

**14. Any Other Appropriate Activity:** Entities may submit any other appropriate activity for approval in the Energy Efficiency and Conservation Strategy.

## **LEVERAGE**

Cost share or match is not required for grants made with ARRA funds. However, the Oklahoma SEO will award extra points to projects that make cash contributions for their project cost.

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

### **SUBMISSION INFORMATION**

Submit three (3) hard copies of the completed application and one (1) email submission of the application. All hard copies and the email applications must be received in the Oklahoma State Energy Office no later than 4:30 p.m. CST on **Tuesday, May 19, 2009**.

#### **HARD COPY SUBMISSION:**

Submit three (3) hard copies of the application (one original and two copies) complete with all signatures where required.

**Please submit only one (1) executed Assurances and Certifications document (shown on pages 30 – 40).** It is not necessary to submit this document with other application copies.

Oklahoma State Energy Office  
Oklahoma Department of Commerce  
900 North Stiles Avenue  
Oklahoma City, OK 73104

#### **EMAIL SUBMISSION:**

Submit only the application (no Assurances and Certifications)

[carolyn\\_sullivan@okcommerce.gov](mailto:carolyn_sullivan@okcommerce.gov)

#### **In addition, we require applicants to:**

- Organize the application in the sequence outlined in instructions.
- Include all components noted.
- Adhere to the font size, format, and length (one inch margins; font should be either Arial 10 or Times New Roman 12).
- Do not submit any other supplementary materials such as annual reports, videos, brochures, letters of support, or any supplementary material not requested in the application.

**The State Energy Office will not review applications that arrive after the posted deadline.**

### **QUESTIONS**

If you have questions concerning the forms or application process please contact Carolyn Sullivan at 405-815-5347 or Kylah McNabb at 405-815-5249.

## **PART V - APPLICATION REVIEW INFORMATION**

### **PROJECT SELECTION**

Project evaluation and selection is guided by the criteria as established by the Oklahoma SEO including the criteria listed below:

- Immediate job creation
- Preference for use of Oklahoma companies
- Reduce energy costs
- Promote renewable and alternative energy
- Emphasize carbon reduction
- Use of current technology
- Promote energy efficiency
- Demonstrate state commitment to sustainability to thereby attract additional federal dollars

Activities carried out and results achieved with SEP ARRA funding will be assessed according to the following performance metrics:

#### Energy Savings (kwh equivalents)

- Annual reduction in natural gas consumption (mmcf) by sector and end-use category
- Annual reduction in electricity consumption (MWh) by sector and end-use category
- Annual reduction in electricity demand (MW) by sector and end-use category
- Annual reduction in fuel oil consumption (gallons) by sector and end-use category
- Annual reduction in propane consumption (gallons) by sector and end-use category
- Annual reduction in gasoline and diesel fuel consumption (gallons) by sector and end-use category

#### Job Creation/Retention

- Number
- Type
- Duration

#### Renewable Energy Capacity and Generation

- Amount of wind-powered electric generating capacity installed (MW)
- Amount of electricity generated from wind systems (MWh)
- Amount of photovoltaic generating capacity installed (MW)
- Amount of electricity generated from photovoltaic systems (MWh)
- Amount of electric generating capacity from other renewable sources installed (MW)
- Amount of electricity generated from other renewable sources (MWh)

#### Emissions Reductions (tons) (CO2 equivalents)

- Methane
- Carbon
- Sulfur dioxide
- Nitrogen oxide
- Carbon monoxide

## REVIEW CRITERIA

Applications will be evaluated and ranked using the following point structure:

### Project Details (70 possible points)

Projects will be funded based of the project details, which include action in the following categories:

- **Jobs Created/ Economic Development:** The degree to which the project stimulates in-state capital investment and economic development in metropolitan and rural areas, including the creation of jobs and the future development of a commercial market for renewable energy technologies.
- **Energy Savings:** Projects that significantly contribute to cost savings and energy efficiency. Must demonstrate efficient use of energy and material resources.
- **Energy Efficiency Plan:** Details given on previous energy efficiency steps that have been taken or if the community/entity has a current energy efficiency plan in place.
- **Sustainability:** A system is sustainable if, over its lifetime, it produces more energy than it consumes. Evidence that the project can be sustained for an indefinite period without damaging the environment, or without depleting a resource.
- **Innovative Technology:** The degree to which the project incorporates an innovative new technology or an innovative application of existing technology.
- **Community Need/Public Benefit:** Describe how the project will benefit members of the community. Identify any other organizations that will help to complete the project.
- **Multiple Technologies:** The degree to which a project incorporates multiple renewable energy technologies in the project.
- **Duration & Timeline:** Project duration and timeline for expenditures.

### Organizational Capacity (20 possible points)

- **Key Personnel:** Identify the role(s) of key staff person(s) responsible for the project;
- **Project Management:** The ability to administer a complete project.

### Oklahoma Business (5 or 10 possible points)

- **Preference for use of Oklahoma Companies:** If a product or proposed contracting work on a project is provided by a business operated in Oklahoma, ten (10) points will be awarded. If a product or proposed contracting work on a project is provided by a business operated by a U.S. Company, five (5) points will be awarded.

## Additional Criteria

Extra consideration will be given to applications that reflect a higher degree of leveraging and/or to projects that extend the impact of funds.

### LEVERAGE (25 possible points)

- **Leverage or Cost Share Percentage:** Cost share or match is not required for grants made with EECBG funds. However, the Oklahoma SEO will award extra points to projects that contribute leverage contributions in the project cost. Cost share committed to the total project from the applicant will be rated on a sliding scale basis as shown below:

LEVERAGE OR COST SHARE CRITERIA	
Amount Leveraged	Points Given
75% or greater	25
50% to 74%	15
25% to 49%	7
5% to 24%	3

## OTHER REQUIREMENTS UNDER ARRA

### National Environmental Policy Act (NEPA):

All projects receiving financial assistance from DOE must be reviewed under the National Environmental Policy Act (NEPA) of 1969 – 42 U.S.C. Section 4321 et seq.

Applicants proposing projects in support of activities as shown in the table below may qualify for categorical exclusion status. However, this determination cannot be made without NEPA review. **Therefore, all Applicants proposing projects in support of activities shown below must supply the environmental information contained in NETL F 451.1-1/3-EECBG.**

Establishment of financial incentive programs for energy efficiency improvements;	Complete NETL F 451.1-1/3-EECBG and submit with application
The provision of grants to nonprofit organizations and governmental agencies for the purpose of performing energy efficiency retrofits;	Complete NETL F 451.1-1/3-EECBG and submit with application
Development of non-highway transportation infrastructure, such as bike lanes and pathways and pedestrian walkways;	Complete NETL F 451.1-1/3-EECBG and submit with application
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;	Complete NETL F 451.1-1/3-EECBG and submit with application
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: <ul style="list-style-type: none"> <li>o Solar energy;</li> <li>o Wind energy;</li> <li>o Fuel cells; and</li> <li>o Biomass;</li> </ul>	Complete NETL F 451.1-1/3-EECBG and submit with application

### Section 1605, Buy American

Under Section 1605 of the ARRA, no funds appropriated by the Act may be used for a public buildings/works project unless “all iron, steel and manufactured goods used are produced in the U.S.”

Exceptions are allowed for cases

- where the head of the federal agency concerned determines adherence would be “inconsistent with the public interest”,
- where iron/steel/manufactures are not produced in the U.S. in sufficient and available quantities, or
- inclusion of U.S. products would increase overall project cost by 25%

Notice of a waiver of the ARRA Buy American requirements must be noticed and justified in *Federal Register*.

## **Federal Wage Rate Requirements (Davis-Bacon Act)**

The ARRA requires payment of federal prevailing wages. Specifically, Davis-Bacon Act wage rules apply to all assistance agreements made in whole or in part with ARRA funds.

Information on the current wages for Oklahoma can be found on the Davis Bacon Wage Determinations website at <http://www.gpo.gov/davisbacon/>

## **Reporting Requirements**

President Obama has committed to transparency and accountability in the use of funds provided through ARRA. Activities carried out and results achieved with ARRA funds will be tracked carefully, reported clearly and quantifiably.

In an effort to meet this requirement, Gov. Brad Henry ordered the creation of a state Web site to help track the use of Oklahoma stimulus funds. This site will provide the citizens of Oklahoma access to clear and concise information about the federal stimulus initiative. Project information will be posted on <http://oklahoma.gov/recovery/>

Applicants will be responsible for submitting financial and management progress reports to the Oklahoma SEO. **Reports will be due on a quarterly and annual basis and must meet the special reporting requirements set forth under ARRA.**

The Oklahoma SEO will be responsible for submitting multiple reports to DOE on the SEP ARRA funds. Please be advised that grantees in receipt of these funds must submit reports on projects to meet DOE requirements. Multiple reports that will be due are as follows:

- Special Status Report
- Financial Reporting
- AARA Performance Progress Report
- Closeout Reports

Recipients of funding appropriated by the Act shall comply with requirements of applicable Federal, State and local laws, regulations, DOE policy and guidance.

# **HELPFUL RESOURCES**

## HELPFUL RESOURCES

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### PROGRAM REGULATIONS

The federal regulations for this program include Title V, Subtitle E of the Energy Independence and Security Act (EISA) of 2007; the Code of Federal Regulations **Title 10 – Energy, Part 420 – Financial Assistance Rules**; and the Office of Management and Budget **OMB Circulars**. To review these provisions, please refer to the links provided.

[http://en.wikisource.org/wiki/Energy\\_Independence\\_and\\_Security\\_Act\\_of\\_2007](http://en.wikisource.org/wiki/Energy_Independence_and_Security_Act_of_2007)  
[http://www.access.gpo.gov/nara/cfr/waisidx\\_01/10cfr420\\_01.html](http://www.access.gpo.gov/nara/cfr/waisidx_01/10cfr420_01.html)  
<http://www.whitehouse.gov/omb/circulars/>

### APPLICABILITY & FLOWDOWN OF ADMINISTRATIVE REQUIREMENTS FROM OMB CIRCULARS

Type of recipient	Must comply with
State, unit of local government or Indian tribal government	OMB Circular A-102, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments  OMB Circular A-87, Cost Principles for State, Local and Indian Tribal Governments  OMB Circular A-133, Audits of States, Local Governments and Nonprofit Organizations.

**Energy Star Portfolio Manager:** Portfolio Manager is an interactive energy management tool that allows you to track and assess energy and water consumption across your entire portfolio of buildings in a secure online environment.

<http://www.energystar.gov/benchmark>

**International Performance Measurement & Verification Protocol:** This document issued by the Energy Efficiency and Renewable Energy Clearinghouse contains concepts and options for determining energy and water savings.

<http://www.nrel.gov/docs/fy02osti/31505.pdf>

Davis Bacon Wage Determinations (can browse by state): <http://www.gpo.gov/davisbacon/>

**ATTACHMENT “A”**  
**GRANT APPLICATION FORMS**

## APPLICATION CHECKLIST

Use the following checklist as guidance to confirm you have all documentation needed for a Unit of Local Government **Grant Application**:

- Part I - Application for Assistance
- Part II - Project Narrative
- Part III - Project Budget
- Part IV - Assurances and Certifications (only one original required)
- Energy Efficiency & Conservation Strategy

Unit of Local Government **Letter of Intent for Energy Smart Local Government:**

- Letter of Intent only – see instructions on page 42

Please note: Application documents will be available on line at the following site:

<http://www.okcommerce.gov/stimulus/> (Select Community Resources – State Energy Program).

As previously stated, submission of applications are due as detailed below:

**HARD COPY SUBMISSION:**

Submit three (3) hard copies of the application (one original and two copies) complete with all signatures where required.

**Please submit only one (1) executed Assurances and Certifications document (shown on pages 30 – 40).** It is not necessary to submit this document with other application copies.

Oklahoma State Energy Office  
Oklahoma Department of Commerce  
900 North Stiles Avenue  
Oklahoma City, OK 73104

**EMAIL SUBMISSION:**

Submit only the application (no Assurances and Certifications)

[carolyn\\_sullivan@okcommerce.gov](mailto:carolyn_sullivan@okcommerce.gov)

If you have questions about completing the forms or about the program in general, please contact Carolyn Sullivan at 405-815-5347 or Kylah McNabb 405-815-5249.



## PART I - APPLICATION FOR ASSISTANCE

### Oklahoma Department of Commerce - State Energy Office Energy Efficiency Conservation and Block Grant (EECBG)

<b>APPLICANT INFORMATION</b>				
Applicant Name:				
Address:				
City:		St:		Zip Code:
Applicant FEID #:				
Applicant Type:	<input type="checkbox"/> Unit of local government		<input type="checkbox"/> Indian tribe	
<b>PROJECT INFORMATION</b>				
Project Title:				
Project Location:				
Activity: (Select all that apply)	<input type="checkbox"/> Development of Energy Efficiency and Conservation Strategy <input type="checkbox"/> Technical Consultant Services <input type="checkbox"/> Residential and Commercial Building Energy Audits <input type="checkbox"/> Financial Incentive Programs <input type="checkbox"/> Energy Efficiency Retrofits <input type="checkbox"/> Energy Efficiency and Conservation Programs for Buildings and Facilities <input type="checkbox"/> Development and Implementation of Transportation Programs <input type="checkbox"/> Building Codes and Inspections <input type="checkbox"/> Energy Distribution <input type="checkbox"/> Material Conservation Programs <input type="checkbox"/> Reduction and Capture of Methane and Greenhouse Gases <input type="checkbox"/> Traffic Signals and Street Lighting <input type="checkbox"/> Renewable Energy Technologies on Government Buildings <input type="checkbox"/> Other _____			
<b>PROJECT CONTACT INFORMATION</b>				
Project Contact:				
Email:				
Phone Number:		Fax Number:		
<b>ESTIMATED FUNDING</b>				
Requested EECBG Funding				
Applicant Funds (amount of leverage or match - if any)				
Other (specify)				
<b>Project Total</b>				
<b>CERTIFYING OFFICIAL</b>				
Certifying Official's Signature				
Certifying Official's Name (printed):				
Title:				
Organization:				

## PART II – PROJECT NARRATIVE

**NOTE:** The following sections have page limit restrictions. The application must not exceed the specified page limits when printed using standard 8.5” by 11” paper (one inch margins; font should be either Arial 10 or Times New Roman 12). **Start each section on a new page.** One page is equivalent to one side of paper.

### **SECTION I: Project Summary** (Limit: 1 page)

The project summary must contain a summary of the proposed activity suitable for dissemination to the public. It should be a self-contained document that identifies the name of the applicant, the project director/principal investigator(s), the project title, the objectives of the project, a description of the project, including methods to be employed, the potential impact of the project (for example, benefits and outcomes), and major participants (for collaborative projects). Please do not include any information in this section you wish to claim as proprietary, sensitive, or exempt from public records.

### **SECTION II: Project Objectives** (Limit: 1 page)

Provide a list of objectives, in bullet format, expected to be achieved as a result of funding/completing this proposed project. (Project can include more or less than three objectives as shown here).

- Objective 1:
- Objective 2:
- Objective 3:

### **SECTION III: Project Description** (Limit: 2 pages)

Provide a detailed description of the work to be performed for the project.

#### **SECTION IV: Review Criteria Discussion and ARRA Priorities** (Limit: 3 pages)

Describe how the proposed project meets both the review criteria listed and EECSG priorities of the creation or increased retention of jobs; saving energy; increasing energy generation from renewable sources; and reducing greenhouse gas (GHG) emission.

- **Jobs Created/ Economic Development:** The degree to which the project stimulates in-state capital investment and economic development in metropolitan and rural areas, including the creation of jobs and the future development of a commercial market for renewable energy technologies.
- **Energy Savings:** Projects that significantly contribute to cost savings and energy efficiency. Must demonstrate efficient use of energy and material resources.
- **Energy Efficiency Plan:** Details given on previous energy efficiency steps that have been taken or if the community/entity has a current energy efficiency plan in place.
- **Sustainability:** A system is sustainable if, over its lifetime, it produces more energy than it consumes. Evidence that the project can be sustained for an indefinite period without damaging the environment, or without depleting a resource.
- **Innovative Technology:** The degree to which the project incorporates an innovative new technology or an innovative application of existing technology.
- **Community Need/Public Benefit:** Describe how the project will benefit members of the community. Identify any other organizations that will help to complete the project.
- **Multiple Technologies:** The degree to which a project incorporates multiple renewable energy technologies in the project.

**ENERGY CONSERVATION MEASURES (Total Energy Savings), as shown below:**

<b>ECM No.</b>	<b>ECM DESCRIPTION</b>	<b>IMPLEMENTATION EXPENSE</b>	<b>Monthly Demand Savings (kW)</b>	<b>Annual Electric Savings (kWh)</b>	<b>Annual Fossil Fuel Savings (mmBtu)</b>	<b>Annual Water Savings (gal)</b>	<b>Annual Utility Cost Savings</b>	<b>Annual O&amp;M Cost Savings</b>	<b>Total Cost Savings</b>	<b>Estimated Incentive</b>	<b>Simple Payback (yrs)</b>
1.											
2.											
3.											
4.											

**SECTION V: Biographical Sketches** (Limit: 1 page per person)

Provide a biographical sketch for each key person proposed, including sub-awardees and consultants if they meet the definition of key person. A key person is any individual who contributes in a substantive, measurable way to the execution of the project. The biographical information for each person must include:

- *Education and Training:* Undergraduate, graduate, and postdoctoral training; provide institution, major/area, degree, and year.
- *Professional Experience:* Beginning with the current position list, in chronological order, professional/academic positions with a brief description.

## PART III – PROJECT BUDGET

### Budget Summary

Summarize the project budget by using the format in the following two tables.

Funding Category	Grant Funds Requested	Cost Share: Matching Funds and Other In-Kind Contributions	
		Funding	Source of Funds
Personnel:			
Fringe Benefits:			
Equipment:			
Travel:			
Contractual:			
Supplies:			
Other:			
Totals:			
Total Project Cost:		= Grants Funds Requested + Cost Share	
Cost Share Percentage:		= Cost Share / Total Project Cost	

## Budget Detail

Provide a detailed budget using the worksheet format shown here. Use additional lines if necessary. A description of requirements for each budget category follows this table.

<b>Personnel</b>								
Salaries (Name/Title/Position)	Hourly Cost (\$)			Hours		Totals (\$)		
			*			=		
			*			=		
			*			=		
<b>Total Salaries</b>						=		
Fringe Benefits (Rate% * Total salaries applicable)	Rate (%)			Salaries		Total (\$)		
			*			=		
<b>Total Personnel Expenses</b>						=		
<b>Equipment</b>								
Description	Unit Cost (\$)			Quantity		Totals (\$)		
			*			=		
			*			=		
			*			=		
<b>Total Equipment</b>						=		
<b>Travel</b>								
Purpose/Destination	Days		Per Diem		Fare/Rate (\$)	Mileage	Totals (\$)	
	(	*	)	+	(	*	)	=
	(	*	)	+	(	*	)	=
	(	*	)	+	(	*	)	=
<b>Total Travel</b>						=		
<b>Contractual</b>								
Name or Services	Fee/Rate (\$)			Hours		Totals (\$)		
			*			=		
			*			=		
			*			=		
<b>Total Contractual</b>						=		
<b>Supplies</b>								
Description	Unit Cost (\$)			Quantity		Totals (\$)		
			*			=		
			*			=		
			*			=		
<b>Total Supplies</b>						=		
<b>Other</b>								
Description	Unit Cost (\$)			Quantity		Total (\$)		
			*			=		
<b>Total Budget</b>						=		
<b>Total Other</b>						=		

Please note that indirect costs are not allowed in this grant.

- *Personnel: Salaries:* Identify the persons to be compensated for work on this project by name (if known), position, and title. Show the hourly cost and total hours to be charged for each person or position. Fringe Benefits - Multiply the rate by the total salaries to which fringe benefits apply. If the rate is variable, explain and show calculations.
- *Equipment:* List non-expendable personal property/equipment valued at \$1,000 or more by description, unit cost, and quantity. Computers and data-processing equipment should be described in detail.
- *Travel:* List trips by their purpose and/or destination. Indicate the number of days for each trip and the per diem. The Oklahoma Department of Commerce can only pay for travel at the approved State rate. Use "Fare/Rate" for mileage rate and multiply by "Mileage", or for travel fare and leave "Mileage" blank.
- *Contractual:* Subcontractors should provide the same information required by this budget table, with the following exceptions: (a) when professional services are provided at a pre-existing approved rate or fee shown on the budget; or (b) the subcontract is to be obtained competitively. For either (a) or (b), show an estimated maximum amount.
- *Supplies & Other Expenses:* List expendable supplies by category description, unit costs and quantity. List other expenses not included in any of the above categories. Examples would be printing, copying, postage, communications, etc. Non-expendable equipment valued at less than \$1,000 may be listed also. Include only expenses directly related to the project, not expenses of a general nature.
- *Total Budget:* Show the total of all categories.

## PART IV - ASSURANCES AND CERTIFICATIONS

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**ASSURANCE SIGNATURE:**      **NOTE: Sign this form and include in the application.**

**SIGNATURE:**      By signing this assurances page, you certify that you agree to perform all actions and support all intentions in the Assurances section.

**Organization Name:** \_\_\_\_\_

**Program Name:** \_\_\_\_\_

**Name and Title of Authorized Representative:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

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

---

**CERTIFICATION SIGNATURE:**      **NOTE: Sign this form and include in the application.**

**Before you start:** Before completing certification, please read the Certification Instructions.

**SIGNATURE:**      By signing this Certification page, you certify that you agree to perform all actions and support all intentions in the Certification sections of this application. The three Certifications are:  
○ Certification: Debarment, Suspension and Other Responsibility Matters  
○ Certification: Drug-Free Workplace  
○ Certification: Lobbying Activities

**Legal Applicant:** \_\_\_\_\_

**Program Name:** \_\_\_\_\_

**Name and Title of Authorized Representative:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

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

**U.S. DEPARTMENT OF ENERGY**  
**FINANCIAL ASSISTANCE**  
**CERTIFICATIONS/ASSURANCES/REPRESENTATIONS**  
**WITHOUT EPACT REPRESENTATION**

Applicant: \_\_\_\_\_

Solicitation No.: **State Energy Program (SEP) – Oklahoma Department of Commerce**

***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.***

*Standard Form 424B, Assurances – Non-Construction Programs*

*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*

*Representation of Limited Rights Data and Restricted Computer Software*

*SF-LLL Disclosure of Lobbying Activities*

Complete the SF-LLL Disclosure of Lobbying Activities only if payment or agreement to make payment has been made to any lobbying entity 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 action.

ASSURANCES - NON-CONSTRUCTION PROGRAMS

OMB Approval No. 0348-0040

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including 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 the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.  
**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET, SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant I certify that the applicant: (Insert \_\_\_\_\_ Name of Proposer):

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award, and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of O.P.M.'s Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) The Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. 33601 et seq.), as amended, relating to non discrimination in the sale, rental, or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646), which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

8. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §§874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State Management Program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers systems.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1996, or OMB Circular No. A-133, Audits of States, Local Governments, and Non-Profit Organizations.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

Printed Name and Title of  
 Authorized Representative: \_\_\_\_\_

\_\_\_\_\_  
 SIGNATURE

\_\_\_\_\_  
 DATE

Standard Form 424B (7/972)  
 Prescribed by OMB Circular A-1

**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.

(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 of 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

\_\_\_\_\_  
Name and Title (Printed to Typed) ( ) -  
\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Signature \_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant's Name ( ) -  
\_\_\_\_\_  
Telephone Number

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

Authorized Official:  
President, Chief Executive Officer  
or Authorized Designee

\_\_\_\_\_  
Name and Title (Printed to Typed) ( ) -  
\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Signature \_\_\_\_\_  
Date

**CERTIFICATIONS REGARDING LOBBYING;  
DEBARMENT, SUSPENSION AND OTHER RESPONSIBILTIY 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)

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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: \_\_\_\_\_

Printed Name and Title of  
Authorized Representative: \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

***Representation of Limited Rights Data and Restricted Computer Software***

(a) Any data delivered under an award resulting from this announcement is subject to the Rights in Data – General or the Rights in Data – Programs Covered under Special Data Statutes clause (See Intellectual Property Provisions at [www.gc.doe.gov/gcmain.html](http://www.gc.doe.gov/gcmain.html)). Under these clauses, the Recipient may withhold from delivery data that qualify as limited rights data or restricted computer software. As an aid in determining the Government’s need to include Alternate I and/or Alternate II in these clauses, which allow for delivery of limited rights data and/or restriction computer software, the applicant must complete paragraph (b) below to either state that none of the data involved in the proposed work effort qualify as limited rights data or restricted computer software, or identify, to the extent feasible, which of the data qualifies as limited rights data or restricted computer software. Any identification of limited rights data or restricted computer software in this application is not determinative of the status of such data should an award be made.

(b) The applicant has reviewed the proposed work effort and the requirements for the delivery of data or software and states:

None of the data proposed for fulfilling such requirements qualifies as limited rights data or restricted computer software.

Data proposed for fulfilling such requirements qualify as limited rights data or restricted computer software and are identified as follows:

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Note: “limited rights data” and “restricted computer software” are defined in provision “Rights in Data – General.”

## DISCLOSURE OF LOBBYING ACTIVITIES

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

<b>1. Type of Federal Action:</b>  ___ a. contract ___ b. grant ___ c. cooperative agreement ___ d. loan ___ e. loan guarantee ___ f. loan insurance	<b>2. Status of Federal Action:</b>  ___ a. bid/offer/application ___ b. initial award ___ c. post-award	<b>3. Report Type:</b>  ___ a. initial filing ___ b. material change  <b>For material change only:</b> year _____ quarter _____ date of last report _____
<b>4. Name and Address of Reporting Entity:</b> _____ Prime      _____ Subawardee Tier _____, <i>if known</i> :  <b>Congressional District, if known:</b>		<b>5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:</b>    <b>Congressional District, if known:</b>
<b>6. Federal Department/Agency:</b>	<b>7. Federal Program Name/Description:</b>  CFDA Number, <i>if applicable</i> : _____	
<b>8. Federal Action Number, if known:</b>	<b>9. Award Amount, if known: \$</b>	
<b>10. a. Name and Address of Lobbying Registrant</b> <i>(if individual, last name, first name, MI):</i>	<b>b. Individuals Performing Services</b> <i>(including address if different from No. 10a)(last name, first name, MI):</i>	
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 this 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.	<b>Signature:</b> _____  <b>Print Name:</b> _____  <b>Title:</b> _____  <b>Telephone No.:</b> (    )    - <b>Date:</b> _____	
<b>Federal Use Only</b>	<b>Authorized for Local Reproduction</b> <b>Standard Form - LLL (Rev. 7-97)</b>	

**ATTACHMENT “B”**  
**LETTER OF INTENT**  
**ENERGY SMART LOCAL GOVERNMENT**

## ATTACHMENT “B”

### INSTRUCTIONS: ENERGY SMART LOCAL GOVERNMENT LETTER OF INTENT

Implementation of an Energy Smart Local Government plan will create a healthy, sustainable, energy-efficient environment. Benefits of developing a plan include energy efficiency, cost-savings, and economic competitiveness. The goal should be to reduce energy, as well as water use; reduce greenhouse gas emissions and other environmental impacts and; to ensure reliable, affordable energy for the community.

If interested in becoming selected as an Energy Smart Local Government please submit a “Letter of Intent” limited to two pages, with justification why your community should be considered as a pilot Oklahoma Energy Smart Local Government.

The SEO will interview the top ten (10) local governments and select two (2) finalists for award of EECEBG grant funds. Please note that this is a three-year plan and all funds must be expended during this time frame, with sustainability plans in place to continue the Energy Smart Local Government implementation.

Submit letter to the following:

Oklahoma Department of Commerce  
Attn: Mr. Vaughn Clark  
900 North Stiles Avenue  
Oklahoma City, OK 73104

Things to consider in your plan could include but is not limited to:

- Community wide energy conservation program
- Maximizing energy efficiency
- Renewable energy projects
- Minimizing environmental impacts
- Involvement from community stakeholders (business, schools, utility companies, etc)
- Green development plans
- Transportation (alternative fuel vehicle and infrastructure for Alt Fuel Vehicles)
- Land use planning
- Energy building codes
- Sustainability plan
- Leveraging of additional funds to accomplish goal
- Reduce greenhouse gas emissions
- Green jobs training/programs
- Energy incentives
- Building audits (commercial and residential)
- Air quality
- Water efficiency

**ATTACHMENT “C”**  
**ENERGY EFFICIENCY &**  
**CONSERVATION STRATEGY**

## **ATTACHMENT “C”**

### **Energy Efficiency & Conservation Strategy for Communities**

All applicants must submit an Energy Efficiency and Conservation Strategy (EECS). Units of Local Government and Indian tribes are asked to submit existing plans at the time of application that meet the criteria listed below or indicate intent to develop EECS plan (up to \$10,000 of the grant award can be used for the plan).

1. Describe your Community proposed Energy Efficiency and Conservation Strategy. Provide a concise summary of your measureable goals and objectives, which should be aligned with the defined purposes and eligible activities of the EECBG Program. These goals and objectives should be comprehensive and maximize benefits communitywide. Provide a schedule or timetable for major milestones.
2. Describe your Community proposed implementation plan for the use of EECBG Program funds to assist you in achieving the goals and objectives. Your description should include a summary of the activities and how each activity supports one or more of your strategy’s goals/objectives.
3. Summarize your Proposed Number of Jobs Created, Proposed Number of Jobs Retained, Proposed Energy Saved and/or Renewable Energy Generated, Proposed GHG Emissions Reduced (CO2 Equivalents), and Proposed Funds Leveraged.
4. The President has made it clear that every taxpayer dollar spent on our economic recovery must be subject to unprecedented levels of transparency and accountability. Describe the auditing or monitoring procedures currently in place or that will be in place (by what date), to ensure funds are used for authorized purposes and every step is taken to prevent instances of fraud, waste, error, and abuse.