

# Texas Comptroller of Public Accounts

Glenn Hegar, Comptroller



**Request for Proposals  
for  
State Energy Conservation Office (SECO)  
Inflation Reduction Act (IRA) Home Energy Rebates  
Comprehensive Program Management, Administrative and  
Implementation Services**

RFP No. 907-25-1902KW

June 12, 2025

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**Anticipated Schedule of Events**

<b>June 12, 2025</b>	Issuance of RFP
<b>June 26, 2025</b>	Deadline for Submission of Questions (2:00 p.m., CT)
<b>July 3, 2025</b>	Release of Official Responses to Questions (or as soon thereafter as practical)
<b>July 10, 2025</b>	Deadline for Submission of Proposals (2:00 p.m. CT) <u>Late Proposals will not be considered</u>
<b>August 11, 2025</b>	Presentations from Top-Ranked Respondents (if presentations requested by CPA, dates and times to be scheduled)
<b>September 8, 2025</b>	Services Commencement Date (or as soon thereafter as practical)

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## I. Summary

1. **Type of Solicitation:** Request for Proposals (RFP)
2. **Issuing Office:** Texas Comptroller of Public Accounts (CPA)  
Procurement Section  
Room 300, Attn: RFP No. 907-25-1902KW  
111 E. 17<sup>th</sup> Street  
Austin, Texas 78774
3. **Additional Requirements/Qualifications:** N/A
4. **Responses to RFP:** Sealed Competitive Proposals
5. **Deadline for Proposals:** In Issuing Office No Later Than:  
**July 10, 2025; 2:00 p.m., Central Time (CT)**
6. **Initial Contract Term:** **Date of Award to August 31, 2026**
7. **CPA Optional Contract Terms:** September 1, 2026 through August 31, 2027  
September 1, 2027 through August 31, 2028  
September 1, 2028 through August 31, 2029  
September 1, 2029 through August 31, 2030 and  
September 1, 2030 through August 31, 2031
8. **CPA Contact Person for this RFP:** Lauren Callahan, CTCD, CTCM  
Email with delivery receipt requested to: [bidcpa@cpa.texas.gov](mailto:bidcpa@cpa.texas.gov)
9. **Proposals Submitted by Email:** Required; See Section III, Part A
10. **Proposals Submitted by Fax:** Not Accepted
11. **Pre-Proposal Conference:** N/A
12. **Pre-Proposal Inspection:** N/A
13. **Letters of Intent to Submit a Proposal:** N/A
14. **RFP Addenda:** Notices of changes to items directly impacting the original RFP or solicitation process will be posted on the *Electronic State Business Daily* (ESBD) located at: <http://www.txsmartbuy.com/esbd>. CPA will post any amendment to this solicitation on the ESBD as an RFP Addendum. It is the responsibility of an interested party to check the ESBD for updates to this RFP before submitting a Proposal. Each Respondent is solely responsible for verifying CPA's receipt of its questions, if applicable, and its Proposal by the deadlines specified in this RFP.
15. **Questions and Answers:** Questions regarding this RFP must be in writing and must be submitted to the CPA Contact Person specified in Part 8, no later than **June 26, 2025; 2:00 p.m. CT. Telephone inquiries will not be accepted.** Questions may be submitted by email to the email address specified in Part 8. CPA intends to post answers to the questions received on the ESBD on **July 3, 2025, or as soon thereafter as practical.**
16. **Respondent Presentations:** CPA may request that Top-Scoring Respondents present an overview of the services and a demonstration of the software proposed in their Proposals. The presentations will be performed on or about **August 11, 2025**. Presentation location (*e.g.*, videoconference, onsite, etc.), date(s) and time(s) to be arranged. In its sole discretion, CPA will determine the number of Top-Scoring Respondents.

**17. Evaluation of Proposals under Best Value Standard (Section 2156.125 of the Texas Government Code):**

<u>Criteria</u>	<u>Weight</u>
Respondent's Past Performance, Qualifications & Experience	30%
Compliance with CPA Specifications	20%
Cost	20%
Reasonableness of Cost	30%
<b>Total:</b>	<b>100%</b>

As applicable, the factors listed in Sections 2155.074, 2155.075, 2156.007, and 2157.003 of the Texas Government Code shall also be considered in making an award. Best and Final Offers may be sought from Respondents whose Proposals are ranked most highly by the evaluation committee. However, CPA encourages Respondents to offer their best pricing at all times. CPA reserves the right in its sole judgment and discretion, and at any time upon failure of negotiations, to reissue or withdraw this RFP rather than continue with negotiations.

- 18. Email Submission Only.** Due to building access restrictions, Respondents will not be permitted to hand deliver Proposals to the Issuing Office. Respondents are required to submit Proposals electronically via email with delivery receipt requested in accordance with Section III, Part A.
- 19. Contact with CPA Staff:** Upon issuance of this RFP, employees and representatives of CPA, other than the CPA Contact Person identified in Section I, Part 8, will not discuss the contents of this RFP with any Respondent or its representatives. **Failure of a Respondent or any of its representatives to observe this restriction may result in disqualification of any related Proposal.** This restriction does not preclude discussions between the parties to conduct business unrelated to this procurement or to obtain assistance completing Historically Underutilized Business (HUB) forms required by this RFP.

## II. Specifications

### A. Introduction

The Texas Comptroller of Public Accounts (CPA), an agency of the state of Texas, issues this Request for Proposals (RFP) to solicit Proposals from qualified vendors to provide Comprehensive Program Management, Administrative and Implementation Services for Home Energy Rebates as described in this Section II and in this RFP (Services). CPA's objective is to obtain the Services that represent the best value for CPA and the State of Texas according to the terms and conditions of this RFP.

**CPA anticipates making a Contract award to one (1) Successful Respondent for the Services. CPA reserves the right not to award a Contract for the performance of all or part of the Services. This RFP is not exclusive and CPA reserves the right to issue additional solicitations regarding the Services or similar services at any time. All Respondents are encouraged to offer their best pricing at all times.**

**All costs associated with the Services must be included in the Respondent's Proposal. Proposals that do not meet all of the requirements or contain all of the required documentation specified in this RFP will be rejected as non-responsive.**

### B. Background

In 2022, the 117th U.S. Congress passed H.R.5376 – Inflation Reduction Act 2022, creating the Home Energy Rebates, split into two sub-programs: Home Owner Managing Energy Savings Efficiency Rebates (HOMES) and Home Electrification and Appliance Rebates (HEAR) (collectively referred to herein as “the Programs” or individually as, “the HOMES Program” or “the HEAR Program”). The U.S. Department of Energy (DOE) is the administering federal entity for the Programs.

The State Energy Conservation Office (SECO), operated by CPA, is the administering state entity for the federal Home Energy Rebate Programs aimed to deliver innovative efficiency and electrification programs to households across Texas. The overarching goal of the Programs is to increase the affordability and efficiency of homes and reduce energy costs for homeowners.

In this RFP, SECO is seeking a vendor to provide Comprehensive Program Management, Administrative and Implementation Services for the Programs including: extensive design, implementation, monitoring, and reporting tasks that will be closely regulated by state personnel and must meet DOE requirements and guidelines. The DOE allocated \$690 million to Texas to execute the Programs, with \$345 million and \$344 million being allocated to the HOMES Program and HEAR Program, respectively. The Programs will end when all funds are expended by Texas or September 30<sup>th</sup>, 2031, whichever occurs sooner. Successful implementation of Services will require substantial work by the Successful Respondent.

### C. Definitions and Acronyms

- **ALRD.** Administrative and Legal Requirements Document
- **AMI.** Area Median Income
- **API.** Application Programming Interface
- **Award Date.** The Award Date is the earlier of the date an authorized representative of CPA (1) issues a Purchase Order (PO) or (2) signs a formal, written agreement.
- **BIL.** Bipartisan Infrastructure Law
- **CEJST.** Climate and Economic Justice Screening Tool
- **CFR.** Code of Federal Regulations
- **Contract.** The agreement described in Section II, Part E (Contract Resulting from this Solicitation; Order of Priority), if any.
- **CPA.** Texas Comptroller of Public Accounts
- **DAC.** Disadvantaged Communities
- **DOE.** Department of Energy
- **FARC.** Federal Assistance Reporting Checklist
- **HEAR.** Home Electrification and Appliance Rebate program Section 50122 of the IRA
- **HOMES.** Home Efficiency Rebates Program Section 50121 of the IRA
- **IIJA.** Infrastructure and Investment Jobs Act

- **IRA.** Inflation Reduction Act
- **LI.** Low-income
- **LI MF.** Low-income multifamily
- **PNNL.** Pacific Northwest Laboratory
- **Programmatic Guidance Documents.** Includes the following documents: FARC (Exhibit 1 and Exhibit 2), ALRD Version 2.1 (Exhibit 3), Program Requirements and Application Instructions (Exhibit 4), Data and Tools Requirements Guide (Exhibit 5), HOMES and HEAR Narrative Documents (Exhibit 6 and Exhibit 7), any additional programmatic documents released over the duration of the Program.
- **Progress Tranche.** Phased stages of the Home Energy Rebates Programs in which certain deliverables and milestones are achieved and requirements must be met in order to move forward.
- **Proposal.** A response to this RFP.
- **QA.** Quality Assurance
- **Respondent.** Any person or entity that submits a Proposal.
- **SCEP.** State and Community Energy Programs
- **SECO.** State Energy Conservation Office
- **Service Level Plan.** A comprehensive document submitted by the Successful Respondent as outlined in Section D.2.3.c of this RFP.
- **Subcontractor.** Successful Respondent’s contracted vendors.
- **Successful Respondent.** The Respondent awarded a Contract, if any. (Also referred to as “Contractor”)

## D. Scope of Services

### D.1. General

- a) Successful Respondent must provide all Services described in Section II, Part D (Scope of Services).
- b) Successful Respondent will create, develop, and administer the Programs in conjunction with SECO throughout the State of Texas. The Successful Respondent must provide comprehensive administrator services throughout the life of the Programs but must track activities for each program phase and program separately.
- c) Services and related deliverables will be structured to follow the established Progress Tranches as outlined in this Scope of Services and in the following Programmatic Guidance Documents which are incorporated by reference into this RFP:
  - i. Federal Assistance Reporting Checklist (FARC) (Exhibit 1 - HOMES, Exhibit 2 – HEAR);
  - ii. Administrative and Legal Requirements Document (ALRD) Version 2.1 (Exhibit 3);
  - iii. Program Requirements and Application Instructions (Exhibit 4);
  - iv. Data and Tools Requirements Guide (Exhibit 5);
  - v. HOMES and HEAR Narrative Documents (Exhibit 6 – HOMES, Exhibit 7 – HEAR);
  - vi. Reimbursement Request Checklist (Exhibit 8); and
  - vii. Such additional programmatic documents and updates released by DOE over the duration of the Programs, as applicable.
- d) Each Program must be divided into two phases. The first phase is called the Early Administration Period, and the second phase is called the Full Program Performance Period. The Early Administration Period consists of the activities outlined in Part D.2. The Full Program Performance Period consists of the activities outlined in Parts D.3 through D.6.
- e) The Services include providing a project delivery solution with customer support and rebate processing capabilities, and tasks including but not limited to analysis; Programs monitoring, tracking, reporting auditing, evaluation activities, rebate processing; outreach, marketing, and consulting. Successful Respondent will provide all services, systems, and personnel to maintain and support the system components for technology support.
- f) Successful Respondent will establish and maintain a customer service operation including phone lines with dedicated support for interested parties.
- g) Successful Respondent will conduct applicable market research and analysis to assist SECO in determining its priorities and the goals of the Programs.

- h) Successful Respondent will assist with implementing best practices for federal and state award management, including performance, financial oversight, and training CPA staff as requested by SECO.
- i) Successful Respondent will maintain consistent communication and coordinate directly with the SECO Contract Manager. Successful Respondent will attend monthly meetings with the SECO Contract Manager (in-person or virtually) between the 10<sup>th</sup> and 15<sup>th</sup> day of each month. The SECO Contract Manager will oversee the direction and quality of work of Successful Respondent.
- j) Successful Respondent will maintain consistent communication and coordinate directly with the SECO Contract Manager for all education and outreach events.
- k) Successful Respondent will maintain, track, and report budget and audit items for each Program separately.
- l) Successful Respondent will adhere to all SECO reporting requirements and written deliverables associated with both HOMES and HEAR rebate Programs.
- m) Services and deliverables as outlined in Section II, Parts D.2 through D.6 will apply to the HOMES Program and the HEAR Program independently and separately from one another. Submittal of invoices for each Program, as detailed in Appendix 1, Mandatory Price Sheet, must be independent of the other Program's.
- n) The resulting Agreement will be based upon the availability of IRA funding, and SECO will reserve the right to cancel same upon providing 14 calendar days' written notice to the Successful Respondent should funding cease to be available. Funding under the Full Program Performance Period is not available until Early Administration Period funds have been expended and deliverables have been accepted by SECO. Successful Respondent must receive written approval to access Full Program Performance Period funds. Full Program Performance Period funding by the DOE or SECO is not guaranteed.

## **D.2. Early Administration Period**

### **1. Overview**

During the Early Administration Period, the Successful Respondent will coordinate and collaborate with communities to understand and determine the local, community, and regional needs to maximize benefits to low-income and low to moderate-income single family and multifamily residents. Successful Respondent must complete preliminary planning, market research, community engagement, contractor engagement, and adhere to the Program guidelines during the Early Administration Period. The approved State Grant Applications will provide the guiding goals and methodologies for subsequent Program requirements. All fees charged in the performance of the Early Administration Period must be reflected in Appendix 1 Mandatory Price Sheet. The following is a summary of the tasks to be completed in the Early Administration Period:

- a) The Successful Respondent will develop strategic and implementation plans.
- b) The Successful Respondent will design and develop a rebate processing and tracking system that can be accessed through the web and link to the DOE API. The system must be functioning and approved by SECO within the Early Administration Period.
- c) The Successful Respondent will provide a comprehensive Service Level Plan describing their approach to ensuring consistent and responsive services for both the rebate processing and tracking system and customer support operations.
- d) The Successful Respondent will assist SECO in providing Pre-Launch Data Details to the DOE as described in the Data and Tools Requirements Guide (Exhibit 5).

### **2. Timeline**

- a) SECO has submitted the State Grant Applications and received approval for both HOMES and HEAR. Early Administration Period has started and will continue upon award.

### **3. Deliverables**

Successful Respondent will incorporate feedback and submit deliverables to receive written approval from SECO and the DOE. Completion of deliverables for each Program may not be simultaneous but must follow the order as outlined in Programmatic Guidance Documents (Section II, Part D.1.c). All deliverables must be compliant with applicable federal and state statutes and align with Program goals as outlined by DOE. Early Administration Period deliverables are detailed below:

- a) All documents in the Implementation Blueprint as detailed in the Program Requirements and Application Instructions (Exhibit 4) and the ALRD (Exhibit 3) to include (at a minimum):
  - i. Outreach partnerships, outreach channels strategic and implementation plan.
  - ii. Single family and multifamily education strategic and implementation plan.

- iii. Contractor partnerships, outreach channels strategic and implementation plan.
- iv. Retailer and Distributor Outreach strategic and implementation plan.
- v. Consumer protection strategic and implementation plan.
- vi. Program monitoring, tracking, reporting auditing, and evaluation strategic and implementation plan.
- vii. Privacy and Security Risk Assessment for State Systems strategic and implementation plan.
- b) Timeline for executing activities.
- c) Service Level Plan addressing at a minimum the following components:
  - i. Rebate Processing and Tracking System Service Levels
    - 1. System Availability & Uptime. Describing proposed service level targets for system uptime, including expected monthly and annual availability percentages. Include strategies for redundancy, disaster recovery, and business continuity.
    - 2. System Performance & Response Time. Defining standards for portal responsiveness (e.g., page load times, transaction processing speeds). Explain monitoring protocols and mechanisms to proactively detect and resolve performance issues.
    - 3. User Support & Issue Resolution. Outlining procedures and timelines for responding to technical support requests, bug reports, and user feedback related to the portal (e.g., Tier 1, Tier 2, Tier 3 escalation framework).
    - 4. Maintenance & Update Schedules. Describing plans for routine maintenance, system upgrades, security patches, and planned downtime, including communication strategies to notify users in advance.
    - 5. Accessibility & User Experience. Describing measures to ensure the portal meets accessibility standards and provides a user-friendly experience for diverse populations.
  - ii. Customer Support Operation Service Levels
    - 1. Hours of Operation. Specifying proposed hours of operation (including time zones), and describe how coverage will meet the needs of the target population.
    - 2. Call Handling Metrics. Proposing service level targets for key metrics such as average speed of answer, abandonment rate, first call resolution rate, and call escalation timelines.
    - 3. Multilingual & Accessibility Support. Describing capabilities to provide services in multiple languages and accommodate users with disabilities, including use of translation services or assistive technologies.
    - 4. Staffing & Training. Outlining proposed staffing levels, training programs, and quality assurance measures to ensure knowledgeable, courteous, and efficient service.
    - 5. Customer Satisfaction Measurement. Explaining how customer satisfaction will be measured and reported (e.g., surveys, feedback tools), and how continuous improvement will be incorporated into call center operations.
  - iii. Reporting & Compliance
    - 1. The Successful Respondent must describe how they will:
      - a. Monitor and report service level compliance on a regular basis (e.g., monthly dashboards, quarterly reports)
      - b. Address and remediate service level deficiencies
      - c. Ensure compliance with applicable data privacy, cybersecurity, and regulatory requirements
  - iv. Approval and Liquidated Damages
    - 1. The Successful Respondent will submit the Service Plan for review, feedback, and approval by SECO.
    - 2. Failure to meet agreed upon service levels may result in the assessment of liquidated damages.

### **D.3. Full Program Performance Period: Progress Tranche 1**

#### **1. Overview**

During Progress Tranche 1, the Successful Respondent will launch the Programs to the public for participation. Staged rollout is acceptable; Successful Respondent must provide the schedule for each of the Programs to SECO. Continuous updates, improvement, and maintenance of the Implementation Blueprint documents, rebate system, and reporting will be expected. The Successful Respondent will work closely with SECO and CPA to analyze and manage goals for both the HOMES Program and the HEAR Program based on the Programmatic Guidance Documents. All fees charged in the performance of this Progress Tranche 1 must be reflected in Appendix 1 Mandatory Price Sheet.

The following is a summary of the tasks to be completed in Progress Tranche 1:

- a) Program Launch.
- b) Continuous updates to Implementation Blueprint documents and activities.



- c) Maintenance and improvement of the rebate system.
- 2. Timeline
  - a) Progress Tranche 1 will begin when the Implementation Blueprint documents are approved by the DOE for both Programs.
- 3. Deliverables

Successful Respondent will incorporate feedback and submit deliverables to receive written approval from SECO and the DOE. Completion of deliverables for each Program may not be simultaneous but must follow the order as outlined in Programmatic Guidance Documents (Section II, Part D.1.c). All deliverables must be compliant with applicable federal and state statutes and align with Program goals as outlined by DOE. Progress Tranche 1 deliverables are detailed below:

  - a) Pre-Launch information from the Data & Tools Requirement Guide (Exhibit 5) using the PNNL standardized spreadsheet.
  - b) An updated Service Level Plan reflecting the updated needs for this Progress Tranche.
  - c) Progress Tranche 1 Summary Report submitted to SECO at least one hundred and twenty (120) days prior to moving to Progress Tranche 2.
  - d) Monthly, quarterly, and annual reports for both the HOMES Program and the HEAR Program.
    - i. Prepare subcontractor reports and an executive summary for both Programs.
    - ii. Prepare ad-hoc reports as requested by SECO.
    - iii. Submit all required report documentation in requested format through the SECO Contract Portal no later than the 10<sup>th</sup> day of each applicable month.
    - iv. At a minimum, reports must include all reporting requirements outlined in the FARC (Exhibit 1 and Exhibit 2).

**D.4. Full Program Performance Period: Progress Tranche 2**

- 1. Overview

During Progress Tranche 2, the Successful Respondent will continue Program execution, implementing updates and improvements as needed and approved by SECO and completing federal and state reporting requirements. Continuous updates, improvement, and maintenance of the Implementation Blueprint documents, rebate system, and reporting will be expected. This Progress Tranche will also include the development of the Market Transformation Plan. All fees charged in the performance of this Progress Tranche 2 must be reflected in Appendix 1 Mandatory Price Sheet.

The following is a summary of the tasks to be completed in Progress Tranche 2.

  - a) Develop a Market Transformation Plan.
  - b) Continuous updates to Implementation Blueprint documents and activities.
  - c) Maintenance and improvement of the rebate system.
  - d) Within this Progress Tranche 2, rebate funds distributed to low-income (LI) and low-income multifamily (LI MF) qualifying subrecipients must achieve minimums outlined in the ALRD (Exhibit 3).
- 2. Timeline
  - a) Progress Tranche 2 will begin when the Progress Tranche 1 Summary Report is approved by the DOE for both Programs.
- 3. Deliverables

Successful Respondent will incorporate feedback and submit deliverables to receive written approval from SECO and the DOE. Completion of deliverables for each Program may not be simultaneous but must follow the order as outlined in Programmatic Guidance Documents (Section II, Part D.1.c). All deliverables must be compliant with applicable federal and state statutes and align with Program goals as outlined by DOE. Progress Tranche 2 deliverables are detailed below:

  - a) Market Transformation Plan as described in the Program Requirements and Application Instructions (Exhibit 4).
  - b) An updated Service Level Plan reflecting the updated needs for this Progress Tranche.
  - c) Progress Tranche 2 Summary Report submitted to SECO at least one hundred and twenty (120) days prior to moving to Progress Tranche 3.
  - d) Monthly, quarterly, and annual reports for both Programs.
    - i. Prepare subcontractor reports and an executive summary for the Programs.
    - ii. Prepare ad-hoc reports as requested by SECO.
    - iii. All required report documentation will be submitted in requested format through the SECO Contract Portal no later than the 10<sup>th</sup> day of each applicable month.
    - iv. At a minimum, reports must include all reporting requirements outlined in the FARC (Exhibit 1 and Exhibit 2).

**D.5. Full Program Performance Period: Progress Tranche 3**

1. Overview

During Progress Tranche 3, the Successful Respondent will continue Program execution, implementing updates and improvements as needed and approved by SECO and completing federal and state reporting requirements. Independent reviews as outlined in the FARC (Exhibit 1 and Exhibit 2) and ALRD (Exhibit 3) will be completed and submitted to SECO for review. All fees charged in the performance of this Progress Tranche 3 must be reflected in Appendix 1 Mandatory Price Sheet.

The following is a summary of the tasks to be completed in Progress Tranche 3.

- a) Independent and SECO-initiated reviews of Program implementation and benchmarks.
- b) Continuous updates to Implementation Blueprint documents and activities.
- c) Maintenance and improvement of the rebate system.
- d) Within this Progress Tranche 3, rebate funds distributed to LI and LI MF qualifying subrecipients must achieve minimums outlined in the ALRD (Exhibit 3).

2. Timeline

- a) Program Tranche 3 will begin when an approved Market Transformation Plan is approved by the DOE for both Programs and the Progress Tranche 2 Summary Report is approved by the DOE for both Programs.

3. Deliverables

Successful Respondent will incorporate feedback and submit deliverables to receive written approval from SECO and the DOE. Completion of deliverables for each Program may not be simultaneous but must follow the order as outlined in Programmatic Guidance Documents (Section II, Part D.1.c.). All deliverables must be compliant with applicable federal and state statutes and align with Program goals as outlined by DOE and the FARC (Exhibit 1 and Exhibit 2). Progress Tranche 3 deliverables are detailed below:

- a) The following reviews as indicated in the ALRD (Exhibit 3) and FARC (Exhibit 1 and Exhibit 2):
  - i. Independent privacy and security review.
  - ii. QA Plan review.
  - iii. Incentive implementation review.
- b) Progress Tranche 3 Summary Report submitted to SECO at least one hundred and twenty (120) days prior to moving to Progress Tranche 4.
- c) An updated Service Level Plan reflecting the updated needs for this Progress Tranche.
- d) Monthly, quarterly, and annual reports for both HOMES and HEAR.
  - i. Prepare subcontractor reports and an executive summary for both Programs.
  - ii. Ad-hoc reports as requested by SECO.
  - iii. All required report documentation will be submitted in requested format through the SECO Contract Portal no later than the 10<sup>th</sup> day of each applicable month.
  - iv. At a minimum, reports must include all reporting requirements outlined in the FARC (Exhibit 1 and Exhibit 2).

#### **D.6. Full Program Performance Period: Progress Tranche 4**

1. Overview

During Progress Tranche 4, the Successful Respondent will continue Program execution, implementing updates and improvements as needed and approved by SECO as well as prepare for Program Closeout. Final evaluations and reporting as designated by SECO and the DOE will be completed. The Successful Respondent will complete all Program Closeout tasks as outlined in Programmatic Guidance Documents (Section II, Part D.1.c). All fees charged in the performance of this Progress Tranche 4 must be reflected in Appendix 1 Mandatory Price Sheet.

The following is a summary of the tasks to be completed in Progress Tranche 4.

- a) Program Closeout.
- b) Continuous updates to Implementation Blueprint documents and activities.
- c) Maintenance and improvement of the rebate system.
- d) Within this Progress Tranche 4, rebate funds distributed to LI and LI MF qualifying subrecipients achieve minimums outlined in the ALRD (Exhibit 3).

2. Timeline

- a) The milestones to begin Tranche 4 are:
  - i. Approved QA Plan review;
  - ii. Approved independent privacy and security review; and
  - iii. A completed incentive implementation review.
  - iv. Approved Progress Tranche 3 Summary Report.
- b) All funds have been fully dispersed, and the rebate system is closed and no longer receiving rebate recipient applications.

4. Deliverables

Successful Respondent will incorporate feedback and submit deliverables to receive written approval from SECO and the DOE. Completion of deliverables for each Program may not be simultaneous but must follow the order as outlined

in Programmatic Guidance Documents. All deliverables must be compliant with applicable federal and state statutes and align with Program goals as outlined by DOE and the FARC (Exhibit 1 and Exhibit 2). Progress Tranche 4 deliverables are detailed below:

- a) Continuous updates to Implementation Blueprint documents and activities.
- b) An updated Service Level Plan reflecting the updated needs for this Progress Tranche.
- c) Maintenance of improvement of the rebate system.
- d) Monthly, quarterly, and annual reports for both HOMES and HEAR.
  - i. Prepare subcontractor reports and an executive summary for both Programs.
  - ii. Ad-hoc reports as requested by SECO.
  - iii. All required report documentation will be submitted in requested format through the SECO Contract Portal no later than the 10<sup>th</sup> day of each applicable month.
  - iv. At a minimum, reports must include all reporting requirements outlined in the FARC.
- e) Final Program evaluation and summary of rebate delivery effectiveness.
- f) Program Closeout (including, but not limited to):
  - i. All requirements as outlined in 2CFR §200.
  - ii. All tasks as outlined in the FARC.
  - iii. Rebate processing system shut down and applications cannot be submitted.
  - iv. All rebate recipients paid.
  - v. All contractor work completed and paid.
  - vi. All retailers paid and retail program activity halted.
  - vii. All reports submitted and accepted by SECO.
  - viii. Program records retained as outlined in 2CFR §200.334.
  - ix. Final invoice is submitted.

#### **D.7 CPA Data Safeguard Standards.**

- a. Defined Terms. The term “CPA Data” refers to CPA’s information as well as other entity information in the possession of CPA that is processed, stored, or transmitted by a computer. CPA Data includes all data that is generated by Successful Respondent in performance of a contract with CPA. The term “CPA Information System” refers to those devices, software, networks and related infrastructure that CPA owns, operates or has obtained for use to conduct CPA business. Devices include, but are not limited to, CPA-owned or managed storage, processing, and communications devices, as well as personally owned devices.
- b. Access to CPA Data. Successful Respondent represents and warrants that it will implement, maintain, and use appropriate administrative, technical, and physical safeguards to preserve the confidentiality, integrity, and availability of CPA Data. Successful Respondent will not collect, access, use, disclose, or retain CPA Data other than as necessary to perform the services specified in a contract resulting from this solicitation or as otherwise authorized in writing by CPA. Successful Respondent will restrict access to CPA Data to only those personnel who must have the information on a “need to know” basis. Successful Respondent will not use CPA Data, or any information derived from CPA Data, for its own benefit or the benefit of any other person or entity. Successful Respondent will not share CPA Data with its parent company or other affiliate without CPA’s express written consent.
- c. Web-Based Remote Access to CPA Information Systems. Successful Respondent may use third-party web-based remote access connections to CPA Information Systems to provide support services under the following conditions:
  1. CPA shall affirmatively initiate and accept Successful Respondent’s connections to CPA Information Systems.
  2. CPA shall monitor Successful Respondent’s connections to CPA Information Systems for the duration of the Services.
  3. CPA shall terminate Successful Respondent’s connections to CPA Information Systems upon completion of the Services.
- d. Remote Access to CPA Information Systems. Successful Respondent shall accept the CPA Remote Access Terms and Conditions and obtain CPA’s written approval of Successful Respondent’s Remote Access Request Form before CPA will issue Successful Respondent with credentials to remotely access CPA Information Systems (e.g., for continuous access). Successful Respondent may contact the CPA Contract Manager for the applicable forms. Successful Respondent shall only access CPA Information Systems in accordance with CPA’s security protocols using CPA-approved remote access technologies, processes, and procedures. CPA reserves the right to immediately terminate any access to a CPA Information System.
- e. CPA-Required Security Awareness Training. As a condition of CPA issuing credentials and Successful Respondent gaining access to a CPA Information System, Successful Respondent shall complete CPA’s security awareness training or an equivalent DIR-approved training on an annual basis during the Contract term, including renewal periods. Successful Respondent shall submit to CPA at [contract.administration@cpa.texas.gov](mailto:contract.administration@cpa.texas.gov): (i) the Contractor Cybersecurity Training Attestation (CCTA) form attached as Section XI; and (ii) any other information reasonably

requested by CPA to comply with Section 2054.5192 of the Texas Government Code. Successful Respondent must complete, sign, and return the CCTA form to CPA no later than sixty (60) calendar days following contract award and each anniversary thereafter during the term of the Contract, including any renewal periods. Successful Respondent shall maintain records of all individuals who have completed the CPA-required training for the duration of the individual's employment or other business relationship with Successful Respondent, plus five years. CPA, in its sole discretion, may deny network or system access to any individual that does not complete the CPA-required training within thirty (30) calendar days following the date of CPA's grant of access to the CPA Information System(s).

- f. Location of CPA Data. Successful Respondent shall ensure that CPA Data (*i.e.*, primary and backup) remains, at all times, within the continental United States. Successful Respondent shall receive, process, transmit, and store all CPA Data within the continental United States. Successful Respondent's point of access to CPA Data shall be within the continental United States.
- g. Encryption Standards.
  - 1. Successful Respondent shall encrypt CPA Data in transit and at rest. Data in transit means data is moving via email, in applications, or through browsers and other web connections. Data at rest (including data backups) means data is stored in databases, the cloud, removable media, or mobile devices.
  - 2. Successful Respondent shall utilize encryption standards that are FIPS 140-2 compliant or, upon the written approval of CPA's Chief Information Security Officer, shall meet the intent of the standards as described in FIPS 140-2.
  - 3. The minimum cryptographic algorithm used by Successful Respondent must be Advanced Encryption Standard (AES) 128 or higher (256 AES is preferred).
  - 4. Successful Respondent shall encrypt CPA Data transmitted over a public or private network. CPA approved data encryption transmission protocols include the following: (1) SFTP (FTP over SSH), (2) FTPS (FTP over TLS), (3) HTTPS (HTTP over TLS), and (4) virtual private network.
- h. System Security Plan and Continuous Monitoring Plan. Successful Respondent, in collaboration with CPA, shall develop, implement, and maintain a comprehensive written System Security Plan that contains administrative, technical, and physical safeguards designed to: (i) ensure the confidentiality, integrity and availability of CPA Data; (ii) protect against unauthorized access to or use of CPA Data; and (iii) comply with all applicable legal and regulatory requirements for data protection. Successful Respondent shall develop, implement, and maintain a plan for the continuous monitoring of security control effectiveness and provide a report to CPA on a quarterly basis. The report shall include evidence that Successful Respondent has implemented security controls correctly, the controls are operating as intended, and the controls are producing the desired outcome with respect to meeting security requirements for the information system(s).
- i. Auditable Information Security Framework. Successful Respondent shall secure its own and its third-party service providers' systems (*e.g.*, IT service provider, Cloud Service Provider) in a manner consistent with an auditable information security framework *e.g.*, National Institute of Standards and Technology (NIST), International Organization for Standardization (ISO) 27001.
- j. Defects and Vulnerabilities. Upon Contract award and during the term of the Contract, Successful Respondent shall provide CPA with prompt, written notice upon Successful Respondent's discovery of any product defects and vulnerabilities of the proposed Licensed System/Solution that allow an attacker to violate an explicit (or implicit) security policy to achieve some impact or consequence. Examples of vulnerabilities include defects that allow intruders to gain increased levels of access or interfere with the normal operations of information systems. Vulnerabilities caused by insecure configurations, design choices, and changing environmental conditions are additional examples.
- k. Supply Chain Risk Management. Successful Respondent shall provide CPA's Contract Manager a description of how it manages supply chain risks. Specifically, Successful Respondent shall describe its established agreements and procedures with entities involved in the supply chain for the notification of supply chain risks, compromises, and the result of assessments or audits. During the term of the contract, Successful Respondent shall provide CPA's Contract Manager prompt, written notice of supply chain risks that impact the delivery of the products and services of the Contract. Examples of supply chain risks include supplier financial failure, production control/product quality, market supply and demand, labor disputes/shortages, cybersecurity threats, natural disasters. Successful Respondent shall notify CPA of a supply chain compromise and potential compromise in accordance with Section G Security Incident Notification.
- l. Independent Information Security Assessment. If Successful Respondent has access to a CPA Information System or receives, processes, transmits, or stores CPA Data, then Successful Respondent shall provide CPA's Contract Manager with its most recent information security assessment conducted by an independent third-party (*e.g.*, SSAE-18 SOC 2

Type II, ISO 27002) upon Contract award and annually thirty (30) days prior to the anniversary of the Contract award date thereafter. CPA, in its sole discretion, may conduct a security assessment of any information system holding CPA Data or connected to a CPA Information System. CPA's security assessment may consist of a review of the following: (i) independent third-party assessment(s) contracted by Successful Respondent (e.g., SSAE-18 SOC 2 Type II, ISO 27002) and (ii) Successful Respondent's System Security Plan.

- m. Media Sanitization. Successful Respondent shall sanitize information system media, both digital and non-digital, in accordance with NIST Special Publication 800-88 (Guidelines for Media Sanitization) when CPA Data in the custody of Successful Respondent is no longer required to be retained by contract with CPA. Successful Respondent must maintain a record documenting each sanitization procedure that, at a minimum, includes the following information: (i) date sanitization completed, (ii) description of the item(s), serial number(s), inventory control number(s), if applicable, and (iii) sanitization method used. No later than sixty (60) calendar days from contract expiration or termination or as otherwise specified in the Contract, Successful Respondent must either (i) complete the sanitization and submit via email to the CPA Contract Manager all sanitization documentation or (ii) submit a written statement via email to the CPA Contract Manager explaining the reason that destruction of CPA Data by Successful Respondent is technically impossible or impractical. Successful Respondent's obligations set forth in this clause survive the termination or expiration of the contract as long as Successful Respondent retains CPA Data.
- n. Third-Party Service Providers. It is Successful Respondent's sole responsibility to ensure that its access and the access Successful Respondent grants to its service providers to CPA Data or CPA Information Systems does not result in unauthorized access to CPA Data or CPA Information Systems.
- o. Federal Taxpayer Information. Successful Respondent shall not access, process, store or transmit IRS Federal Taxpayer Information for or on behalf of CPA unless expressly authorized by a contract with CPA.
- p. State Agency Website Requirements. Successful Respondent shall comply with the requirements for state agency websites set forth in 1 Texas Administrative Code §206.
- q. Reserved.
- r. State Authorization and Risk Management Program (TX-RAMP). Successful Respondent shall obtain TX-RAMP certification in accordance with the [Department of Information Resources \(DIR\) Program Manual](#). CPA requires the following TX-RAMP certification based-on Agency criteria:
  - 1.  None. Product is out of scope/low impact in accordance with the DIR TX-RAMP Manual.
  - 2.  Level 1 Certification. The product will administer Agency public data.
  - 3.  Level 2 Certification. The product will administer Agency sensitive, confidential, and/or regulated data.Upon Contract award, Successful Respondent shall maintain compliance with TX-RAMP program requirements and certification throughout the term of the contract. Successful Respondent shall notify the CPA Contract Manager immediately if TX-RAMP certification is revoked or otherwise removed.

If Successful Respondent uses a cloud service provider to host (i.e., Infrastructure as a Service or IaaS) or build (i.e., Platform-as-a-Service or PaaS) a custom-developed CPA system or application, Successful Respondent shall ensure its cloud service provider obtains TX-RAMP certification in accordance with the [Department of Information Resources \(DIR\) Program Manual](#). If applicable, CPA requires the following TX-RAMP certification based-on Agency criteria:

- 4.  None. Product is out of scope/low impact in accordance with the DIR TX-RAMP Manual.
  - 5.  Level 1 Certification. The product will administer Agency public data.
  - 6.  Level 2 Certification. The product will administer Agency sensitive, confidential, and/or regulated data.
- Upon Contract award, Successful Respondent shall ensure its cloud service provider used to host or build a custom-developed CPA system or application maintains compliance with TX-RAMP program requirements and certification throughout the term of the contract. Successful Respondent shall notify the CPA Contract Manager immediately if TX-RAMP certification is revoked or otherwise removed.
- s. FedRAMP or StateRAMP Authorization. If Successful Respondent obtained TX-RAMP certification through FedRAMP or StateRAMP authorization, upon Contract award, Successful Respondent, shall maintain continuous FedRAMP or StateRAMP acceptable status and notify the CPA Contract Manager immediately if such authorization is revoked or otherwise removed.

**D.8 Liquidated Damages.** In submitting a Proposal, Respondent agrees that the measure of damages in the event of a default or breach by Successful Respondent may be difficult or impossible to calculate. In the event Successful Respondent fails to perform Services or complete the obligations under the Contract in a timely manner, CPA may require Successful

Respondent to pay, as liquidated damages and not as a penalty, an amount equivalent to two percent (2%) of the total cost for Services or obligations not completed as required by the Contract per calendar day of delay. CPA may impose, but is not obligated to impose, these liquidated damages in lieu of any monetary damages available to CPA under the Contract or applicable law.

**D.9 Optional Features, Products or Services.** If Respondent believes there are additional features, products or services that would benefit CPA under this RFP, Respondent may describe such features, products or services and include pricing for such features, products or services in Appendix 1, Mandatory Price Sheet. Optional features, products or services are not scored as part of the evaluation process.

#### **E. Contract Resulting from this Solicitation; Order of Priority**

Respondent's Proposal is a legal offer to contract based upon the terms, conditions, and specifications set forth in this RFP. "Contract" means (1) a valid PO issued by CPA or (2) a formal, written agreement between CPA and Successful Respondent, if any. The Contract is effective as of the Award Date and will be between CPA and the Successful Respondent. Successful Respondent shall be solely responsible to CPA for all performance by Successful Respondent's employees, representatives, agents, subcontractors, suppliers, third-party service providers, and similar entities ("Persons" for purposes of this sentence) and for ensuring that all such Persons comply with applicable provisions of this RFP and the Contract. The entire Contract between CPA and Successful Respondent shall consist of the following documents, which shall control in the following order of priority, except as otherwise provided in the formal, signed agreement between the parties or CPA's PO: (1) the PO and PO Change Notices (POCN), if any; (2) the formal, signed agreement, if any; (3) this RFP; and (4) Successful Respondent's Proposal (collectively, these documents constitute the "Contract").

#### **F. Warranty of Performance**

Successful Respondent represents and warrants that its performance under the Contract shall be conducted conscientiously in a professional and workmanlike manner to the full extent of Successful Respondent's talents and capabilities with due diligence and in full compliance with the highest professional standards of practice in the industry applicable to the Services.

#### **G. Security Incident Notification**

Successful Respondent shall have policies and procedures for the effective management of Security Incidents, which shall be made available to CPA upon written request. Within twenty-four (24) hours of Successful Respondent's discovery or reasonable belief that there has been an event which results in the accidental or deliberate unauthorized access, loss, disclosure, modification, disruption, or destruction of confidential CPA information ("Security Incident"), Successful Respondent shall provide notice to CPA by calling (800) 531-5441 EXT 34357. Until the investigation is complete, Successful Respondent shall submit, on a daily basis or as otherwise agreed by CPA, a written report via encrypted email to [security.alerts@cpa.texas.gov](mailto:security.alerts@cpa.texas.gov) that includes, at a minimum, the following:

- Date and time incident occurred,
- Date and time incident detected,
- Date and time incident contained,
- Address where incident occurred,
- Name of person(s) that discovered incident,
- Description of how Successful Respondent discovered incident,
- Type of CPA information involved,
- Description of the nature of the incident,
- Description of the steps Successful Respondent has taken or will take to investigate incident,
- Description of the steps Successful Respondent has taken or will take to mitigate any negative impacts of incident,
- Information technology involved (*e.g.*, laptop, server, mainframe),
- Description of steps taken to preserve computer evidence and maintain chain of custody, and
- Description of corrective action Successful Respondent has taken or will take to prevent future incidents.

Successful Respondent shall coordinate all media or other breach notifications with CPA in advance of such notification(s), unless expressly prohibited by law. Subject to review and approval of CPA, Successful Respondent shall provide notice at its own cost that satisfies the requirements of applicable law to individuals whose information was compromised or likely compromised as a result of the Security Incident. If CPA, in its sole discretion, elects to send its own separate notice, then all costs associated with preparing and providing the notice shall be reimbursed to CPA by Successful Respondent. If Successful Respondent does not reimburse such costs within thirty (30) days of CPA's written request, then CPA shall have the right to collect such costs. CPA reserves the right to conduct an independent investigation of any Security Incident, and should CPA choose to do so, Successful Respondent shall cooperate fully with CPA and assume responsibility at its

own expense for making personnel, resources, and systems access available to CPA and CPA's authorized representative(s).

## H. Insurance and Bonds

Successful Respondent represents and warrants that it shall obtain and maintain the following coverages throughout the term of the Contract and that all coverages shall be with companies licensed in Texas with an "A" rating from A.M. Best Co. authorized to provide the required coverages:

- Blanket Employee Dishonesty Bond or Employee Dishonesty Coverage under a liability insurance policy with a minimum \$100,000 for each individual who will provide Services. A rider or endorsement shall name the Texas Comptroller of Public Accounts as loss payee or additional named insured under the respective bond or policy.
- A bank guarantee in the amount of \$250,000 as a performance bond naming the Texas Comptroller of Public Accounts as loss payee.
- Standard Workers Compensation Insurance covering all individuals who will provide Services.
- Commercial General Liability Insurance: \$2,500,000 minimum each occurrence limit; \$5,000,000 minimum aggregate limit.
- Professional Liability Insurance: \$5,000,000 minimum each occurrence limit; \$5,000,000 minimum aggregate limit.
- Cyber Insurance with Technology Errors and Omissions with occurrence and aggregate limits of \$2,000,000 and Cyber Liability with occurrence and aggregate limits of \$2,000,000, or equivalent coverages, that address Successful Respondent's liability, including indemnification and other obligations, in the performance of Services for: (a) unauthorized access or use of a computer system or network; (b) denial of service attacks; (c) receipt or transmission of malicious code; (d) failure to protect confidential, personal or corporate information; (e) wrongful collection of confidential, personal or corporate information; and (f) violation of privacy laws, statutes or regulations in connection with an event described in (d) or (e).

All of the above policies and bonds shall contain endorsements prohibiting cancellation except upon thirty (30) calendar days' prior written notice to CPA, and all insurance policies shall name the Texas Comptroller of Public Accounts as an additional insured by appropriate endorsement. Successful Respondent shall furnish proof to CPA of such coverage in the form of a Certificate of Insurance from Successful Respondent's insurance carrier(s) indicating the required coverages. The certificate shall be addressed to CPA as the certificate holder. Successful Respondent shall submit proof of required insurance coverage within five (5) days after the Effective Date, and annually thereafter, via email, referencing the PO number, to the following address: [contract.administration@cpa.texas.gov](mailto:contract.administration@cpa.texas.gov).

## I. Criminal Background Investigation

1. Criminal Background Investigation by Successful Respondent. Prior to an Assigned Personnel commencing Services under the Contract, Successful Respondent shall conduct a criminal background investigation and provide written notice via email to CPA's Criminal Investigation Division of any Assigned Personnel that have any felony criminal conviction(s). If any information for the Assigned Personnel changes during the Contract Term, Successful Respondent shall provide written notice via email to CPA's Criminal Investigation Division no later than three (3) business days after Successful Respondent's discovery of such changed information that relates to felony criminal conviction(s). Written notice to CPA's Criminal Investigation Division shall be submitted to [cid.analysts@cpa.texas.gov](mailto:cid.analysts@cpa.texas.gov).

Successful Respondent's exercise of due diligence in conducting the criminal background investigation shall include, at a minimum, the following: (1) compliance with Successful Respondent's published policies and procedures for background and criminal conviction checks and (2) a comprehensive search of the public information portion of Texas Department of Public Safety criminal conviction database located at: <https://publicsite.dps.texas.gov/ConvictionNameSearch/>. If Successful Respondent asserts that a search of the Texas Department of Public Safety criminal conviction database is not appropriate for a particular Assigned Personnel, Successful Respondent must provide written notice via email to CPA's Criminal Investigation Division that explains the proposed alternate approach for conducting the criminal background investigation.

For purposes of this clause, "Assigned Personnel" includes, without limitation, all individuals provided by Successful Respondent under the contract resulting from this RFP who will or may (1) be assigned as lead or key personnel; (2) provide Services on-site at CPA's premises; or (3) access CPA information resources, *i.e.*, the procedures, equipment, and software that are employed, designed, built, operated, and maintained to collect, record, process, store, retrieve,

display, and transmit information, and associated personnel including consultants and contractors. At CPA's written request, Successful Respondent shall replace Assigned Personnel that has any felony criminal conviction(s).

Within five (5) business days of receipt of a written request by CPA's Criminal Investigation Division during the Contract Term, Successful Respondent shall provide written notice to CPA's Criminal Investigation Division of any Assigned Personnel that have any felony criminal conviction(s).

2. Criminal Background Investigation by CPA. At CPA's discretion, CPA may conduct a criminal background investigation on Successful Respondent's Assigned Personnel. Should any Assigned Personnel not be acceptable to CPA due to a finding of felony criminal conviction(s) as a result of the criminal background investigation, Successful Respondent shall replace such Assigned Personnel upon CPA's written request or CPA may terminate the Contract.
3. Remedies. If CPA becomes aware that Successful Respondent provided false information, Successful Respondent fails to promptly notify CPA of changed information that related to felony criminal convictions, or Successful Respondent fails to replace Assigned Personnel as required by this Section, Successful Respondent shall be in breach of contract and CPA shall have the option to terminate the Contract without further obligation to Successful Respondent as well as pursue all other remedies and rights available to CPA under contract, at law, or in equity.

#### **J. Contract Term; Survival of Terms**

CPA will enter into a Contract for an Initial Year with three (3) additional, one (1) year periods. The Initial Term of the Contract is intended to be from Date of Award to August 31, 2025. CPA may, in its sole discretion, exercise the option to extend the Contract for up to three (3) additional, one (1) year periods. The optional additional periods are September 1, 2025 through August 31, 2026; September 1, 2026 through August 31, 2027; and September 1, 2027 through August 31, 2028. "Contract Term" means the Initial Term and any optional additional periods exercised. To exercise an option to extend the term, CPA will notify Successful Respondent; such notice may be by PO issuance. Termination of the Contract for any reason shall not release Successful Respondent from liability or obligation set forth in the Contract that is expressly stated to survive any such termination or by its nature would be intended to be applicable following any such termination, e.g., indemnification, confidentiality, dispute resolution, records retention, CPA data security terms, and right to audit.

#### **K. Acceptance Criteria**

Prior to payment, CPA will evaluate the provided products and/or Services using the following criteria and any additional acceptance criteria agreed to by the parties prior to the Award Date and included in the Contract:

1. The products and/or services must meet all specifications and standards of performance in the Contract; and
2. The products and/or services must comply with all published specifications.

#### **L. Payments**

Successful Respondent will submit rebate reimbursement requests on a bi-weekly basis and administrative reimbursement requests on a monthly basis through the SECO Contract Portal. Payment(s) to Successful Respondent will be based upon the schedule described in Appendix 1 (Mandatory Price Sheet) and the Contract. CPA makes no express or implied warranty whatsoever that any minimum compensation or minimum quantity will be guaranteed under the Contract. Payment shall be made in accordance with the Texas Prompt Payment Act, Chapter 2251 of the Texas Government Code ("Chapter 2251") and Chapter 2251 shall govern remedies for late payment. Payments will be made to Successful Respondent as provided in Section IV, Provision for Direct Deposit or Warrant.

#### **M. Discounts**

If Successful Respondent provides a discount on the final Contract costs at any time during the term of the Contract, Successful Respondent will notify CPA in writing ten (10) calendar days before the effective date of the discount. CPA will generate a POCN and send it to Successful Respondent. If an early payment discount is available to CPA, then Respondent's Proposal must describe the early payment discount offered and the discount percentage that would apply to CPA's early payment within ten (10), fifteen (15), twenty (20) or twenty-five (25) calendar days after receipt of a correct invoice. Successful Respondent shall also specify any applicable, early payment discount option(s) on each submitted invoice.

#### **N. PO Addition and Deletion**

CPA reserves the right, in its sole discretion, to add or delete products or Services during the Contract Term. All additions or deletions will be processed through CPA's Procurement Section. The rate at the time of the addition or deletion shall be the same as the rate quoted in the Contract for the same model product or Service. The effective date of any addition or deletion will be no later than five (5) business days after receipt of CPA's written notification of the addition or deletion. For this purpose, written notification includes registered mail, regular mail, or email with confirmation receipt.



For any additions, CPA’s Procurement Section will provide a POCN to Successful Respondent. The total number of additions allowed to CPA is determined by the number CPA chooses to purchase. For any deletions, CPA’s Procurement Section will provide a POCN to Successful Respondent with the effective date of the deletion, the amount of the reduction or refund (if any), and the equipment serial number or other specific equipment information to identify equipment, if applicable.

**O. HUB Subcontracting Plan Information**

In accordance with Section 2161.252 of the Texas Government Code and 34 Texas Administrative Code §20.285, each state agency that considers entering into a contract with an expected value of \$100,000 or more over the life of the contract (including any renewals) shall, before the agency solicits bids, proposals, offers, or other applicable expressions of interest, determine whether subcontracting opportunities are probable under the contract. If subcontracting opportunities are probable, each state agency’s invitation for bids, requests for proposals, or other purchase solicitation documents with an expected value of \$100,000 or more shall state that probability and require a Historically Underutilized Business (HUB) Subcontracting Plan (HSP).

CPA has determined that subcontracting opportunities are probable and requires Respondents to complete the State of Texas HUB Subcontracting Plan (HSP) form located at <https://comptroller.texas.gov/purchasing/vendor/hub/forms.php>. The HSP form is also posted to the ESBD as separate Bid Package #2 under this RFP, available at: <http://www.txsmartbuy.com/esbd>. For assistance in completing the HSP, Respondent may visit the following website: <https://comptroller.texas.gov/purchasing/vendor/hub/>. Respondents may send an HSP review request to the Contact person provided in Section I, Part 8. CPA will provide a courtesy HSP review if the request is received no later than the date questions are due, as specified in Section I, Part 15.

For purposes of the HSP, CPA has determined that this procurement falls under the following category:

Special Trade Construction  Professional Services  Other Services  Commodities

CPA has identified the possible subcontracting opportunities on the “Agency Special Instructions/Additional Requirements” portion of the State of Texas HUB HSP form set forth below:

<b>-- Agency Special Instructions/Additional Requirements --</b>		
<p>The Texas Comptroller of Public Accounts is committed to increasing contracting opportunities with HUBs by contracting directly with HUBs or indirectly through subcontracting opportunities in compliance with Chapter 2161 of the Texas Government Code, and by requesting a HSP for contracts with an expected value of \$25,000 to \$99,999.</p>		
<p>If a bid/proposal/offer to a solicitation with an expected value of \$100,000 or more does not contain a completed HSP and supporting documentation, the bid/proposal/offer will be considered non-responsive and will be disqualified. After Contract award, Successful Respondent may be subject to debarment pursuant to Section 2161.253(d) of the Texas Government Code if any modifications are made to the HSP without PRIOR approval from CPA.</p>		
<p>If Respondent is not subcontracting any portion of the Contract, Sections 1, 2(a), 3 and 4 must be completed.</p>		
<p>If Respondent is subcontracting some portion of the contract, the supporting documentation of “Good Faith Effort” must be demonstrated in either Method A (Attachment A) or Method B (Attachment B).</p>		
<p>The Texas Comptroller of Public Accounts requests all Respondents to consider utilizing HUBs in subcontracting areas listed below; however, this list should not be considered exhaustive.</p>		
Class	Item	Description
918	58	Governmental Consulting
946	49	Financial Services (Not Otherwise Classified)
958	77	Project Management Services
907	40	Engineering Services, Non-Licensed (Not Otherwise Classified), Incl. Consulting

In accordance with 34 TAC §20.285(d)(1)(D)(iii), a Respondent (prime contractor) may demonstrate a good faith effort to utilize Texas certified HUBs for its subcontracting opportunities if the total value of Respondent's subcontracts with Texas certified HUBs meets or exceeds the statewide HUB goal or the agency specific HUB goal, whichever is higher. When a Respondent uses this method to demonstrate a good faith effort, the Respondent must identify the HUBs with which it will subcontract. If using existing contracts with Texas certified HUBs to satisfy this requirement, only contracts that have been in place for five years or less shall qualify toward meeting the HUB goal.

#### **P. Respondent Documents**

All Respondent documents that are related to the Services, this RFP, Respondent's Proposal, or a resulting Contract including, but not limited to, boilerplate service agreements, service schedules, published specifications, warranty information, terms of service, ordering documents, license agreements and maintenance agreements, are collectively referred to in this RFP as "Respondent Documents." Respondent must include copies of all proposed Respondent Documents with Respondent's Proposal. Upon written request, Respondent shall promptly provide to CPA a Word version of specific Respondent Documents. CPA reserves the right, in its sole discretion, to amend the Respondent Documents to conform to this RFP and Texas law and provide them to Respondent for approval and signature prior to contract award. Respondent Documents that are (1) submitted as part of the Proposal and (2) amended to conform to this RFP and Texas law through mutual, written agreement of Successful Respondent and CPA will be incorporated as part of the Contract.

#### **Q. Respondent Exceptions**

If Respondent takes any exception to any provisions of this RFP, the exceptions must be specifically and clearly identified by section number in Respondent's Proposal as required by Section XI (Respondent Exceptions). Respondent's proposed alternative must also be provided in a chart similar to the one provided in Section XII. If a Respondent takes a "blanket exception" to the entire RFP or does not propose alternate language for CPA's consideration, Respondent's Proposal may be considered non-responsive and disqualified from further consideration.

Respondents are strongly encouraged to submit any inquiries regarding specific terms or conditions of this RFP during the question-and-answer period designated in Section I (Summary).

#### **R. Respondent's Past Performance; Vendor Performance Tracking System**

Comptroller may conduct reference checks with other entities regarding past performance of Respondent and its subcontractors, if any. In addition to evaluating performance through the Vendor Performance Tracking System (VPTS) as authorized by Section 2262.055 of the Texas Government Code, Comptroller may examine other sources of vendor performance, including, but not limited to, notices of termination, cure notices, assessments of liquidated damages, litigation, audit reports, and non-renewals of contracts. Such sources of Respondent performance may include any governmental entity, whether an agency or political subdivision of the State of Texas, another state, or the Federal government. Further, Comptroller may initiate such examinations of Respondent performance based upon media reports. Any such investigations shall be at the sole discretion of Comptroller, and any negative findings, as determined by Comptroller, may result in a non-award to Respondent. VPTS information is located on Comptroller's website at: <https://www.comptroller.texas.gov/purchasing/programs/vendor-performance-tracking/>.

### **III. Proposal Submission Requirements**

#### **A. Delivery of Proposal**

1. Respondent must submit its Proposal electronically via email with delivery receipt requested, in accordance with the following:
  - a. The Proposal must be emailed to [bidcpa@cpa.texas.gov](mailto:bidcpa@cpa.texas.gov), with copy to the CPA Contact Person identified in Section I;
  - b. The subject line of the email must include Respondent's name and a reference to RFP No. 907-25-1902KW;
  - c. All attachments to the email must be in a format that is accessible to CPA (specific acceptable formats include Word, Excel, and pdf);
  - d. All required forms must be signed, either with digital signatures or manually with scanned signatures; and
  - e. CPA strongly encourages Respondent to send the email with the attached Proposal at least fifteen (15) minutes prior to the Deadline for Submission of Proposals as specified in this RFP in order to allow for any networking delays that may occur (e.g., firewalls, security scans, etc.).

2. Respondent is solely responsible for ensuring timely delivery of its Proposal to the Issuing Office by the deadline. **Late Proposals will not be accepted. For purposes of meeting the 2:00 p.m. delivery deadline, the Issuing Office's electronic receipt date and time will be considered conclusive in all respects.**

## B. Proposal Content and Format

The Proposal must contain the information listed in this Part B. Failure to include all information may result in exclusion of the Proposal from consideration. The Proposal must contain an organized, paginated table of contents with hyperlinks corresponding to the sections and pages of the Proposal. The Proposal must be organized as follows:

1. **Respondent's Contact Person and Identifying Information.** Respondent must submit the following in its Proposal:
  - a. Respondent's identifying information:
    - (1) name and address of business entity submitting the Proposal;
    - (2) list of all principals;
    - (3) type of business entity (*e.g.*, corporation, partnership);
    - (4) state of incorporation or organization; and
    - (5) principal place of business.
  - b. Respondent's contact information (*i.e.*, name, title, email address, phone number and fax number) for the individual(s) who will be CPA's point of contact for questions regarding the Proposal and the Contract.
2. **Respondent Questionnaire: Respondent's Qualifications, Experience and Past Performance.**
  - a. **Profile.** In its Proposal, Respondent must provide a profile that:
    - (1) describes the size and scope of all of Respondent's operations, including number of Respondent's employees and years in business;
    - (3) describes Respondent's prior contracting experience with CPA and other public sector entities;
    - (4) includes a statement regarding the financial stability of Respondent, including the ability of Respondent to perform the Services and any other services proposed in its Proposal; and
    - (5) includes any other information Respondent believes is pertinent to this RFP (*e.g.*, certificates, industry awards).
  - b. **Vendor Reference Questionnaire.** Respondents must send the Vendor Reference Questionnaire (Section XII) to three (3) companies or government agencies (References). Instructions are included on the questionnaire. Respondents may send the questionnaire to Customers via email. CPA is not responsible for undeliverable emails or for non-responsive References. Respondents' References will be evaluated in accordance with Section I, Part 17 (Evaluation of Proposals). Vendor must include all requested information in the top portion of the questionnaire. References must respond to CPA on the form provided by the due date provided in the Anticipated Schedule of Events on the cover page of this RFP to be considered in Proposal evaluation. The questionnaire form must be submitted directly from the References to CPA. Respondents shall not submit the Vendor Reference Questionnaire to CPA. References may be contacted for clarification at CPA's discretion. CPA is not obligated to contact Respondent in the event a Reference submits incomplete information.
  - c. **Cancellations or Terminations.** In its Proposal, Respondent must list **all** contracts or purchase orders that Respondent executed or accepted within the last three (3) years and that were canceled or terminated before completion by any entity with which Respondent contracted. For each cancelled or terminated contract or purchase order, Respondent must include a detailed explanation for the cancellation or termination and final resolution of the matter. The Proposal must include the names and telephone numbers of each such entity's contact person. If there were no contracts or purchase orders cancelled or terminated before completion in the last three years, specify none.
3. **Respondent Questionnaire: Narrative.**
  - a. **Scope of Services.** In its Proposal, Respondent must submit a detailed, narrative explanation of how the offered services will meet the requirements of Section II, Part D (Scope of Services). Respondent must provide in its Proposal all the information requested in the Scope of Services in conformity with the structure outlined in Section II, Part D (Scope of Services). In the narrative, Respondent must also provide the following:
    - (1) Early Administration Period (50121 HOMES). Strategy for completing the following plans and establishing metrics that include milestones that are specific, measurable achievable, relevant, and time bound.
      - a. Outreach partnerships, outreach channels strategic and implementation plan.
      - b. Single family and multi-family education strategic and implementation plan.

- c. Contractor partnerships, outreach channels strategic and implementation plan.
  - d. Retailer and Distributor Outreach strategic and implementation plan.
  - e. Consumer protection strategic and implementation plan.
  - f. Program monitoring, tracking, reporting auditing, and evaluation strategic and implementation plan.
  - g. Privacy and Security Risk Assessment for State Systems strategic and implementation plan.
  - h. Utility Data Access Plan (for HOMES only) strategic and implementation plan.
  - i. Data and Tools strategic and implementation plan
- (2) Early Administration Period (50122 HEAR). Strategy for completing the following plans and establishing metrics that include milestones that are specific, measurable achievable, relevant, and time bound.
- a. Outreach partnerships, outreach channels strategic and implementation plan.
  - b. Single family and multi-family education strategic and implementation plan.
  - c. Contractor partnerships, outreach channels strategic and implementation plan.
  - d. Retailer and Distributor Outreach strategic and implementation plan.
  - e. Consumer protection strategic and implementation plan.
  - f. Program monitoring, tracking, reporting auditing, and evaluation strategic and implementation plan.
  - g. Privacy and Security Risk Assessment for State Systems strategic and implementation plan.
  - h. Utility Data Access Plan (for HOMES only) strategic and implementation plan.
  - i. Data and Tools strategic and implementation plan
- (3) Full Program Performance Period (50121 HOMES). Strategy for completing. Section II, Part D (Scope of Services) D.2 through D.5 Scope of Service overview, milestones, and deliverables.
- (4) Full Program Performance Period (50122 HEAR). Strategy for completing. Section II, Part D (Scope of Services) D.2 through D.5 Scope of Service overview, milestones, and deliverables.
- (5) information requested in Part D7 (Data Security Terms).
- (6) copies of all Respondent Documents applicable to the proffered Services. Refer to Part P.
- (7) a detailed description of how Respondent will provide problem or trouble resolution, its escalation procedures, and the timeframe in which Respondent will respond to CPA's request for maintenance and technical support.
- (8) a description of the qualifications of personnel who will provide the offered Services. Respondent must also describe its organizational structure and staffing levels that will support the offered Services, including Respondent's policies for retaining personnel and engaging additional, qualified personnel, if necessary, to support the requirements set forth in this RFP. In addition, Respondent must identify all proposed personnel who will or may provide Services. For each proposed individual, Respondent must provide a résumé that includes the following information: (1) professional employment history, (2) education, (3) relevant professional training and (4) professional certifications. Respondent must also identify the roles and responsibilities of the proposed personnel and provide an organizational chart depicting the lines of authority and functional titles of the proposed personnel.
- b. Description of All Offered Optional Features, Products, or Services.** If offered, Respondent must describe in its Proposal any Optional Features, Products or Services that would benefit CPA, but are not part of the minimum requirements of this RFP. Refer to Section II, Part D.9. Respondent must provide line-item pricing for each option on the Mandatory Price Sheet in Appendix 1.
- c. Early Payment Discount Offering.** If offered, Respondent must describe with specificity in its Proposal any early payment discount offered and the discount percentage that would apply to CPA's early payment within ten (10), fifteen (15), twenty (20) or twenty-five (25) calendar days after receipt of a correct invoice. Refer to Section II, Part M.
- 4. Mandatory Price Sheet.** Respondent must complete and submit, in its Proposal, all sections of the Mandatory Price Sheet. See Appendix 1.
- a. All costs associated with the offered services must be entered on the Mandatory Price Sheet and described in the Proposal.
  - b. If Optional Features, Products or Services are offered, refer to Section II, Part D.
- 5. HUB Subcontracting Plan (HSP) & Supporting Documentation.** The document required by Section II, Part O must be completed, signed, and included in the Proposal.
- 6. Execution of Proposal.** The document required by Section V must be completed, signed, and included in the Proposal.

7. **Conflict of Interest Form.** The document required by Section VI must be completed, signed, and included in the Proposal.
8. **Nondisclosure Agreement.** The document required by Section VII must be completed, signed, and included in the Proposal.
9. **Confidential Treatment of Information Acknowledgment.** A copy of the CTIA form, located in Section VIII, signed by Respondent or its authorized representative, must be included in the Proposal. Additionally, if communications with Respondent necessitate the release of confidential CPA information, then each individual requiring access to, or who may be exposed to, such information must sign the CPA Confidential Treatment of Information Acknowledgment (CTIA) form. Upon CPA's request Respondent agrees to provide CPA with copies of any such CTIA forms. See Section IV, Part 74 (Information Security Requirements for Successful Respondent) for information regarding use of the CTIA during the Contract Term.
10. **Certification regarding Public Nature of the Proposal.** The document required by Section IX must be completed, signed, and included in the Proposal.
11. **Data Security Information.** In its Proposal, Respondent shall include the following information:
  - i. Compliance with CPA Data Safeguard Standards. Respondent shall describe its approach and methodology for meeting the requirements in Section II, Part D.7. (CPA Data Safeguard Standards) above.
  - ii. Data Security Breach History. Respondent shall disclose any data security breach incidents, including pertinent, public information describing the breach such as the date of the incident, date of incident discovery, cause of the incident, and remediation efforts undertaken by Respondent.
  - iii. Defects and Vulnerabilities. Respondent shall disclose product defects and vulnerabilities above of the proposed Solution described in Part D.7.j that is known to Respondent at the time of Proposal submission.
  - iv. System Development Life Cycle. Respondent shall provide a written description of its system development lifecycle that addresses security engineering methods, software development methods, testing/evaluation/validation techniques, and quality control processes.
12. **Contractor Cybersecurity Training Attestation Form.** Successful Respondent must complete, sign and return to CPA at [contract.administration@cpa.texas.gov](mailto:contract.administration@cpa.texas.gov) the form in Section X within sixty (60) days of the Effective Date and annually thereafter.

**IMPORTANT NOTE:**

**THE FORMS LOCATED IN THIS RFP ARE PREPARED EXCLUSIVELY FOR THIS RFP. RESPONDENT'S SUBMISSION OF OTHER FORMS OR DOCUMENTS, INCLUDING PRIOR VERSIONS OF THE FORMS, MAY RESULT IN DISQUALIFICATION OF THE PROPOSAL.**

## IV. Terms and Conditions

### A. Standard Terms and Conditions

- 1. Terms and Conditions.** This Section IV (Standard Terms and Conditions) is incorporated into this RFP for all purposes. Respondent's representation and signature is required on the Execution of Proposal located in Section V.
- 2. Contract Award; Copyright; Reissuance.** In awarding a Contract, CPA reserves the right, in its sole discretion, to reject all or any part of any Proposals; waive minor technicalities; negotiate price and other provisions with all Respondents, the top-rated Respondents, or no Respondents; and award a contract in the best interests of CPA and the State of Texas. CPA reserves the right, in its sole discretion, to award a contract without discussion of Proposal(s) with Respondent(s). CPA's waiver of any deviations in any Proposals will not constitute a modification of this RFP and will not preclude CPA from asserting all rights against Respondent for failure to comply fully with all terms and conditions of this RFP. CPA reserves the right to make any corrections or include additional requirements in the PO prior to issuance necessary for CPA's compliance, as an agency of the State of Texas, with all state and federal requirements. Copyrighted Proposals are unacceptable and are subject to disqualification as non-responsive. CPA reserves the right to disqualify any Proposal that asserts a copyright on any CPA-created form that CPA requires a Respondent to include in its Proposal, *e.g.*, Mandatory Price Sheet. CPA is not required to award a Contract. CPA may reissue or issue another RFP for the requested Services or items described in this RFP or similar services or items at any time.
- 3. Pricing; F.O.B. (Freight on Board) Destination.** All pricing must be submitted in the format provided in the Mandatory Price Sheet and must comply with the requirements described in this paragraph. If a trade discount is shown on the Proposal, it should be deducted and net line extensions shown on the Mandatory Price Sheet. Respondent must be willing to negotiate from Proposal prices. "Discount from list" Proposals are not acceptable unless specifically requested. Cash discounts will not be considered in determining the best value. However, CPA will take all cash discounts offered if earned. A Respondent must quote F.O.B. destination with title and risk of loss transferred to CPA upon CPA's written acceptance; otherwise, Respondent must quote complete cost to deliver as specified in this RFP. A Respondent must quote unit price on quantity and unit of measure specified. Total prices must be computed to show the total cost for each item type. In case of errors in computation in Proposals, unit prices shall govern. CPA will not consider Proposals subject to unlimited price or percentage-of-price increases.
- 4. Additional Specifications.** By submitting a Proposal, Respondent guarantees and warrants that all requested Services or items offered will meet or exceed all specifications of this RFP. All items offered shall be new and in first-class condition, including containers suitable for shipment and storage, unless otherwise indicated in this RFP. Respondent must furnish samples, when requested, free of expense to CPA. CPA will return samples to Respondent, on request, at Respondent's expense. Each sample should be marked with Respondent's name, address, and CPA's RFP number or PO number, as applicable. No substitutions or cancellations are permitted without prior written approval of CPA's Procurement Section.
- 5. Testing; Acceptance; Return; Revocation.** Prior to contract award or payment, as applicable, requested samples will be subject to inspection and testing by CPA. CPA reserves the right to test requested samples or items prior to Contract award and Respondent will bear all costs of any testing. After Contract award and prior to payment, CPA may conduct acceptance testing on the requested items delivered under the Contract. CPA will have up to thirty (30) days to conduct such testing. If the delivered and/or installed requested items fail to meet or exceed the acceptance criteria or any other requirement of the Contract, CPA may refuse to accept the requested items. If CPA refuses to accept the requested items, CPA shall return such requested items at Successful Respondent's sole expense. If the delivered, requested items meet or exceed all conditions and requirements of the Contract, CPA shall notify Successful Respondent in writing no later than thirty (30) days after receiving the samples or items being tested that Successful Respondent may submit an invoice to CPA's Accounts Payable Division for such requested items. CPA reserves the right to revoke prior acceptance for, among other things, latent defects.
- 6. Delivery; Dates; Delays; Delivery Hours.** Regardless of whether the latest acceptable delivery date is specified in the Mandatory Price Sheet, Respondent must list the number of days required to place equipment or goods in CPA's designated location under normal conditions. Failure to state a delivery time obligates Respondent to complete delivery in fourteen (14) calendar days or by the latest acceptable delivery date specified in Section II (Specifications) or the Mandatory Price Sheet. Unrealistically short or long delivery promises may cause a Proposal to be disregarded. Consistent failure to meet delivery promises without valid reason may result in Successful Respondent's removal from the State of Texas' Centralized Master Bidders List (CMBL). If Successful Respondent determines that it will be unable to comply with any scheduled deadline or delivery of the requested items required under the Contract, Successful Respondent shall notify CPA in advance in writing of the expected delay, the reason for the delay and the date by which the requested items may be expected. CPA may, in its sole discretion, approve such delay in writing. Notwithstanding anything in this Part (Delivery; Dates; Delays; Delivery Hours) to the contrary, CPA reserves the right to terminate all or any part of the Contract and CPA does not waive any rights or remedies available to CPA for Successful Respondent's nonperformance under the Contract. Successful Respondent must deliver all items during CPA's standard business hours unless CPA's Procurement Section or CPA's Contract or Project Manager provides prior written approval for delivery before or after standard business hours. CPA's standard business hours are defined in Section IV, Hours.

**7. Time for Submission.** Proposals must be received by CPA's Procurement Section before the hour and date specified in Section I (Summary). Late Proposals will not be considered under any circumstances.

**8. Electronic Signatures.** Respondent's Proposal must be electronically signed or manually signed and scanned. Subsequent documents delivered pursuant to this RFP may be electronically signed as well. To the extent the parties sign electronically, their electronic signature, whether digital or encrypted, is intended to authenticate the applicable and will have the same force and effect as manual signatures. Delivery of a copy of the Proposal, Contract, or any other document contemplated under this RFP bearing an original manual or electronic signature by document signing software, by electronic mail in pdf or similar format intended to preserve the original graphic and pictorial appearance of a document, or through the use of electronic signature software will have the same effect as physical delivery of the paper document bearing an original manual signature.

"Electronic signature" means electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record pursuant to the Texas Uniform Electronic Transactions Act (Tex. Bus. & Com. Code §322.001 *et seq.*) as amended from time to time.

**9. Respondent Identification.** Proposals must include Respondent's Texas Identification Number (TIN), which is the taxpayer number assigned and used by CPA. If this number is not known, provide the Respondent's Federal Employer Identification Number (FEIN), if any, or, for sole proprietors that do not have a TIN or FEIN, contact the contact person listed in Section I (Summary).

**10. No Alterations or Withdrawals of Proposal after Deadline.** Proposals cannot be altered or amended after the deadline specified in Section I (Summary), except as provided in this paragraph. Any alterations made before this deadline must be initiated by the Respondent or its authorized agent. No Proposals can be withdrawn after the specified deadline without approval by CPA's Procurement Section based on a written reason acceptable to CPA.

**11. Selected Definitions.**

- "Successful Respondent's employee" includes any individual who, on behalf of Respondent, will or may participate in the Contract.
- "Successful Respondent's employee" includes all officers, personnel, replacement personnel, agents, subcontractors and other representatives of Respondent regardless of how employed or contracted by Respondent.
- When the term "relative" refers to an individual, the term includes a current or former CPA employee's spouse, father, mother, brother, sister, son or stepson, daughter or stepdaughter, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law or daughter-in-law.
- "Financial interest" means receiving, or the right to receive, money or other valuable property or benefits under the actual or proposed contract; holding a position in the business of Respondent, such as a principal, officer, director, trustee, partner, employee or the like, or holding any position of management; holding any of the outstanding debt of a person directly involved in the proposed or resulting contract; or owning stock or other interest in the business of Respondent.

**12. Tie Proposals.** Consistent and continued tie Proposals could cause rejection of Proposals by CPA and/or investigation of antitrust violations.

**13. Email Proposals.** CPA will not be responsible for Proposals received late, illegible, incomplete, or otherwise non-responsive due to network delays (*e.g.*, firewalls, security scans, etc.), internet connection issues, etc.

**14. Mailed or Hand-delivered Proposals.** CPA will not accept mailed or hand-delivered Proposals.

**15. Terms and Conditions Attached to Proposal.** CPA will not consider any terms and conditions or other documents attached to a Proposal as part of the Proposal unless the Respondent specifically and prominently refers to each of them in its Proposal. In addition, see other Parts of this Section IV (Terms and Conditions), for example, Parts 16 (Incorporation of Entire RFP), 17 (Authority to Bind CPA; Execute Documents), 18 (Unacceptable Terms in Respondent's Proposal), 19 (Specifications; Performance), 20 (Respondent Costs), and 21 (Prepayments), regarding limitations on terms and conditions or attachments to Respondent's Proposal. CPA reserves the right, in its sole discretion, to reject any Respondent terms and conditions or other documents or attachments that are submitted to CPA as part of Respondent's Proposal.

**16. Incorporation of Entire RFP.** Except as otherwise provided in the negotiated terms and conditions, if any, that are expressly identified as such in the Contract, this entire RFP applies to and becomes part of the Contract.

**17. Authority to Bind CPA; Execute Documents.** Only the Comptroller, Deputy Comptroller, and the Deputy Comptroller's authorized delegate have the authority to execute a document or grant a permission on behalf of CPA with respect to this RFP or the Contract, except that CPA's Procurement Section has authority to issue POs and POCNs.

**18. Unacceptable Terms in Respondent's Proposal.** No CPA action, including, but not limited to, issuance of a PO, will constitute an acceptance of conflicting terms, conditions, or attachments in Respondent's Proposal; however, this lack of

acceptance by CPA shall not apply to the negotiated terms and conditions, if any, that are expressly identified as such in the Contract. Proposed terms and conditions that may violate Texas law applicable to the specific procurement or may be unacceptable to CPA for inclusion in the Contract include the following:

- Proposals that incorporate the laws of a state other than Texas;
- Requirements for prepayment;
- Limitations on CPA's remedies;
- Requirements that CPA indemnify the Respondent;
- Requirements that Respondent's documents control in case of conflicts;
- Requirements that Respondent's documents control even if Respondent accepts or acknowledges the PO; and
- Disclaimer of warranties.

**19. Specifications; Performance.** Successful Respondent will provide the requested Services and/or items of the quality and in the manner described in this RFP. Successful Respondent's failure to conform to all requirements of the Contract may, among other things, result in CPA's withholding of acceptance and payments under the Contract, CPA's cancellation of all or part of the Contract, CPA's revocation of any prior acceptance and Successful Respondent's refund to CPA of amounts paid by CPA prior to revocation of acceptance.

**20. Respondent Costs.** Respondent will bear all costs and expenses for the provision of the requested Services or items required by the Contract. All such costs and expenses must be included in the prices detailed in the Contract. No other amounts will be paid.

**21. Prepayments.** CPA, in its sole discretion, reserves the right, to the extent permitted by Texas law and CPA regulations, to prepay for any requested Services or items delivered to or provided to CPA by Successful Respondent in its performance under the Contract. CPA may inspect, test and evaluate the requested items prior to acceptance and payment.

**22. Refunds.** Successful Respondent will promptly refund or credit, within thirty (30) calendar days, any funds erroneously paid by CPA not expressly authorized under the Contract.

**23. Invoicing; Travel-related Expenses; Withholding of Payments.** To be paid, Successful Respondent must submit one copy of an itemized invoice showing the PO number to CPA's Accounts Payable Division at [biapp@cpa.texas.gov](mailto:biapp@cpa.texas.gov) for all requested Services and/or items delivered, inspected, tested, evaluated and accepted by CPA. CPA will not reimburse for travel, meals, lodging or other related expenses unless specifically provided in the Contract. In that event, Successful Respondent will invoice such costs to CPA based on actual expenses and CPA shall not be liable for reimbursement of expenses that: (1) were not pre-approved in writing by CPA, or (2) exceed the current State of Texas' Travel Regulations. Receipts are required to validate invoicing.

**24. Termination and Cancellation Circumstances.** CPA may terminate or cancel the Contract in any one of the following circumstances:

**24.1. Mutual Agreement.** Upon the mutual, written agreement of CPA and Successful Respondent, the Contract may be terminated or cancelled.

**24.2. CPA Upon 30 days' Notice.** CPA may, in its sole discretion, terminate or cancel the Contract with thirty (30) calendar days' written notice to Successful Respondent. Upon termination under this provision, Successful Respondent shall refund to CPA any amounts attributable to the terminated months remaining in the Contract within thirty (30) calendar days of the termination effective date.

**24.3. Successful Respondent's Nonperformance.** If Successful Respondent fails to comply with any requirement of the Contract, including, but not limited to, those requirements included in this RFP, CPA may immediately terminate or cancel all or any part of the Contract, may obtain substitute requested Services and/or items, may withhold acceptance and payments to Successful Respondent, may revoke any prior acceptance, may require Successful Respondent to refund amounts paid prior to revocation of acceptance and may pursue all rights and remedies against Successful Respondent under the Contract and any applicable law. In addition, CPA will report defaulting Successful Respondent to the Statewide Procurement Division for possible action by the Statewide Procurement Division against defaulting Successful Respondent. CPA may also report such nonperformance in the Vendor Performance Tracking System available at: <https://www.comptroller.texas.gov/purchasing/programs/vendor-performance-tracking/>.

**24.4. Excess Obligations Prohibited.** The Contract is subject to termination or cancellation, without penalty to CPA, either in whole or in part, subject to the availability of state funds. CPA is a state agency whose authority and appropriations are subject to actions of the Texas Legislature. If CPA becomes subject to a legislative change, revocation of statutory authority, or lack of appropriated funds that would render either CPA's or Successful Respondent's delivery or performance under the Contract impossible or unnecessary, the Contract will be terminated or cancelled and be deemed null and void. In the event of a termination or cancellation under this Part 24.4, CPA will not be liable to Successful Respondent for any damages that are caused or associated with such termination or cancellation, and CPA



will not be required to give prior notice. Termination under this Part 24.4 shall not affect CPA's right to use previously paid Licensed Software through the term of each such license, nor any maintenance or support paid prior to such termination.

**CPA reserves the right to recover reasonable costs, fees, expenses and other amounts or damages available to CPA under the Contract or under applicable law, including, but not limited to, attorneys' fees and court costs, if termination or cancellation is at Successful Respondent's request or if CPA terminates or cancels the Contract for cause. This right is in addition to any other remedies available to CPA under the Contract or under applicable law. CPA reserves the right to pursue any and all applicable rights and remedies if the Contract is terminated for any reason and CPA does not expressly waive such rights or remedies.**

**25. Substitute Hardware, Software, Services or Warranties.** In the event CPA terminates or cancels the Contract for Successful Respondent's nonperformance or for cause, CPA may procure, upon reasonable terms and in a manner as it deems appropriate, substitute requested items similar to those that were terminated or cancelled. Respondent will be liable to CPA for any excess or additional costs incurred by CPA in acquiring these requested items, plus court costs and attorneys' fees. CPA's recovery of costs under this paragraph is in addition to any other remedies available to CPA under the Contract or under applicable law.

**26. Notice of Termination or Cancellation Delivery.** Any termination by CPA of the Contract that requires notice may be accomplished by CPA's delivery to Successful Respondent of a written notice of termination or cancellation specifying that the Contract is terminated or cancelled.

**27. Hours.** If requested by CPA, Successful Respondent will provide delivery on-site at CPA five (5) days a week, Monday through Friday, 8:00 am to 5:00 pm CT, excluding weekends and State of Texas holidays, unless otherwise defined in Section II (Specifications).

**28. Respondent Assignments.** Successful Respondent hereby assigns to CPA all claims of Successful Respondent's rights, title, and interest in and all claims and causes of action Successful Respondent may have under the antitrust laws of Texas or the United States or overcharges associated with the Contract.

**29. Taxes.** Purchases made for State of Texas use are exempt from the State Sales Tax and Federal Excise Tax. CPA will furnish Tax Exemption Certificates upon request. Respondent represents and warrants that it shall pay all taxes or similar amounts resulting from the Contract, including, but not limited to, any federal, State or local income, sales or excise taxes of Respondent or its employees. CPA shall not be liable for any taxes resulting from the Contract.

Successful Respondent will serve as an independent contractor under the Contract. Successful Respondent must be able to demonstrate on-site compliance with the Federal Tax Reform Act of 1986, Section 1706, amending Section 530 of the Revenue Act of 1978, dealing with issuance of Form W-2s to Respondent's employees. Successful Respondent will be solely responsible for payment of all taxes, including, but not limited to, state, federal, foreign, or local taxes, income taxes, withholding taxes, social security taxes, pension contributions, and any other form of payroll or any other taxes, for Successful Respondent and Successful Respondent's employees. CPA will have no responsibility for payment of any such taxes or amounts related to such taxes. At Successful Respondent's sole cost and expense, Successful Respondent will secure and maintain all insurance premiums that are required by this RFP or the Contract or insurance premiums that are necessary to protect the interests of the State of Texas and CPA or that Successful Respondent may need or desire for Successful Respondent or Successful Respondent's employees. Successful Respondent shall indemnify CPA and pay to CPA all costs, penalties, losses and other amounts resulting from the Successful Respondent's omission or breach of this Part 29.

**30. Warranties.** Notwithstanding any disclaimers in the Proposal or other Respondent Documents and notwithstanding any other provision of this RFP to the contrary, Successful Respondent warrants and guarantees all of the following with respect to all requested items required under the Contract:

**30.1. RFP and Manufacturer's Warranties.** Successful Respondent warrants and guarantees that all items provided shall meet all specifications of the Contract, including, but not limited to, this RFP; in addition, Successful Respondent shall provide manufacturer's standard warranty for all items provided.

**30.2. Replacement and Other Warranties.** Successful Respondent will provide a one (1) year, full replacement warranty for all items provided and will provide any other warranties specified in Section II (Specifications). These warranties begin on the date CPA accepts the requested items.

**All warranties required by the Contract survive beyond the termination, cancellation or expiration date of the Contract. Respondent Documents and the requirements of this RFP will not be construed to limit any rights or remedies otherwise available to CPA under this RFP, the Contract, or any applicable law.**

**31. Termination or Cancellation Effectiveness.** Unless otherwise specified in this RFP or the Contract, any termination or cancellation of the Contract will be effective upon the date specified in CPA's notice of termination or cancellation.

**32. Limitation on Authority; No Other Obligations.** Respondent shall have no authority to act for or on behalf of CPA or the State of Texas, except as expressly provided for in the Contract; no other authority, power or use is granted or implied. Respondent may not incur any debt, obligation, expenses or liability of any kind on behalf of CPA or the State of Texas.

**33. Public Information Act.** Notwithstanding any provisions of this RFP to the contrary, Respondent understands that CPA will comply with the Texas Public Information Act (Chapter 552 of the Texas Government Code), as interpreted by judicial opinions and opinions of the Office of the Texas Attorney General (Attorney General). Information, documentation, and other material in connection with this RFP or the Contract may be subject to public disclosure pursuant to the Texas Public Information Act. In accordance with Section 2252.907 of the Texas Government Code, Successful Respondent is required to make any information created or exchanged with the State of Texas pursuant to this RFP or the Contract, and not otherwise excepted from disclosure under the Texas Public Information Act, available in a format that is accessible by the public at no additional charge to the State. Specific formats acceptable to CPA include Word, Excel, and pdf. All Proposals become the property of CPA and may be subject to release to any requester under the provisions of the Texas Public Information Act. After the award and execution of a contract for a particular procurement, Proposals submitted shall be presumed to be public information and subject to disclosure unless a specific exception to disclosure under the Texas Public Information Act applies. CPA advises each Respondent to consult with its legal counsel regarding disclosure issues and take the appropriate precautions to safeguard trade secrets or other proprietary information. CPA assumes no obligation or responsibility relating to the disclosure or nondisclosure of information submitted by Respondent.

**34. Confidential Information; Nondisclosure Agreements.** Successful Respondent and Successful Respondent's employees and subcontractors, if any, shall not disclose to anyone, directly or indirectly, any information designated by CPA as confidential or information accessed as a result of the Contract without the prior written consent of CPA. In addition, Successful Respondent must sign the Nondisclosure Agreement located in Section VII (Nondisclosure Agreement) and include it with its Proposal.

If a Respondent asserts that any portion of its Proposal is confidential, then Respondent must specify the confidential portions in its Proposal. Respondent must stamp in bold red letters the term "**CONFIDENTIAL**" on that specific part or page of the Proposal that Respondent asserts to be confidential. Respondent must submit in writing specific detailed reasons, including any relevant legal authority, stating why Respondent asserts the material is confidential. Merely making a blanket claim that the entire Proposal is protected from disclosure because it contains some proprietary information is not acceptable and will not render the entire Proposal confidential. CPA will not accept vague and general claims as to confidentiality; CPA will determine whether a claim is general or vague in nature. CPA will consider all Proposals and parts of Proposals that are not marked as confidential as public information after the Contract is awarded. The successful Proposal may be considered public information even though parts are marked confidential.

In the event CPA receives a request for portions of a Proposal marked as "**CONFIDENTIAL**" CPA shall forward the request to the Attorney General for an opinion on whether CPA may withhold such information from disclosure under the Texas Public Information Act. CPA will notify the Respondent whose Proposal is the subject of the request when the information is forwarded to the Attorney General. CPA assumes no obligation for asserting legal arguments on behalf of a Respondent. See Section IV, Part 2 (Contract Award; Copyright; Reissuance) regarding possible disqualification of a Proposal due to certain copyrighted portions.

Within three (3) days of receipt, Successful Respondent shall refer to CPA any third-party requests, received directly by Successful Respondent, for information to which Successful Respondent has access as a result of or in the course of performance under the Contract. The provisions of this Part 34 survive the termination or expiration of the Contract.

**35. No Other Benefits.** Respondent has no exclusive rights or benefits other than those set forth herein.

**36. Parties Bound.** The Contract will be binding upon and inure to the benefit of CPA and Successful Respondent and to their respective heirs, executors, administrators, legal representatives and successors.

**37. Assignment.** Successful Respondent may not assign its rights under the Contract or delegate the performance of its duties under the Contract without the prior written consent of CPA. Any attempted or purported assignment or delegation in violation of this provision is void and without effect.

**38. Time Limits.** Time is of the essence in the Contract. Successful Respondent shall strictly comply with all of the deadlines, requirements, and Standards of Performance of the Contract.

**39. No Waiver.** No provision of the Contract, a PO or POCN or this RFP shall constitute or be construed as a waiver of any of the privileges, rights, defenses, remedies or immunities available to CPA as an agency of the State of Texas or otherwise available to CPA. The failure to enforce or any delay in the enforcement of any privileges, rights, defenses, remedies or immunities detailed in the Contract or otherwise available to CPA by law will not constitute a waiver of said privileges, rights, defenses, remedies or immunities or be considered as a basis for estoppel. **By issuing a PO, by its conduct prior to or subsequent to issuing the PO or by executing the Contract, CPA does not waive any privileges, rights, defenses, remedies or immunities available to CPA as an agency of the State of Texas or otherwise available to CPA. The modification of**

any privileges, rights, defenses, remedies or immunities available to CPA must be in writing, must reference this section, and must be signed by CPA to be effective. Such modification of any privileges, rights, defenses, remedies or immunities available to CPA will not constitute a waiver of any subsequent privileges, rights, defenses, remedies or immunities under the Contract or under applicable law.

**40. CPA Not Liable Upon Termination.** If the Contract is terminated for any reason, CPA and the State of Texas will not be liable to Successful Respondent for any damages, claims, losses or any other amounts arising from or related to any such termination.

**41. Personal Injury; Property Damage.** Successful Respondent shall be liable for any bodily injury or personal injury to any individual caused by Successful Respondent or Successful Respondent's employees or Successful Respondent's defective products. In the event of loss, destruction or damage to any CPA or State of Texas property by Successful Respondent or Successful Respondent's employees, Successful Respondent shall indemnify CPA and the State of Texas and pay to CPA and the State of Texas the full cost of repair, reconstruction or replacement of the lost, destroyed or damaged property, at CPA's election. Successful Respondent will reimburse CPA and the State of Texas for such property damage within ten (10) calendar days after Successful Respondent's receipt of CPA's notice of amount due.

**42. INDEMNIFICATION. SUCCESSFUL RESPONDENT SHALL DEFEND, INDEMNIFY AND HOLD HARMLESS THE STATE OF TEXAS AND CPA, AND/OR THEIR OFFICERS, AGENTS, EMPLOYEES, REPRESENTATIVES, CONTRACTORS, ASSIGNEES, AND/OR DESIGNEES FROM ANY AND ALL LIABILITY, ACTIONS, CLAIMS, DEMANDS, OR SUITS, AND ALL RELATED COSTS, ATTORNEY FEES, AND EXPENSES ARISING OUT OF, OR RESULTING FROM, ANY ACTS OR OMISSIONS OF SUCCESSFUL RESPONDENT OR ITS AGENTS, EMPLOYEES, SUBCONTRACTORS, ORDER FULFILLERS, OR SUPPLIERS OF SUBCONTRACTORS IN THE EXECUTION OR PERFORMANCE OF THE CONTRACT, INCLUDING ANY PURCHASE ORDERS ISSUED UNDER THE CONTRACT. THE DEFENSE SHALL BE COORDINATED BY SUCCESSFUL RESPONDENT WITH THE ATTORNEY GENERAL WHEN TEXAS STATE AGENCIES ARE NAMED DEFENDANTS IN ANY LAWSUIT AND SUCCESSFUL RESPONDENT MAY NOT AGREE TO ANY SETTLEMENT WITHOUT FIRST OBTAINING THE CONCURRENCE FROM THE ATTORNEY GENERAL. SUCCESSFUL RESPONDENT AND CPA AGREE TO FURNISH TIMELY WRITTEN NOTICE TO EACH OTHER OF ANY SUCH CLAIM.**

**43. INDEMNIFICATION (INTELLECTUAL PROPERTY). SUCCESSFUL RESPONDENT SHALL DEFEND, INDEMNIFY, AND HOLD HARMLESS CPA AND THE STATE OF TEXAS FROM AND AGAINST ANY AND ALL CLAIMS, VIOLATIONS, MISAPPROPRIATIONS OR INFRINGEMENT OF ANY PATENT, TRADEMARK, COPYRIGHT, TRADE SECRET OR OTHER INTELLECTUAL PROPERTY RIGHTS, AND/OR OTHER INTANGIBLE PROPERTY, PUBLICITY OR PRIVACY RIGHTS, AND/OR IN CONNECTION WITH OR ARISING FROM: (1) THE PERFORMANCE OR ACTIONS OF SUCCESSFUL RESPONDENT PURSUANT TO THE CONTRACT; (2) ANY DELIVERABLE, WORK PRODUCT, CONFIGURED SERVICE, OR OTHER SERVICE PROVIDED THEREUNDER; AND/OR (3) CPA'S AND/OR SUCCESSFUL RESPONDENT'S USE OF OR ACQUISITION OF ANY REQUESTED SERVICES OR OTHER ITEMS PROVIDED TO CPA BY SUCCESSFUL RESPONDENT OR OTHERWISE TO WHICH CPA HAS ACCESS AS A RESULT OF SUCCESSFUL RESPONDENT'S PERFORMANCE UNDER THE CONTRACT. SUCCESSFUL RESPONDENT AND CPA AGREE TO FURNISH TIMELY WRITTEN NOTICE TO EACH OTHER OF ANY SUCH CLAIM. NOTICE SHALL BE CONSIDERED TIMELY IF DELIVERED WITHIN FIVE (5) BUSINESS DAYS. SUCCESSFUL RESPONDENT SHALL BE LIABLE TO PAY ALL COSTS OF DEFENSE, INCLUDING ATTORNEYS' FEES. THE DEFENSE SHALL BE COORDINATED BY SUCCESSFUL RESPONDENT WITH THE ATTORNEY GENERAL WHEN TEXAS STATE AGENCIES ARE NAMED DEFENDANTS IN ANY LAWSUIT AND SUCCESSFUL RESPONDENT MAY NOT AGREE TO ANY SETTLEMENT WITHOUT FIRST OBTAINING THE CONCURRENCE FROM THE ATTORNEY GENERAL. IN ADDITION, SUCCESSFUL RESPONDENT WILL REIMBURSE CPA AND THE STATE OF TEXAS FOR ANY CLAIMS, DAMAGES, COSTS, EXPENSES, OR OTHER AMOUNTS, INCLUDING, BUT NOT LIMITED TO, ATTORNEYS' FEES AND COURT COSTS, ARISING FROM ANY SUCH CLAIM. IF CPA DETERMINES THAT A CONFLICT EXISTS BETWEEN ITS INTERESTS AND THOSE OF SUCCESSFUL RESPONDENT OR IF CPA IS REQUIRED BY APPLICABLE LAW TO SELECT SEPARATE COUNSEL, CPA WILL BE PERMITTED TO SELECT SEPARATE COUNSEL AND SUCCESSFUL RESPONDENT WILL PAY ALL REASONABLE COSTS OF CPA'S COUNSEL. SUCCESSFUL RESPONDENT REPRESENTS AND WARRANTS THAT IT HAS DETERMINED WHAT LICENSES, PATENTS AND PERMITS ARE REQUIRED UNDER THE CONTRACT AND HAS ACQUIRED ALL APPLICABLE LICENSES, PATENTS, AND PERMITS.**

**44. Governing Law and Venue.** The Contract shall be governed by and construed in accordance with the laws of the State of Texas, without regard to the conflicts of law provisions. The venue of any suit arising under the Contract is fixed in any court of competent jurisdiction of Travis County, Texas.

**45. Record Retention.** Successful Respondent shall maintain and retain all records relating to the performance of the Contract, including supporting fiscal documents adequate to ensure that claims for Contract funds are in accordance with applicable State of Texas requirements. These records will be maintained and retained by Successful Respondent for a period of seven (7) years (a) after the Contract expiration date or (b) until all audit, claim, litigation, negotiation, open records request, administrative review, or other action involving the Contract or documents are resolved, whichever is later.

**46. CPA Right to Audit.** Successful Respondent will make available at reasonable times and upon reasonable notice, and for reasonable periods, work papers, reports, books, records, and supporting documents kept current by Successful Respondent pertaining to the Contract for purposes of inspecting, monitoring, auditing, or evaluating by CPA or the State of Texas.

**47. Notices.** Unless noted elsewhere in this IFB, any written notices required by this RFP or a Contract will be by electronic mail with delivery receipt requested to: [bidcpa@cpa.texas.gov](mailto:bidcpa@cpa.texas.gov) or to the electronic mail address provided in Respondent's Proposal; hand delivery to Respondent's office address, as specified in Respondent's Proposal or to Comptroller's Procurement Section, c/o Texas Comptroller of Public Accounts, 111 E. 17<sup>th</sup> Street, Austin, Texas, 78774; or by U.S. certified mail with return receipt requested, addressed to the appropriate party's address. Notice will be effective on receipt. Notwithstanding the foregoing, service of legal process or other similar communications will not be given by electronic mail and will not be deemed duly provided. Legal notice must be provided to: Comptroller's Contracts Section, c/o Texas Comptroller of Public Accounts, 111 E. 17<sup>th</sup> Street, Suite 310-C, Austin, Texas, 78774. The designated notice addresses in this Section may be changed by written notification. Successful Respondent and Comptroller shall provide each other with day-to-day operational contacts.

**48. Unfair Business Practices.** Respondent represents and warrants that it has not been the subject of allegations of Deceptive Trade Practices violations under Chapter 17 of the Texas Business and Commerce Code, or allegations of any unfair business practice in any administrative hearing or court suit and that it has not been found to be liable for such practices in such proceedings. Respondent certifies that it has no officers who have served as officers of other entities that have been the subject of allegations of Deceptive Trade Practices violations or allegations of any unfair business practices in an administrative hearing or court suit, and that such officers have not been found to be liable for such practices in such proceedings.

**49. Immigration.** Respondent represents and warrants that it shall comply with the requirements of the Immigration and Nationality Act (8 U.S.C. § 1101 *et seq.*) and all subsequent immigration laws and amendments.

**50. Franchise Taxes.** Respondent represents and warrants that it is not currently delinquent in the payment of any franchise taxes owed the State of Texas under Chapter 171 of the Texas Tax Code.

**51. False Statements.** Respondent represents and warrants that all statements and information prepared and submitted in its Proposal are current, complete, true and accurate. Submitting a Proposal with a false statement or material misrepresentations made during the performance of a Contract are each a material breach of contract and may void the submitted Proposal and the Contract.

**52. Force Majeure.** Except as otherwise provided, neither Successful Respondent nor CPA shall be liable to the other for any delay in, or failure of performance, of any requirement included in the Contract caused by force majeure. The existence of such causes of delay or failure shall extend the period of performance until after the causes of delay or failure have been removed provided the non-performing party exercises all reasonable due diligence to perform. Force majeure is defined as acts of God, war, fires, explosions, hurricanes, floods, failure of transportation, pandemics, or other causes that are beyond the reasonable control of either party and that by exercise of due foresight such party could not reasonably have been expected to avoid, and which, by the exercise of all reasonable due diligence, such party is unable to overcome. Each party must inform the other in writing, with proof of receipt, within three (3) business days of the existence of such force majeure, or otherwise waive this right as a defense.

**53. Subcontracts.** Successful Respondent may not subcontract for any of the equipment, software, warranties, or Services required under the Contract without the prior written consent of CPA. Should Successful Respondent subcontract any such items, Successful Respondent expressly understands and acknowledges that in entering into such subcontract(s), CPA is in no manner liable to any subcontractor(s) of Successful Respondent. In no event shall this provision relieve Successful Respondent of the responsibility for ensuring that the services rendered under all subcontracts are rendered in compliance with the Contract. Successful Respondent will retain responsibility for ensuring that the performances rendered under any subcontracts comply with all requirements of the Contract as if Successful Respondent rendered such performances. Successful Respondent shall comply with all applicable Historically Underutilized Business (HUB) requirements of Texas law and the Contract.

**54. Title; Ownership; Licenses.** CPA and the State of Texas will receive and Successful Respondent will convey to CPA and the State of Texas clear title, ownership, and licenses, whichever applies, to all items provided by Successful Respondent under the Contract.

**55. Severability.** If any provision of the Contract will, for any reason, be held to violate any applicable law, and so much of the Contract is held to be unenforceable, then the invalidity of such a specific provision will not be held to invalidate any other provisions, which other provisions will remain in full force and effect unless removal of said invalid provisions destroys the legitimate purpose of the Contract, in which event the Contract will be canceled.

**56. Recycled, Remanufactured, or Environmentally Sensitive Materials.** Under Section 2155.445 of the Texas Government Code (relating to preference to recycled materials), CPA will give preference in the solicitation of products made of recycled, remanufactured, or environmentally sensitive products if the products meet applicable specifications as to quantity and quality.

**57. Entire Agreement.** Except as expressly provided otherwise herein, the Contract will represent the entire agreement by and between CPA and Successful Respondent regarding the subject matter of this RFP. The Contract may not be changed except by CPA's written POCN or otherwise by the mutual, written agreement of the parties.

**58. Dispute Resolution Processes.** Chapter 2260 of the Texas Government Code ("Chapter 2260") prescribes dispute resolution processes for certain breach of contract claims applicable to certain contracts for goods and services. As required by Chapter 2260, CPA has adopted rules under Chapter 2260, codified at 34 Texas Administrative Code §§1.360 – 1.387, and may adopt revisions to these rules throughout the Contract Term. Successful Respondent and CPA shall comply with such rules.

The dispute resolution process provided in Chapter 2260 must be used, as further described herein, by CPA and the Successful Respondent to attempt to resolve any dispute arising under the Contract:

(A) If the Successful Respondent's claim for breach of contract cannot be resolved informally with CPA, the claim shall be submitted to the negotiation process provided in Chapter 2260. To initiate the process, the Successful Respondent shall submit written notice, as required by Chapter 2260, to the individual identified in the Contract for receipt of notices. Any informal resolution efforts shall in no way modify the requirements or toll the timing of the formal written notice of a claim for breach of contract required under Section 2260.051 of the Texas Government Code. Compliance by the Successful Respondent with Chapter 2260 is a condition precedent to the filing of a contested case proceeding under Chapter 2260. (B) The contested case process provided in Chapter 2260 is the Successful Respondent's sole and exclusive process for seeking a remedy for an alleged breach of contract by CPA if the parties are unable to resolve their disputes under subparagraph (A) of this Section.

(C) Neither the execution of a contract by CPA nor any other conduct of any representative of CPA relating to a Contract shall be considered a waiver of sovereign immunity to suit.

For all specific breach of contract claims or disputes under the Contract not subject to Chapter 2260, the following shall apply:

Should a dispute arise out of the Contract, CPA and the Successful Respondent shall first attempt to resolve it through direct discussions in a spirit of mutual cooperation. If the parties' attempts to resolve their disagreements through negotiations fail, the dispute will be mediated by a mutually acceptable third-party to be chosen by CPA and the Successful Respondent within fifteen (15) days after written notice by one of them demanding mediation under this Section. The Successful Respondent shall pay all costs of the mediation unless CPA has appropriated funds available to pay up to half of such costs. By mutual agreement, CPA and the Successful Respondent may use a non-binding form of dispute resolution other than mediation. The purpose of this Section is to reasonably ensure that CPA and the Successful Respondent shall in good faith utilize mediation or another non-binding dispute resolution process before pursuing litigation. CPA's participation in or the results of any mediation or another non-binding dispute resolution process under this Section or the provisions of this Section shall not be construed as a waiver by CPA of (1) any rights, privileges, defenses, remedies or immunities available to CPA as an agency of the State of Texas or otherwise available to CPA; (2) CPA's termination rights; or (3) other termination provisions or expiration dates of the Contract.

Notwithstanding any other provision of the Contract to the contrary, Successful Respondent shall continue performance and shall not be excused from performance during the period any breach of contract claim or dispute is pending under either of the above processes. However, Successful Respondent may suspend performance during the pendency of such claim or dispute if Successful Respondent has complied with all provisions of Section 2251.051 of the Texas Government Code, and such suspension of performance is expressly applicable and authorized under that law.

**59. Applicable Law and Conforming Amendments.** Successful Respondent must comply with all laws, regulations, requirements and guidelines applicable to a vendor providing services and products described in this RFP to the State of Texas, as these laws, regulations, requirements and guidelines currently exist and as amended throughout the Contract Term. CPA reserves the right, in its sole discretion, to unilaterally amend the Contract prior to award and throughout the Contract Term to incorporate any modifications necessary for CPA's compliance, as an agency of the State of Texas, with all applicable state and federal laws, regulations, requirements and guidelines.

**60. Media Releases.** Successful Respondent shall not use CPA's name, logo or other likeness in any press release, marketing material or other announcement without CPA's prior written approval. CPA does not endorse any vendor, commodity or service. Respondent is not authorized to make or participate in any media releases or public announcements pertaining to this procurement, the Proposal or the Services without CPA's prior written consent, and then only in accordance with explicit written instructions from CPA. Disclosure of any Proposal prior to Contract award or violation of this Part 60 may result in disqualification of Respondent's Proposal and subject the Respondent to other action deemed appropriate by CPA.

**61. Direct Deposit.** Certain payments from the State of Texas may be directly deposited into Successful Respondent's bank account or may be made by warrant. Successful Respondents who may be eligible for direct deposit and who choose to be paid by direct deposit, must complete the form titled "Vendor Direct Deposit Authorization" and return it as soon as possible to: Comptroller of Public Accounts, Attention: Budget and Internal Accounting Division, Accounts Payable Section, LBJ State Office Building, 111 E. 17<sup>th</sup> Street, Austin, Texas 78774. The form may be requested from the Accounts Payable Section.

**62. Equal Employment Opportunity.** Respondent represents and warrants its compliance with all applicable, duly enacted state and federal laws governing equal employment opportunities.

**63. Americans with Disabilities Act (ADA).** Respondent represents and warrants that it will comply with the requirements of the ADA and its implementing regulations, as each may be amended.

**64. Protest Procedures.** Any actual or prospective Respondent who is aggrieved in connection with this RFP, evaluation, or award of the Contract may formally protest, as provided in CPA's rules at 34 Texas Administrative Code §1.72. Respondents may protest any term or condition of this RFP within ten (10) business days of issuance of this RFP, as provided in 34 Texas Administrative Code §1.72.

**65. Debts and Delinquencies Affirmation.** Respondent acknowledges and agrees that, to the extent Respondent owes any debt, including, but not limited to, delinquent taxes, delinquent student loans, and child support owed to the State of Texas, any payments or other amounts Respondent is otherwise owed under the Contract may be applied by CPA toward any debt Respondent owes the State of Texas until the debt is paid in full. These provisions are effective at any time Respondent owes any such debt or delinquency. Successful Respondent shall comply with Sections 403.055, 403.0551, and 2252.903 of the Texas Government Code and other applicable laws and regulations regarding satisfaction of debts or delinquencies to the State of Texas.

**66. Acceptance of PO Terms.** By submitting a Proposal, acknowledging and accepting the PO, or delivering any of the required items under the PO, Respondent acknowledges, accepts and agrees to all terms of the PO, including, but not limited to, this RFP; however, this acceptance by Respondent of all terms of this RFP by submission of an Proposal does not apply to terms to which Respondent specifically takes an exception and offers an alternative in Respondent's Proposal as provided in Section II.

**67. State Auditor's Right to Audit.** In addition to and without limitation on the other audit provisions of this RFP or the Contract, pursuant to Section 2262.154 of the Texas Government Code, the Texas State Auditor's Office ("State Auditor") may conduct an audit or investigation of any entity receiving funds from the State of Texas directly under any contract or indirectly through a subcontract under the contract. The acceptance of funds by Successful Respondent or any other entity or person directly under the contract or indirectly through a subcontract under the contract acts as acceptance of the authority of the State Auditor, under the direction of the Legislative Audit Committee, to conduct an audit or investigation in connection with those funds. Under the direction of the Legislative Audit Committee, Successful Respondent or other entity that is the subject of an audit or investigation by the State Auditor must provide the State Auditor with access to any information the State Auditor considers relevant to the investigation or audit. Successful Respondent shall ensure that this paragraph concerning the authority to audit funds received indirectly by subcontractors through the Successful Respondent and the requirement to cooperate is included in any subcontract it awards.

**68. Prohibited Use of Appropriated or Other Funds under Control of State Agency; Lobbying.** Respondent represents and warrants that CPA's payments to Respondent and Respondent's receipt of appropriated or other funds under the Contract are not prohibited by Sections 556.005, 556.0055, or 556.008 of the Texas Government Code.

**69. Most-favored Customer.** Successful Respondent represents and warrants that all prices, charges, benefits, warranties and terms granted to CPA pursuant to the Contract are comparable or more favorable to CPA than the prices, charges, benefits, warranties and terms that Successful Respondent has heretofore offered to any person or entity for the products and/or services covered under any other agreement. If at any time during the term of the Contract Successful Respondent shall contract with any other person or entity for prices, charges, benefits, warranties and terms more favorable to such person or entity than the terms in the Contract, Successful Respondent must notify CPA of such more favorable terms and CPA, in its sole discretion, may require that such more favorable prices, charges, benefits, warranties or other terms be available to CPA under the Contract, and be retroactive to the effective date of such Contract.

**70. Rolling Estoppel.** If Successful Respondent is aware a problem exists and fails to report the problem to CPA, Successful Respondent continues to be responsible for meeting the goals and timelines established in the Contract. Under these circumstances, CPA will not be liable for any detrimental consequences.

**71. Property Rights.** For purposes of this RFP, the term "Work" is defined as all work papers, work products, materials, approaches, designs, specifications, systems, software, programs, source code, documentation methodologies, concepts, intellectual property or other property developed, produced or generated in connection with the Services. CPA and Successful Respondent intend the Contract to be a contract for the Services and each considers the Work and any and all documentation or other products and results of the Services to be rendered by Successful Respondent to be a work made for hire. Successful

Respondent and Successful Respondent's employees will have no rights in or ownership of the Work and any and all documentation or other products and results of the Services or any other property of CPA. Successful Respondent acknowledges and agrees that the Work (and all rights therein) belongs to and shall be the sole and exclusive property of CPA.

If for any reason the Work would not be considered a work-for-hire under applicable law, Successful Respondent does hereby sell, assign, and transfer to CPA, its successors and assigns, the entire right, title and interest in and to the copyright in the Work and any registrations and copyright applications relating thereto and any renewals and extensions thereof, and in and to all works based upon, derived from, or incorporating the Work, and in and to all income, royalties, damages, claims and payments now or hereafter due or payable with respect thereto, and in and to all causes of action, either in law or in equity for past, present, or future infringement based on the copyrights, and in and to all rights corresponding to the foregoing. Successful Respondent agrees to execute all papers and to perform such other property rights, as CPA may deem necessary to secure for CPA or its designee the rights herein assigned.

In the event that Successful Respondent has any rights in and to the Work that cannot be assigned to CPA, Successful Respondent hereby grants to CPA an exclusive, worldwide, royalty-free, irrevocable, and perpetual license to directly and indirectly reproduce, distribute, modify, create derivative works of, publicly perform and publicly display, such rights to make, have made, use, sell and offer for sale any products developed by practicing such rights, and to otherwise use such rights, with the right to sublicense such rights through multiple levels of sublicenses.

No later than the first calendar day after the termination or expiration of the Contract or upon CPA's request, Successful Respondent shall deliver to CPA all completed, or partially completed, Work and any and all documentation or other products and results of the Services. Failure to timely deliver such Work or any and all documentation or other products and results of the Services will be considered a material breach of the Contract. Successful Respondent will not make or retain any copies of the Work or any and all documentation or other products and results of the Services without the prior written consent of CPA.

**72. Evaluation Process.** Evaluation of Proposals will begin as soon as practical after receipt. Only those Proposals that are responsive to this RFP will be evaluated, using the criteria and the weights set forth in Section I. Clarifications on issues raised in the Proposals may be sought from individual Respondents. Best and Final Offers may be sought from the Respondents whose Proposals are ranked most highly by the evaluation committee. CPA reserves the right in its sole judgment and discretion, and at any time upon failure of negotiations, to reissue or withdraw this RFP rather than continue with negotiations.

**73. Outsourcing.** Respondent acknowledges that CPA may, in its sole discretion, enter into an outsourcing agreement with another provider that shall perform certain services for CPA. If CPA enters into a written agreement for outsourcing, Successful Respondent shall, as consistent with the terms of the Contract, grant the outsourcing vendor the right to use and access the services and/or equipment (e.g., software, hardware) on the same terms and conditions that Successful Respondent has granted CPA the right to use and access such services and/or equipment; provided, the outsourcing vendor also agrees that it (i) shall only use the services and/or equipment for the benefit of CPA, and (ii) shall enter into a confidentiality agreement with CPA, which contains confidentiality terms that are substantially no less restrictive than the confidentiality terms contained in this RFP and the Contract. In addition, Successful Respondent shall either fully cooperate with all transition activities regarding outsourcing or Successful Respondent agrees that CPA shall have the right to immediately terminate or assign to the outsourcing vendor the Contract without any liability for any amounts to Respondent.

**74. Information Security Requirements for Successful Respondent.** Successful Respondent shall comply with all applicable state and federal laws and regulations regarding confidentiality, privacy, and security pertaining to confidential CPA information. If communications with Successful Respondent necessitate the release of confidential CPA information, each individual who will require access to or may be exposed to that information must sign the CPA Confidential Treatment of Information Acknowledgment (CTIA) form. See Section VIII for the CTIA.

**75. Internal Revenue Service Data.** See Exhibit 7 (Safeguarding Contract Language) of IRS Publication No. 1075, revised November 2021.

a. **Performance.** In performance of this Contract, Contractor agrees to comply with and assume responsibility for compliance by officers or employees with the following requirements:

- (1) All work will be performed under the supervision of Contractor.
- (2) Contractor and Contractor's officers or employees to be authorized access to FTI must meet background check requirements defined in IRS Publication 1075. Contractor will maintain a list of officers or employees authorized access to FTI. Such list will be provided to Comptroller (Agency) and, upon request, to the IRS.
- (3) FTI in hardcopy or electronic format shall be used only for the purpose of carrying out the provisions of this Contract. FTI in any format shall be treated as confidential and shall not be divulged or made known in any manner to any person except as may be necessary in the performance of this Contract. Inspection or disclosure of FTI to anyone other than Contractor or Contractor's officers or employees authorized is prohibited.

(4) FTI will be accounted for upon receipt and properly stored before, during, and after processing. In addition, any related output and products require the same level of protection as required for the source material.

(5) Contractor will certify that FTI processed during the performance of this Contract will be completely purged from all physical and electronic data storage with no output to be retained by Contractor at the time the work is completed. If immediate purging of physical and electronic data storage is not possible, Contractor will certify that any FTI in physical or electronic storage will remain safeguarded to prevent unauthorized disclosures.

(6) Any spoilage or any intermediate hard copy printout that may result during the processing of FTI will be given to Agency. When this is not possible, Contractor will be responsible for the destruction of the spoilage or any intermediate hard copy printouts and will provide Agency with a statement containing the date of destruction, description of material destroyed, and the destruction method.

(7) All computer systems receiving, processing, storing, or transmitting FTI must meet the requirements in IRS Publication 1075. To meet functional and assurance requirements, the security features of the environment must provide for the managerial, operational, and technical controls. All security features must be available and activated to protect against unauthorized use of and access to FTI.

(8) No work involving FTI furnished under this Contract will be subcontracted without the prior written approval of the IRS.

(9) Contractor will ensure that the terms of FTI safeguards described herein are included, without modification, in any approved subcontract for work involving FTI.

(10) To the extent the terms, provisions, duties, requirements, and obligations of this Contract apply to performing services with FTI, Contractor shall assume toward the subcontractor all obligations, duties and responsibilities that Agency assumes toward Contractor, and the subcontractor shall assume toward Contractor all the same obligations, duties and responsibilities which Contractor assumes toward Agency under this Contract.

(11) In addition to the subcontractor's obligations and duties under an approved subcontract, the terms and conditions of this Contract apply to the subcontractor, and the subcontractor is bound and obligated to Contractor hereunder by the same terms and conditions by which Contractor is bound and obligated to Agency under this Contract.

(12) For purposes of this Contract, the term "Contractor" includes any officer or employee of Contractor with access to or who uses FTI, and the term "subcontractor" includes any officer or employee of the subcontractor with access to or who uses FTI.

(13) Agency will have the right to void this Contract if Contractor fails to meet the terms of FTI safeguards described herein.

b. Criminal Sanctions. Contractor acknowledges that this Section 9.36 serves as written notice of the information provided in this Section 9.36(b), as required by Exhibit 7, Section II (Criminal Sanctions).

(1) Each officer or employee of a contractor to whom FTI is or may be disclosed shall be notified in writing that FTI disclosed to such officer or employee can be used only for a purpose and to the extent authorized herein, and that further disclosure of any FTI for a purpose not authorized herein constitutes a felony punishable upon conviction by a fine of as much as \$5,000 or imprisonment for as long as five (5) years, or both, together with the costs of prosecution.

(2) Each officer or employee of a contractor to whom FTI is or may be accessible shall be notified in writing that FTI accessible to such officer or employee may be accessed only for a purpose and to the extent authorized herein, and that access/inspection of FTI without an official need-to-know for a purpose not authorized herein constitutes a criminal misdemeanor punishable upon conviction by a fine of as much as \$1,000 or imprisonment for as long as one (1) year, or both, together with the costs of prosecution.

(3) Each officer or employee of a contractor to whom FTI is or may be disclosed shall be notified in writing that any such unauthorized access, inspection or disclosure of FTI may also result in an award of civil damages against the officer or employee in an amount equal to the sum of the greater of \$1,000 for each unauthorized access, inspection, or disclosure, or the sum of actual damages sustained as a result of such unauthorized access, inspection, or disclosure, plus in the case of a willful unauthorized access, inspection, or disclosure or an unauthorized access/inspection or disclosure which is the result of gross negligence, punitive damages, plus the cost of the action. These penalties are prescribed by IRC sections 7213, 7213A and 7431 and set forth at 26 CFR 301.6103(n)-1.

(4) Additionally, it is incumbent upon the contractor to inform its officers and employees of the penalties for improper disclosure imposed by the Privacy Act of 1974, 5 U.S.C. 552a. Specifically, 5 U.S.C. 552a(i)(1), which is made applicable to contractors by 5 U.S.C. 552a(m)(1), provides that any officer or employee of a contractor, who by virtue of his/her employment or official position, has possession of or access to agency records which contain individually identifiable information, the disclosure of which is prohibited by the Privacy Act or regulations established thereunder, and who



knowing that disclosure of the specific material is so prohibited, willfully discloses the material in any manner to any person or agency not entitled to receive it, shall be guilty of a misdemeanor and fined not more than \$5,000.

(5) Granting a contractor access to FTI must be preceded by certifying that each officer or employee understands the agency's security policy and procedures for safeguarding FTI. A contractor and each officer or employee must maintain their authorization to access FTI through annual recertification of their understanding of the agency's security policy and procedures for safeguarding FTI. The initial certification and recertifications must be documented and placed in the agency's files for review. As part of the certification and at least annually afterwards, a contractor and each officer or employee must be advised of the provisions of IRC sections 7213, 7213A, and 7431 (see Exhibit 4, *Sanctions for Unauthorized Disclosure*, and Exhibit 5, *Civil Damages for Unauthorized Disclosure*). The training on the agency's security policy and procedures provided before the initial certification and annually thereafter must also cover the incident response policy and procedure for reporting unauthorized disclosures and data breaches. (See Section 10) For the initial certification and the annual recertifications, the contractor and each officer or employee must sign, either with ink or electronic signature, a confidentiality statement certifying their understanding of the security requirements.

c. **Inspection.** The IRS and Agency, with 24-hour notice, shall have the right to send its inspectors into the offices and plants of Contractor to inspect facilities and operations performing any work with FTI under this Contract for compliance with requirements defined in IRS Publication 1075. The IRS' right of inspection shall include the use of manual and/or automated scanning tools to perform compliance and vulnerability assessments of information technology (IT) assets that access, store, process or transmit FTI. Based on the inspection, corrective actions may be required in cases where Contractor is found to be noncompliant with FTI safeguard requirements.

**76. Independent Contractor.** Successful Respondent has the sole obligation to supervise, manage and direct the performance of its obligations under the Contract. Successful Respondent and Successful Respondent's employees, representatives, agents, subcontractors, suppliers, and third-party service providers shall serve as independent contractors in providing the Services. Neither Respondent nor CPA is an agent of the other and neither may make any commitments on the other party's behalf. Should Respondent subcontract any of the services required in the Contract, Respondent expressly understands and acknowledges that in entering into such subcontract(s), CPA is in no manner liable to any subcontractor(s) of Respondent. In no event shall this provision relieve Respondent of the responsibility for ensuring that the services performed under all subcontracts are rendered in compliance with the Contract. Respondent shall have no claim against CPA for vacation pay, sick leave, retirement benefits, social security, worker's compensation, health or disability benefits, unemployment insurance benefits or employee benefits of any kind. Successful Respondent and Successful Respondent's employees, representatives, agents, subcontractors, suppliers, third-party service providers, and similar entities shall not be employees of CPA. The Contract shall not create any joint venture, partnership, agency or employment relationship between Successful Respondent and CPA.

**77. Representations and Warranties related to Software.** If any software is provided under the Contract, Successful Respondent represents and warrants each of the following:

- Successful Respondent has sufficient right, title and interest in the software to grant the license required by the Contract;
- if Successful Respondent is a software publisher, Successful Respondent has implemented processes for the protection, detection, remediation, mitigation and timely customer notification of software vulnerabilities associated with its software;
- the software does not infringe upon or constitute a misuse or misappropriation of any patent, trademark, copyright, trade secret or other proprietary right;
- the software and any software update, software enhancement/release, software patch/fix, and software upgrade does not contain viruses, malware, spyware, key logger, back door or other covert communications, or any computer code intentionally designed to disrupt, disable, harm, or otherwise impede in any manner, including aesthetical disruptions or distortions, the operation of the computer program, or any other associated software, firmware, hardware, or computer system, (including local area or wide-area networks), in a manner not intended by its creator(s); and
- the software does not contain any computer code that would disable the software or impair in any way its operation based on the elapsing of a period of time, exceeding an authorized number of copies, advancement to a particular date or other numeral, or other similar self-destruct mechanisms (sometimes referred to as "time bombs", "time locks", or "drop dead devices") or that would permit Successful Respondent to access the software to cause such disablement or impairment (sometimes referred to as a "trap door" or "back door").

**78. Use of State Property.** Successful Respondent is prohibited from using State Property for any purpose other than performing the Services. State Property includes, but is not limited to, CPA's office space, identification badges, CPA information technology equipment and networks (e.g., laptops, portable printers, cell phones, iPads, external hard drives, data storage devices, any CPA-issued software and the CPA Virtual Private Network ("VPN client")) and any other resources of CPA. Successful Respondent shall not remove State Property from the continental United States. In addition, Successful Respondent may not use any computing device to access CPA's network or e-mail while outside of the continental United States. Successful Respondent shall not perform any maintenance services on State Property unless the Contract expressly

authorizes such services. During the time that State Property is in the possession of Successful Respondent, Successful Respondent shall be responsible for (i) all repair and replacement charges incurred by CPA that are associated with loss of State Property or damage beyond normal wear and tear, and (ii) all charges attributable to Successful Respondent's use of State Property that exceeds the Contract scope. Successful Respondent shall fully reimburse such charges to CPA within ten (10) calendar days of Successful Respondent's receipt of CPA's notice of amount due. Use of State Property for a purpose not authorized by the Contract shall constitute breach of contract and may result in termination of the Contract and the pursuit of other remedies available to CPA under the Contract, at law, or in equity.

**79. Business Attire; Conduct; CPA guidelines.** Successful Respondent shall ensure that Successful Respondent's employees conduct themselves in a professional manner and are in appropriate business attire when on CPA's premises. In addition, Successful Respondent shall ensure that its employees comply with all guidelines established by CPA for independent contractors required to provide services on CPA's premises. These guidelines may address issues that include, but are not limited to, the following: building security, IT security, preservation of records, safety, professional conduct, use of State property, non-disclosure of confidential information, drug-free and alcohol-free workplace rules and other requirements for on-site independent contractors.

**80. Technology Access Clause.** Respondent expressly acknowledges that state funds may not be expended in connection with the purchase of an automated information system unless that system meets certain statutory requirements relating to accessibility by persons with visual impairments. Accordingly, Respondent represents and warrants to CPA that the technology provided to CPA for purchase is capable, either by virtue of features included within the technology or because it is readily adaptable by use with other technology, of:

- providing equivalent access for effective use by both visual and non-visual means;
- presenting information, including prompts used for interactive communications, in formats intended for non-visual use; and
- being integrated into networks for obtaining, retrieving and disseminating information used by individuals who are not blind or visually impaired.

For purposes of this Part 80, the phrase "equivalent access" means a substantially similar ability to communicate with or make use of the technology, either directly by features incorporated within the technology or by other reasonable means, such as assistive devices or services that would constitute reasonable accommodations under the Americans with Disabilities Act, as amended, or similar state or federal laws. Examples of methods by which equivalent access may be provided include, but are not limited to, keyboard alternatives to mouse commands and other means of navigating graphical displays and customizable display appearance.

In accordance with Section 2157.005 of the Texas Government Code, the Technology Access Clause contract provision remains in effect for any contract entered into before September 1, 2006.

**81. Electronic and Information Resources Accessibility Standards.** Respondent represents and warrants that any electronic and information resources products developed, procured, maintained, or used by CPA directly or used by the Respondent under the Contract that requires the use of such product, or requires the use, to a significant extent, of such product in the performance of a service or the furnishing of a product complies with the applicable State of Texas Accessibility requirements for Electronic and Information Resources specified in the Department of Information Resources' rules at 1 Texas Administrative Code Chapter 213.

**82. Drug-Free Workplace.** Respondent represents and warrants that it shall comply with the applicable provisions of the Drug-Free Work Place Act of 1988 and maintain a drug-free work environment.

**83. Occupational Safety and Health Law.** Respondent represents and warrants that all articles and services quoted in Respondent's Proposal meet or exceed the safety standards established and promulgated under the *Federal Occupational Safety and Health Act*, any successor laws, and its regulations in effect or proposed as of the date of this RFP.

**84. Pre-contract Costs.** Respondent is responsible for all expenses related to the preparation and submission of a Proposal. CPA shall pay no costs or other amounts incurred by any entity in responding to this RFP or incurred prior to the Effective Date.

**85. No CPA Indemnification.** Any requirement that CPA defend, indemnify, or hold harmless the Successful Respondent or other entity is hereby deleted from the Proposal and Respondent Documents.

**86. Disaster Recovery Plan.** Upon CPA's request, Respondent shall provide to CPA the descriptions of its business continuity and disaster recovery plans.

**87. SPD Statewide Contract.** If the Contract is authorized by a Statewide Procurement Division (SPD) delegation letter, the Contract may be terminated with thirty (30) days' written notice from Comptroller to Contractor if SPD awards a statewide contract for the same or similar good or service.

**88. Executive Order GA-48.** Respondent certifies that neither it, nor its holding companies or subsidiaries, is: (a) listed in Section 889 of the 2019 National Defense Authorization Act; (b) listed in Section 1260H of the 2021 National Defense

Authorization Act; (c) owned by the government of a country on the U.S. Department of Commerce's foreign adversaries list under 15 C.F.R Section 791.4; or (d) controlled by any governing or regulatory body located in a country on the U.S. Department of Commerce's foreign adversaries list under 15 C.F.R Section 791.4.

## B. Federal Terms and Conditions

1. **Flowdown Requirements.** The requirements of this Attachment shall apply to Contractor and its subcontractors. Contractor shall require and cause any subcontractor used by Contractor in connection with this Contract to agree to and be subject to and bound by such terms and provisions.
2. **Internal Controls and Single Audit Act, Subpart F.** Funds allocated in connection with the Contract are considered to be federal financial assistance subject to the Single Audit Act (31 U.S.C. §§ 7501-7507) and the related provisions of the Uniform Guidance, 2 C.F.R. § 200.303 regarding internal controls, §§ 200.330 through 200.332. These audit requirements do not generally apply to for-profit businesses; however, CPA remains responsible for ensuring compliance with the Contract and applicable federal terms and conditions through the implementation of audit and monitoring controls pursuant to 2 C.F.R. 200.501(h). These requirements are addressed in the Contract.
3. **Department of Commerce (DOC) Required Notice.** Contractor is subject to 2 CFR Part 1326, Subpart C "Governmentwide Debarment and Suspension (Nonprocurement)." In addition, Contractor is subject to 15 CFR Part 28, "New Restrictions on Lobbying." Contractor should familiarize themselves with these provisions, including the certification requirement.
4. **Recovery of Funds.** If a State or federal audit takes exception to the Project(s) provided under the Contract for which federal funds have been paid or reimbursed, or if federal funds are deferred and/or disallowed as a result of any audits (or expended in violation of the laws applicable to the expenditure of such funds), Contractor will be liable to CPA and the State or Texas (or any other applicable governmental entity, including the United States Department of Treasury) for the full amount of any such payment, reimbursement, or any claim disallowed (or the amount of funds expended in violation of Applicable Laws or requirements) and for all related penalties incurred. If CPA or any federal governmental entity concludes that Contractor has been paid for any cost that is unallowable, not allocable, or unreasonable under the Contract, Contractor will be liable to CPA and the State of Texas (or any other applicable governmental entity, including the United States Department of Treasury) for such cost. Contractor shall pay to CPA or State of Texas (or any other applicable governmental entity, including the United States Department of Treasury) all amounts for which the Contractor is liable under this section within ten (10) business days of receiving a written demand or written notice. CPA may withhold any payment under the Contract if Contractor fails to timely make any payment required by this Section. The requirements of this Section shall apply to Contractor and subcontractors. Contractor shall require and cause any subcontractor used by Contractor in connection with the Contract to agree to and be subject to and bound by such terms and provisions.
5. **Required Certifications.** Each of the following required certifications set forth below is a material representation of fact upon which reliance is placed by CPA prior to distributing federal funds. In addition to any criminal penalties authorized by the Texas Penal Code that may result from any false statements of material fact made herein or any other remedies available at law, equity, or otherwise, a Contractor that is subsequently determined to have made a statement, representation, warranty, certification, or attestation herein that is later proven untrue in any material respect shall be obligated to repay CPA the entire amount of any funds previously distributed by CPA to Contractor under the Contract. By signing the Contract, Contractor's authorized representative who must be expressly authorized to make the below certifications on behalf of Contractor, under penalty of perjury and pursuant to the laws of the State of Texas, certifies and attests to Contractor's compliance with the following. The following certifications shall apply to Contractor and subcontractors. Contractor shall require and cause any subcontractor used by Contractor in the performance of the Contract to certify, agree to, and be subject to and bound by each of the following certifications. Contractor may be required to provide any information identified or required in connection with the below certifications as a precondition to receiving funds under the Contract.
  - a. *Drug Free Workplace.* This certification is required by the regulations implementing Sections 5151-5160 of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D; 41 U.S.C. § 701 et seq.). These regulations require certification by Contractor (and subcontractors) that they will maintain a drug-free workplace. In accordance with these Applicable Laws, Contractor certifies that it does currently and will continue to provide a drug-free workplace, including by minimally:
    - i. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in Contractor's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
    - ii. Establishing an ongoing drug-free awareness program to inform employees about:
      1. The dangers of drug abuse in the workplace;
      2. Contractor'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.

- iii. 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 Section E.1.a.
  - iv. Notifying the employee in the statement required by E.1.a, as a condition of their continued employment, that 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 no later than five (5) calendar days after such conviction.
  - v. Notifying CPA in writing, within ten (10) calendar days after receiving notice under Section E.1.d 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 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.
  - vi. Taking one of the following actions, within thirty (30) calendar days of receiving notice under Section E.1.e, 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.
  - vii. Making a good faith effort to continue to maintain a drug-free workplace consistent with Sections E.1.a through E.1.f during the Term.
- b. *Lobbying.* This certification is required by the provisions of Section 319 of Public Law 101-121, Government wide Guidance for New Restrictions on Lobbying, and 31 U.S.C. § 1352. These regulations require certification by Contractor (and subcontractors) that they have not engaged in prohibited lobbying activities and/or have filed any required disclosures in accordance with these Applicable Laws. 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 may be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure. In accordance with these Applicable Laws, Contractor certifies the following:
- i. No federal funds have been paid or will be paid, by or on behalf of Contractor, to any person for influencing or attempting to influence an officer or employee of CPA, 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, or the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
  - ii. If any funds other than federal funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of CPA, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with any federal contract, grant, loan, or cooperative agreement, Contractor must complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying" in accordance with its instructions.
- c. *Suspension and Debarment.* This certification is required by the provisions of Executive Orders 12549 and 12689 and 31 C.F.R. part 19 regarding Debarment, Suspension, and Other Responsibility. A contract award must not be made to parties listed on the government-wide exclusions in SAM, in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 C.F.R. part 1986 Comp., p. 189) and 12689 (3 C.F.R. part 1989 Comp., p. 235), "Debarment and Suspension." SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.
- d. *Certification Regarding Environmental Tobacco Smoke.* This certification is required by Public Law 103-227, also known as the Pro-Children Act of 1994 ("**Pro-Children Act**"). The Pro-Children Act requires that smoking not be permitted in any portion of any indoor facility owned or leased or contracted for by an entity and used routinely or regularly for the provision of health, day care, early childhood development services, education or library services to children under the age of 18, if the services are funded by federal programs either directly or through state or local governments, by federal grant, contract, loan, or loan guarantee. The Pro-Children Act also applies to children's services that are provided in indoor facilities that are constructed, operated, or maintained with such federal funds. The Pro-Children Act does not apply to children's services provided in private residences; portions of facilities used for inpatient drug or alcohol treatment; service providers whose sole source of applicable federal funds is Medicare or Medicaid; or facilities where WIC coupons are redeemed. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1,000 for each violation and/or the imposition of an administrative compliance order on the responsible entity. In accordance with these Applicable Laws, Contractor certifies and agrees to the following with respect to it and its principles, as applicable. Contractor certifies that it will comply with the requirements of the Pro-Children Act and will not allow smoking within any portion of any indoor facility used for the provision of services for children as defined by the Pro-Children Act.
- e. *Assurance of Compliance Nondiscrimination in Federally Assisted Programs & Equal Opportunity.* This certification requires Contractor to comply with any applicable federal nondiscrimination requirements or laws providing for or requiring equal opportunity in employment. Except as otherwise provided under 41 C.F.R. part 60, all contracts that meet

the definition of “federally assisted construction contract” in 41 C.F.R. part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, “Equal Employment Opportunity” (30 FR 12319, 12935, 3 C.F.R. part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and implementing regulations at 41 C.F.R. part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.” To the extent required by these Applicable Laws, Contractor certifies during the performance of this Contract that:

- i. The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.
- ii. The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.
- iii. The Contractor will not discharge or in any other manner discriminate against any employee or applicant for employment because such employee or applicant has inquired about, discussed, or disclosed the compensation of the employee or applicant or another employee or applicant. This provision shall not apply to instances in which an employee who has access to the compensation information of other employees or applicants as a part of such employee's essential job functions discloses the compensation of such other employees or applicants to individuals who do not otherwise have access to such information, unless such disclosure is in response to a formal complaint or charge, in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or is consistent with the Contractor's legal duty to furnish information.
- iv. The Contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the Contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- v. The Contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.
- vi. The Contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
- vii. In the event of the Contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the Contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.
- viii. The Contractor will include the portion of the sentence immediately preceding Section E.5.a and the provisions of Sections E.5.a through E.5.h in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The Contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance: *Provided*, however, that in the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the administering agency, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.
- ix. The Contractor further agrees that it will be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work: *Provided*, that if the Contractor so participating is a State or local government, the above equal opportunity clause is not applicable to any agency, instrumentality or subdivision of such government which does not participate in work on or under the contract.
- x. The Contractor agrees that it will assist and cooperate actively with the administering agency and the Secretary of Labor in obtaining the compliance of Contractors and subcontractors with the equal opportunity clause and the rules, regulations, and relevant orders of the Secretary of Labor, that it will furnish the administering agency and the Secretary of Labor such information as they may require for the supervision of such compliance, and that it will otherwise assist the administering agency in the discharge of the agency's primary responsibility for securing compliance.
- xi. The Contractor further agrees that it will refrain from entering into any contract or contract modification subject to Executive Order 11246 of September 24, 1965, with a contractor debarred from, or who has not demonstrated

eligibility for, Government contracts and federally assisted construction contracts pursuant to the Executive Order and will carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by the administering agency or the Secretary of Labor pursuant to Part II, Subpart D of the Executive Order. In addition, the Contractor agrees that if it fails or refuses to comply with these undertakings, the administering agency may take any or all of the following actions: Cancel, terminate, or suspend in whole or in part this grant (contract, loan, insurance, guarantee); refrain from extending any further assistance to the applicant under the program with respect to which the failure or refund occurred until satisfactory assurance of future compliance has been received from such applicant; and refer the case to the Department of Justice for appropriate legal proceedings.

- f. *Americans with Disabilities Act*. Contractor certifies that it shall comply with Subtitle A, title II of the Americans with Disabilities Act (ADA), 42 U.S.C. §§ 12131-12134, and Department of Justice implementing regulation, 28 C.F.R. part 35.
- g. *Equal Treatment for Faith Based Organizations*. Contractor shall comply with any applicable requirements of 28 C.F.R. part 38, governing “Equal Treatment for Faith Based Organizations.” The Equal Treatment Regulation provides in part that grant awards may not be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. Grant recipients, including contractors may still engage in inherently religious activities, but such activities must be separate in time or place from the grant funded program, and participation in such activities by individuals receiving services from the Contractor must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs funded through grant funding are not permitted to discriminate in the provision of services on the basis of a beneficiary’s religion. Notwithstanding the foregoing, faith-based organizations may, in some circumstances, consider religion as a basis for employment. See [http://www.ojp.gov/about/ocr/equal\\_fbo.htm](http://www.ojp.gov/about/ocr/equal_fbo.htm).
- h. *Immigration and Naturalization Service*. Contractor certifies that it keeps on file, as appropriate, Immigration and Naturalization Service Employment Eligibility Verification Form (I-9) forms for applicable Contractor Personnel. This form is to be used by recipients of federal funds to verify that persons are eligible to work in the United States.
- i. *Contract Work Hours and Safety Standards Act (40 U.S.C. § 3701-3708)*. Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. §§ 3702 and 3704, as supplemented by Department of Labor regulations (29 C.F.R. part 5). To the extent applicable, Contractor must compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. § 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.
- j. *Clean Air Act (42 U.S.C. §§ 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. §§ 1251-1387), as amended*. Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. §§ 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. §§ 1251-1387). Contractor agrees to comply with these Applicable Laws, violations of which must be reported to CPA and federal awarding agency and the regional office of the Environmental Protection Agency (EPA).
- k. *Federal Funding Accountability and Transparency Compliance*. This certification is required by the Federal Funding Accountability and Transparency Act (“FFATA”). FFATA requires recipients of individual federal grants equal to or greater than \$25,000 and awarded on or after October 1, 2010, to report on data related to executive compensation and associated first-tier sub-grants of \$25,000 or more. In accordance with 2 C.F.R. part 170 (Reporting Subaward and Executive Compensation Information), Contractor must complete and submit to CPA the FFATA Form included with this Contract as Attachment [X].
- l. *Davis-Bacon Act/Copeland Act*. When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. §§ 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 C.F.R. part 5, “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract/grant or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts/grants must also include a provision for compliance with the Copeland “Anti-Kickback” Act (40 U.S.C. § 3145), as supplemented by Department of Labor regulations (29 C.F.R. part 3, “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States”). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he

or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

- m. *Prohibition on certain telecommunications and video surveillance services or equipment.* Contractor must comply with 2 C.F.R. § 200.216, restricting the use of contract fund purchase or extend a contract for certain telecommunications and video surveillance services and equipment);
- 6. **Domestic Preferences.** As appropriate and to the extent consistent with law, Contractors should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States in performance of the Contract. **Flowdown Requirements.** The requirements of this Attachment shall apply to Contractor and its subcontractors. Contractor shall require and cause any subcontractor used by Contractor in connection with this Contract to agree to and be subject to and bound by such terms and provisions.
- 7. **Internal Controls and Single Audit Act, Subpart F.** Funds allocated in connection with the Contract are considered to be federal financial assistance subject to the Single Audit Act (31 U.S.C. §§ 7501-7507) and the related provisions of the Uniform Guidance, 2 C.F.R. § 200.303 regarding internal controls, §§ 200.330 through 200.332. These audit requirements do not generally apply to for-profit businesses; however, CPA remains responsible for ensuring compliance with the Contract and applicable federal terms and conditions through the implementation of audit and monitoring controls pursuant to 2 C.F.R. 200.501(h). These requirements are addressed in the Contract.
- 8. **Department of Commerce (DOC) Required Notice.** Contractor is subject to 2 CFR Part 1326, Subpart C "Governmentwide Debarment and Suspension (Nonprocurement)." In addition, Contractor is subject to 15 CFR Part 28, "New Restrictions on Lobbying." Contractor should familiarize themselves with these provisions, including the certification requirement.
- 9. **Recovery of Funds.** If a State or federal audit takes exception to the Project(s) provided under the Contract for which federal funds have been paid or reimbursed, or if federal funds are deferred and/or disallowed as a result of any audits (or expended in violation of the laws applicable to the expenditure of such funds), Contractor will be liable to CPA and the State or Texas (or any other applicable governmental entity, including the United States Department of Treasury) for the full amount of any such payment, reimbursement, or any claim disallowed (or the amount of funds expended in violation of Applicable Laws or requirements) and for all related penalties incurred. If CPA or any federal governmental entity concludes that Contractor has been paid for any cost that is unallowable, not allocable, or unreasonable under the Contract, Contractor will be liable to CPA and the State of Texas (or any other applicable governmental entity, including the United States Department of Treasury) for such cost. Contractor shall pay to CPA or State of Texas (or any other applicable governmental entity, including the United States Department of Treasury) all amounts for which the Contractor is liable under this section within ten (10) business days of receiving a written demand or written notice. CPA may withhold any payment under the Contract if Contractor fails to timely make any payment required by this Section. The requirements of this Section shall apply to Contractor and subcontractors. Contractor shall require and cause any subcontractor used by Contractor in connection with the Contract to agree to and be subject to and bound by such terms and provisions.
- 10. **Required Certifications.** Each of the following required certifications set forth below is a material representation of fact upon which reliance is placed by CPA prior to distributing federal funds. In addition to any criminal penalties authorized by the Texas Penal Code that may result from any false statements of material fact made herein or any other remedies available at law, equity, or otherwise, a Contractor that is subsequently determined to have made a statement, representation, warranty, certification, or attestation herein that is later proven untrue in any material respect shall be obligated to repay CPA the entire amount of any funds previously distributed by CPA to Contractor under the Contract. By signing the Contract, Contractor's authorized representative who must be expressly authorized to make the below certifications on behalf of Contractor, under penalty of perjury and pursuant to the laws of the State of Texas, certifies and attests to Contractor's compliance with the following. The following certifications shall apply to Contractor and subcontractors. Contractor shall require and cause any subcontractor used by Contractor in the performance of the Contract to certify, agree to, and be subject to and bound by each of the following certifications. Contractor may be required to provide any information identified or required in connection with the below certifications as a precondition to receiving funds under the Contract.
  - a. *Drug Free Workplace.* This certification is required by the regulations implementing Sections 5151-5160 of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D; 41 U.S.C. § 701 et seq.). These regulations require certification by Contractor (and subcontractors) that they will maintain a drug-free workplace. In accordance with these Applicable Laws, Contractor certifies that it does currently and will continue to provide a drug-free workplace, including by minimally:
    - i. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in Contractor's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
    - ii. Establishing an ongoing drug-free awareness program to inform employees about:
      - 1. The dangers of drug abuse in the workplace;
      - 2. Contractor'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.

- iii. 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 Section E.1.a.
  - iv. Notifying the employee in the statement required by E.1.a, as a condition of their continued employment, that 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 no later than five (5) calendar days after such conviction.
  - v. Notifying CPA in writing, within ten (10) calendar days after receiving notice under Section E.1.d 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 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.
  - vi. Taking one of the following actions, within thirty (30) calendar days of receiving notice under Section E.1.e, 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.
  - vii. Making a good faith effort to continue to maintain a drug-free workplace consistent with Sections E.1.a through E.1.f during the Term.
- b. *Lobbying.* This certification is required by the provisions of Section 319 of Public Law 101-121, Government wide Guidance for New Restrictions on Lobbying, and 31 U.S.C. § 1352. These regulations require certification by Contractor (and subcontractors) that they have not engaged in prohibited lobbying activities and/or have filed any required disclosures in accordance with these Applicable Laws. 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 may be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure. In accordance with these Applicable Laws, Contractor certifies the following:
- i. No federal funds have been paid or will be paid, by or on behalf of Contractor, to any person for influencing or attempting to influence an officer or employee of CPA, 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, or the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
  - ii. If any funds other than federal funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of CPA, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with any federal contract, grant, loan, or cooperative agreement, Contractor must complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying" in accordance with its instructions.
- c. *Suspension and Debarment.* This certification is required by the provisions of Executive Orders 12549 and 12689 and 31 C.F.R. part 19 regarding Debarment, Suspension, and Other Responsibility. A contract award must not be made to parties listed on the government-wide exclusions in SAM, in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 C.F.R. part 1986 Comp., p. 189) and 12689 (3 C.F.R. part 1989 Comp., p. 235), "Debarment and Suspension." SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.
- d. *Certification Regarding Environmental Tobacco Smoke.* This certification is required by Public Law 103-227, also known as the Pro-Children Act of 1994 ("**Pro-Children Act**"). The Pro-Children Act requires that smoking not be permitted in any portion of any indoor facility owned or leased or contracted for by an entity and used routinely or regularly for the provision of health, day care, early childhood development services, education or library services to children under the age of 18, if the services are funded by federal programs either directly or through state or local governments, by federal grant, contract, loan, or loan guarantee. The Pro-Children Act also applies to children's services that are provided in indoor facilities that are constructed, operated, or maintained with such federal funds. The Pro-Children Act does not apply to children's services provided in private residences; portions of facilities used for inpatient drug or alcohol treatment; service providers whose sole source of applicable federal funds is Medicare or Medicaid; or facilities where WIC coupons are redeemed. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1,000 for each violation and/or the imposition of an administrative compliance order on the responsible entity. In accordance with these Applicable Laws, Contractor certifies and agrees to the following with respect to it and its principles, as applicable. Contractor certifies that it will comply with the requirements of the Pro-Children Act and will not allow smoking within any portion of any indoor facility used for the provision of services for children as defined by the Pro-Children Act.
- e. *Assurance of Compliance Nondiscrimination in Federally Assisted Programs & Equal Opportunity.* This certification requires Contractor to comply with any applicable federal nondiscrimination requirements or laws providing for or requiring equal opportunity in employment. Except as otherwise provided under 41 C.F.R. part 60, all contracts that meet



the definition of “federally assisted construction contract” in 41 C.F.R. part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, “Equal Employment Opportunity” (30 FR 12319, 12935, 3 C.F.R. part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and implementing regulations at 41 C.F.R. part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.” To the extent required by these Applicable Laws, Contractor certifies during the performance of this Contract that:

- i. The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.
- ii. The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.
- iii. The Contractor will not discharge or in any other manner discriminate against any employee or applicant for employment because such employee or applicant has inquired about, discussed, or disclosed the compensation of the employee or applicant or another employee or applicant. This provision shall not apply to instances in which an employee who has access to the compensation information of other employees or applicants as a part of such employee's essential job functions discloses the compensation of such other employees or applicants to individuals who do not otherwise have access to such information, unless such disclosure is in response to a formal complaint or charge, in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or is consistent with the Contractor's legal duty to furnish information.
- iv. The Contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the Contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- v. The Contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.
- vi. The Contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
- vii. In the event of the Contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the Contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.
- viii. The Contractor will include the portion of the sentence immediately preceding Section E.5.a and the provisions of Sections E.5.a through E.5.h in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The Contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance: *Provided*, however, that in the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the administering agency, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.
- ix. The Contractor further agrees that it will be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work: *Provided*, that if the Contractor so participating is a State or local government, the above equal opportunity clause is not applicable to any agency, instrumentality or subdivision of such government which does not participate in work on or under the contract.
- x. The Contractor agrees that it will assist and cooperate actively with the administering agency and the Secretary of Labor in obtaining the compliance of Contractors and subcontractors with the equal opportunity clause and the rules, regulations, and relevant orders of the Secretary of Labor, that it will furnish the administering agency and the Secretary of Labor such information as they may require for the supervision of such compliance, and that it will otherwise assist the administering agency in the discharge of the agency's primary responsibility for securing compliance.
- xi. The Contractor further agrees that it will refrain from entering into any contract or contract modification subject to Executive Order 11246 of September 24, 1965, with a contractor debarred from, or who has not demonstrated

eligibility for, Government contracts and federally assisted construction contracts pursuant to the Executive Order and will carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by the administering agency or the Secretary of Labor pursuant to Part II, Subpart D of the Executive Order. In addition, the Contractor agrees that if it fails or refuses to comply with these undertakings, the administering agency may take any or all of the following actions: Cancel, terminate, or suspend in whole or in part this grant (contract, loan, insurance, guarantee); refrain from extending any further assistance to the applicant under the program with respect to which the failure or refund occurred until satisfactory assurance of future compliance has been received from such applicant; and refer the case to the Department of Justice for appropriate legal proceedings.

- f. *Americans with Disabilities Act*. Contractor certifies that it shall comply with Subtitle A, title II of the Americans with Disabilities Act (ADA), 42 U.S.C. §§ 12131-12134, and Department of Justice implementing regulation, 28 C.F.R. part 35.
- g. *Equal Treatment for Faith Based Organizations*. Contractor shall comply with any applicable requirements of 28 C.F.R. part 38, governing “Equal Treatment for Faith Based Organizations.” The Equal Treatment Regulation provides in part that grant awards may not be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. Grant recipients, including contractors may still engage in inherently religious activities, but such activities must be separate in time or place from the grant funded program, and participation in such activities by individuals receiving services from the Contractor must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs funded through grant funding are not permitted to discriminate in the provision of services on the basis of a beneficiary’s religion. Notwithstanding the foregoing, faith-based organizations may, in some circumstances, consider religion as a basis for employment. See [http://www.ojp.gov/about/ocr/equal\\_fbo.htm](http://www.ojp.gov/about/ocr/equal_fbo.htm).
- h. *Immigration and Naturalization Service*. Contractor certifies that it keeps on file, as appropriate, Immigration and Naturalization Service Employment Eligibility Verification Form (I-9) forms for applicable Contractor Personnel. This form is to be used by recipients of federal funds to verify that persons are eligible to work in the United States.
- i. *Contract Work Hours and Safety Standards Act (40 U.S.C. § 3701-3708)*. Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. §§ 3702 and 3704, as supplemented by Department of Labor regulations (29 C.F.R. part 5). To the extent applicable, Contractor must compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. § 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.
- j. *Clean Air Act (42 U.S.C. §§ 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. §§ 1251-1387), as amended*. Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. §§ 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. §§ 1251-1387). Contractor agrees to comply with these Applicable Laws, violations of which must be reported to CPA and federal awarding agency and the regional office of the Environmental Protection Agency (EPA).
- k. *Federal Funding Accountability and Transparency Compliance*. This certification is required by the Federal Funding Accountability and Transparency Act (“FFATA”). FFATA requires recipients of individual federal grants equal to or greater than \$25,000 and awarded on or after October 1, 2010, to report on data related to executive compensation and associated first-tier sub-grants of \$25,000 or more. In accordance with 2 C.F.R. part 170 (Reporting Subaward and Executive Compensation Information), Contractor must complete and submit to CPA the FFATA Form included with this Contract as Attachment XIII.
- l. *Davis-Bacon Act/Copeland Act*. When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. §§ 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 C.F.R. part 5, “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract/grant or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts/grants must also include a provision for compliance with the Copeland “Anti-Kickback” Act (40 U.S.C. § 3145), as supplemented by Department of Labor regulations (29 C.F.R. part 3, “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States”). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he

or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

- m. *Prohibition on certain telecommunications and video surveillance services or equipment.* Contractor must comply with 2 C.F.R. § 200.216 , restricting the use of contract fund purchase or extend a contract for certain telecommunications and video surveillance services and equipment);
- n. *Domestic Preferences.* As appropriate and to the extent consistent with law, Contractors should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States in performance of the Contract.

## V. Execution of Proposal

1. By signature hereon, Respondent represents and warrants that the provisions in this Execution of Proposal apply to Respondent and all of Respondent's principals, officers, directors, shareholders, partners, owners, agents, employees, subcontractors, independent contractors, and any other representatives who may provide Services under, who have a financial interest in, or otherwise are interested in this RFP or any Contract.
2. By signature hereon, Respondent represents and warrants its intent to furnish the requested items at the prices quoted in its Proposal.
3. By signature hereon, Respondent represents and warrants that it has read and understood and shall comply with CPA's Anti-Fraud Policy located on CPA's website at <https://comptroller.texas.gov/about/policies/ethics.php>, as such Policy currently reads and as it is amended throughout the term of the Contract.
4. By signature hereon, Respondent represents and warrants that its prices include all costs of Respondent to provide the requested items that meet all specifications of this RFP, and that its prices will remain firm for acceptance for a minimum of one hundred twenty (120) days from deadline for submission of Proposals.
5. By signature hereon, Respondent represents and warrants that each employee, including replacement employees, will possess the qualifications, education, training, experience and certifications necessary to perform the Services in the manner required by this RFP.
6. By signature hereon, Respondent represents and warrants that the provision of goods and services or other performance under the Contract will not constitute an actual or potential conflict of interest or not reasonably create an appearance of impropriety.
7. By signature hereon, Respondent represents and warrants that, pursuant to Section 2155.003 of the Texas Government Code, it has not given, offered to give, nor intends to give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor or service to a public servant in connection with the submitted Proposal.
8. By signature hereon, Respondent represents and warrants that it is not currently delinquent in the payment of any franchise taxes owed the State of Texas under Chapter 171 of the Texas Tax Code.
9. By signature hereon, Respondent represents and warrants that, in accordance with Section 2155.005 of the Texas Government Code, neither Respondent nor any firm, corporation, partnership, or institution represented by Respondent, or anyone acting for such a firm, corporation or institution has (1) violated any provision of the Texas Free Enterprise and Antitrust Act of 1983, Chapter 15 of the Texas Business and Commerce Code, or the federal antitrust laws; or (2) communicated directly or indirectly the contents of its Proposal to any competitor or any other person engaged in the same line of business as Respondent.
10. By signature hereon, Respondent represents and warrants that all statements and information prepared and submitted in response to this RFP are current, complete, and accurate.
11. By signature hereon, Respondent represents and warrants that the individual signing this document and the documents made part of this RFP and Proposal is authorized to sign such documents on behalf of the Respondent and to bind the Respondent under any contract that may result from the submission of the Proposal.
12. By signature hereon, Respondent represents and warrants that if a Texas address is shown as the address of the Respondent on this Proposal, Respondent qualifies as a Texas Bidder as defined by Section 2155.444(c) of the Texas Government Code.
13. Check below if Respondent is claiming a preference under 34 Texas Administrative Code §20.306 or Chapter 2155, Subchapter H of the Texas Government Code:
  - Goods produced or offered by a Texas bidder that is owned by a Texas resident service-disabled veteran
  - Goods produced in Texas or offered by a Texas bidder that is not owned by a Texas resident service-disabled veteran
  - Agricultural products grown in Texas
  - Agricultural products offered by a Texas bidder
  - Services offered by a Texas bidder that is owned by a Texas resident service-disabled veteran
  - Services offered by a Texas bidder that is not owned by a Texas resident service-disabled veteran
  - Texas Vegetation Native to the Region
  - USA produced supplies, materials or equipment of persons with mental or physical disabilities
  - Products made of recycled, remanufactured, or environmentally sensitive materials including recycled steel
  - Energy Efficient Products
  - Rubberized asphalt paving material
  - Recycled motor oil and lubricants

- Products produced at facilities located on formerly contaminated property
- Products and services from economically depressed or blighted areas
- Vendors that meet or exceed air quality standards
- Recycled or Reused Computer Equipment of Other Manufacturers
- Foods of Higher Nutritional Value
- Commercial production company or advertising agency located in Texas

14. By signature hereon, under Section 231.006, Texas Family Code, regarding child support, Respondent certifies that the individual or business named in the Proposal is not ineligible to receive the specified payment and acknowledges that the Contract may be terminated and payment may be withheld if this certification is inaccurate. Furthermore, any Respondent subject to Section 231.006, Texas Family Code, must include names and Social Security numbers of each person with at least 25% ownership of the business entity submitting the Proposal. This information must be provided prior to award. If applicable, enter the Name and Social Security Number for each person below:

Name: _____	SSN: _____
Name: _____	SSN: _____
Name: _____	SSN: _____

**FEDERAL PRIVACY ACT NOTICE:** This notice is given pursuant to the Federal Privacy Act. Disclosure of your Social Security Number (SSN) is required under Section 231.006(c) and Section 231.302(c)(2) of the Texas Family Code. The SSN will be used to identify persons that may owe child support. The SSN will be kept confidential to the fullest extent allowed under Section 231.302(e) of the Texas Family Code.

15. By signature hereon, in accordance with Section 669.003 of the Texas Government Code, relating to contracting with the executive head of a state agency, Respondent certifies that it is not: (1) the executive head of CPA, (2) a person who at any time during the four years before the date of the Contract was the executive head of CPA, or (3) a person who employs a current or former executive head of CPA.
16. By signature hereon, pursuant to Section 2155.004(a) of the Texas Government Code, Respondent certifies that neither Respondent nor any person or entity represented by Respondent has received compensation from CPA to participate in the preparation of specifications or solicitation on which this RFP or a Contract is based. In addition, under Section 2155.004(b) of the Texas Government Code, Respondent certifies that the individual or business entity named in this Proposal or Contract is not ineligible to receive the specified contract and acknowledges that the Contract may be terminated and payment withheld if this certification is inaccurate.
17. By signature hereon, in accordance with Section 2155.4441 of the Texas Government Code, Respondent agrees that during the performance of a contract for services it shall purchase products and materials produced in Texas when they are available at a price and time comparable to products and materials produced outside Texas.
18. By signature hereon, Respondent represents and warrants that CPA's payments to Respondent and Respondent's receipt of appropriated or other funds under the Contract are not prohibited by Sections 556.005, 556.0055 or 556.008 of the Texas Government Code.
19. By signature hereon, Respondent certifies that it is not listed in the prohibited vendors list authorized by Executive Order No. 13224, "Blocking Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism", published by the United States Department of the Treasury, Office of Foreign Assets Control.
20. Sections 2155.006 and 2261.053 of the Texas Government Code prohibit state agencies from accepting an Proposal or awarding a contract that includes proposed financial participation by a person who, in the past five years, has been convicted of violating a federal law or assessed a penalty in connection with a contract involving relief for Hurricane Rita, Hurricane Katrina, or any other disaster, as defined by Section 418.004 of the Texas Government Code, occurring after September 24, 2005. Under Sections 2155.006 and 2261.053 of the Texas Government Code, Respondent certifies that the individual or business entity named in its Proposal or Contract is not ineligible to receive the specified contract and acknowledges that the Contract may be terminated and payment withheld if this certification is inaccurate.
21. By signature hereon, if Respondent is submitting a proposal for the purchase or lease of computer equipment, then Respondent hereby certifies its compliance with Chapter 361, Subchapter Y of the Texas Health and Safety Code related to the Computer Equipment Recycling Program and the Texas Commission on Environmental Quality rules at 30 Texas Administrative Code Chapter 328.
22. By signature hereon, Respondent represents and warrants that it is not aware of and has received no notice of any court or governmental agency actions, proceedings or investigations, etc., pending or threatened against Respondent or any of the individuals or entities included in Part 1 of this Section VI within the five (5) calendar years immediately preceding the submission of Respondent's Proposal in response to this RFP that would or could impair Respondent's performance under the Contract, relate to the solicited or similar goods or services, or otherwise be relevant to CPA's consideration of Respondent's Proposal. If Respondent is unable to make the preceding representation and warranty, then Respondent

instead represents and warrants that it has included as a detailed attachment in its Proposal a complete disclosure of any such court or governmental agency actions, proceedings or investigations, etc. that would or could impair Respondent's performance under the Contract, relate to the solicited or similar goods or services, or otherwise be relevant to CPA's consideration of Respondent's Proposal. In addition, Respondent represents and warrants that it shall notify CPA in writing within five (5) business days of any changes to the representations or warranties in this clause and understands that failure to so timely update CPA shall constitute breach of contract and may result in immediate termination of the Contract.

23. By signature hereon, Respondent represents and warrants that it and each of its subcontractors have the requisite resources, qualifications and independence to conduct the services free from outside direction, control, or influence, and subject only to the accomplishment of CPA's objectives.
24. By signature hereon, Respondent represents that neither Respondent or any of its employees, agents, or representatives, including any subcontractors and employees, agents, or representative of such subcontractors, proposed in the Proposal has been convicted of a felony criminal offense, or that if such a conviction has occurred Respondent has fully advised CPA of the facts and circumstances in its Proposal.
25. By signature hereon, Respondent represents and warrants that if selected for a Contract, Respondent will submit to CPA a Certificate of Interested Parties prior to Contract award in accordance with Section 2252.908 of the Texas Government Code.
26. By signature hereon, pursuant to Section 2271.002 of the Texas Government Code, Respondent certifies that either (i) it meets an exemption criterion under Section 2271.002; or (ii) it does not boycott Israel and will not boycott Israel during the term of the Contract. Respondent shall state any facts that make it exempt from the boycott certification in its Proposal.
27. By signature hereon, Respondent represents and warrants that it is not engaged in business with Iran, Sudan, or a foreign terrorist organization, as prohibited by Section 2252.152 of the Texas Government Code.
28. By signature hereon, Respondent certifies that the offering entity and its principals are eligible to participate in this transaction and have not been subjected to suspension, debarment, or similar ineligibility determined by any federal, state, or local governmental entity. Entities ineligible for federal procurement are listed at <http://www.sam.gov>.
29. By signature hereon, Respondent represents and warrants that it will comply with the requirements of Section 552.372(a) of the Texas Government Code as applicable. Except as provided by Section 552.374(c) of the Texas Government Code, the requirements of Subchapter J, Chapter 552 of the Government Code, may apply to the Contract and Respondent agrees that the Contract can be terminated if Respondent knowingly or intentionally fails to comply with a requirement of that subchapter.
30. Under Section 2155.0061 of the Texas Government Code, Respondent certifies that the individual or business entity named in this Proposal is not ineligible to receive the specified contract and acknowledges that the Contract may be terminated and payment withheld if this certification is inaccurate.
31. Pursuant to Government Code Section 2274.0102, Respondent certifies that neither it nor its parent company, nor any affiliate of Respondent or its parent company, is: (1) majority owned or controlled by citizens or governmental entities of China, Iran, North Korea, Russia, or any other country designated by the Governor under Government Code Section 2274.0103, or (2) headquartered in any of those countries.
32. If Respondent is required to make a verification pursuant to Section 2274.002 of the Texas Government Code, Respondent verifies that Respondent does not boycott energy companies and will not boycott energy companies during the term of the Contract. If Respondent does not make that verification, Respondent must so indicate in its Proposal and state why the verification is not required.
33. If Respondent is required to make a verification pursuant to Section 2274.002 of the Texas Government Code, Respondent verifies that it (1) does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association and (2) will not discriminate during the term of the contract against a firearm entity or firearm trade association. If Respondent does not make that verification, Respondent must so indicate in its Proposal and state why the verification is not required.
34. Pursuant to Section 161.0085 of the Texas Health and Safety Code, Respondent certifies that it does not require its customers to provide any documentation certifying the customer's COVID-19 vaccination or post-transmission recovery on entry to, to gain access to, or to receive service from Respondent's business. Respondent acknowledges that such a vaccine or recovery requirement would make Respondent ineligible for a state-funded contract.
35. Pursuant to Section 2054.0593(d)-(f) of the Texas Government Code, Respondent represents and warrants that it complies with the requirements of the Texas Department of Information Resources state risk and authorization management program (TX-RAMP) and Respondent agrees that throughout the term of this Contract it shall maintain any required TX-RAMP certifications and comply with applicable TX-RAMP requirements in performance of the Contract.

36. By signature hereon, Respondent represents and warrants that it has read and agrees to all terms and conditions of this RFP, unless Respondent specifically takes an exception and offers an alternative provision in Respondent's Proposal as provided in Section II.

**An authorized representative on behalf of Respondent must complete and sign the following:**

<hr/>		
<b>Signature of Authorized Representative</b>	<b>Date Signed</b>	
<hr/>		
<b>Printed Name &amp; Title of Authorized Representative</b>	<b>Phone Number</b>	
<hr/>		
<b>Entity Name ("Respondent")</b>	<b>Fax Number</b>	<b>E-mail Address</b>
<hr/>		
<b>Federal Employer Identification Number</b>	<b>Unique Entity ID</b>	
<hr/>		
<b>Physical Street Address</b>	<b>City, State, Zip Code</b>	
<hr/>		
<b>Mailing Address, if different</b>	<b>City, State, Zip Code</b>	
<hr/>		

**VI. Conflict of Interest/Disclosure Statement**

A. Disclosures. Provide the requested information in the space provided; indicate “N/A” as appropriate.

1. Respondent must disclose any proposed personnel who are current or recent former employees of CPA or the State of Texas.

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2. Respondent must disclose the following:

a. any existing or potential conflicts of interest or possible issues that might create appearances of impropriety relative to Respondent’s and its proposed subcontractors’ submission of an Proposal, possible selection as Successful Respondent, or its performance of the contract.

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b. all past and present contractual, business, financial or personal relationships between Respondent and CPA and between Respondent’s proposed subcontractors, if any, and CPA.

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For each item, Respondent must also provide a detailed explanation of why Respondent does or does not believe such item poses a conflict of interest, potential conflict of interest, or appearance of impropriety issue relative to Respondent’s submission of an Proposal, possible selection as the Successful Respondent, or its performance of the contract.

B. Defined Terms. For purposes of the disclosure statements required by this solicitation, the terms below are defined as follows:

- “past” is defined as within the two (2) calendar years prior to the deadline for submission of proposals in response to this solicitation.
- “CPA” is defined as the statewide elected official who heads the agency, as well as the agency’s employees or recent former employees.
- “recent former employees” are defined as those CPA employees who have terminated agency employment within the two (2) calendar years prior to the deadline for submission of Proposals in response to this solicitation.
- “personal relationship” is defined as a current or past connection other than a clearly contractual, business, financial or similar relationship and includes family relationships or other connections outside simply providing a response to this solicitation. For this purpose, “family relationship” means a relationship within the third degree of consanguinity or second degree of affinity; see Chapter 573 of the Texas Government Code, which defines these degrees of consanguinity and affinity. Connections other than such family relationships fall within this definition and must be disclosed if:
  - (a) a reasonable person could expect the connection to diminish Respondent’s independence of judgment or effectiveness in the performance of the Respondent’s responsibilities to CPA or the State of Texas under the contract;
  - (b) a reasonable person could expect the connection, within the overall context of Respondent’s submission of an Proposal, possible selection as Successful Respondent or its performance of the contract, to create an issue for the agency’s consideration relative to a potential appearance of impropriety or conflict of interest; or
  - (c) the relationship is with a CPA or other State of Texas employee with authority to make decisions or recommendations on state contracting or procurement or this solicitation. For purposes of this provision, those persons with authority to make decisions or recommendations are those persons who fall within the definition of “purchasing personnel” in Section 2262.004(a)(2) of the Texas Government Code.

C. Continuing Duty to Disclose. If circumstances change or additional information is obtained subsequent to submission of the Proposal, Successful Respondent’s duty to disclose under these provisions continues under the term of the contract and does not end with submission of an Proposal or receipt of contract award.

D. Disclosures under these provisions are information that will be evaluated by CPA; however, all information provided will not necessarily lead to a restriction or disqualification. Issues will be considered on a case-by-case basis in the best interests of the State of Texas. If Respondent is in doubt about whether information should be disclosed, Respondent should consult with its legal counsel. Failure to disclose any required information under these provisions may be cause for proposal disqualification or termination of the contract resulting from this solicitation. CPA reserves the right, in its sole discretion, to determine if an issue should result in proposal disqualification or termination of the contract.

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Signature of Authorized Representative

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Date Signed

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Printed Name & Title of Authorized Representative

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Entity Name (“Respondent”)



## VII. Nondisclosure Agreement

In consideration of Texas Comptroller of Public Accounts (“CPA”) communicating with the undersigned Respondent regarding a potential contract resulting from the referenced solicitation (*e.g.*, RFP, RFO, IFB) and because of the sensitivity of certain information provided to Respondent, both parties agree that all information regarding CPA or gathered, produced, collected or derived from or related to the potential contract, or provided to Respondent under a resulting contract (“Confidential Information”) must remain confidential subject to release only upon prior written approval of CPA, and more specifically agree as follows:

1. The Confidential Information may be used by Respondent only to assist Respondent in connection with the business relationship contemplated in the solicitation or performance of a contract with CPA resulting from the solicitation.
2. Respondent shall not, at any time, use the Confidential Information in any fashion, form, or manner except in its capacity as proposed consultant or independent contractor to CPA.
3. Unless otherwise provided in the solicitation or resulting contract, Respondent agrees to maintain the confidentiality of all Confidential Information in the same manner that it protects the confidentiality of its own materials of like kind, but in no event less than reasonable care. Respondent shall take reasonable precautions to protect the Confidential Information including, but not limited to, not disclosing Confidential Information in any manner to any person, firm, or entity, except for authorized employees, agents, or contractors of Respondent with a need to know who are bound by confidentiality obligations at least as stringent as those contained in this agreement prior to any disclosure of such Confidential Information.
4. The Confidential Information may not be copied, reproduced, disclosed, distributed, or otherwise divulged without CPA’s prior written approval. Confidential Information and any copies thereof shall be CPA’s exclusive property.
5. All Confidential Information made available to Respondent, including copies thereof, must be returned to CPA upon the first to occur of (a) expiration or termination of any contract resulting from the solicitation, or (b) request by CPA.
6. The foregoing does not prohibit or limit Respondent’s use of the information (including, but not limited to, ideas, concepts, know-how, techniques and methodologies) (a) previously known to it, provided such prior knowledge was not subject to a confidentiality obligation, (b) independently developed by it, (c) acquired by it from a third-party under no obligation of confidentiality to CPA, (d) which is or becomes part of the public domain through no breach by Respondent of this nondisclosure agreement or other contractual obligations to CPA, or (e) approved by CPA in writing for unrestricted disclosure.
7. If Respondent is required by applicable law, regulation, or legal process to disclose any Confidential Information, then Respondent shall provide CPA with prompt notice of any such requirement prior to delivery of the Confidential Information to allow CPA a reasonable opportunity to seek a protective order or equivalent.
8. This nondisclosure agreement shall become effective as of the date Confidential Information is first made available to Respondent and shall survive the expiration or termination of any contract resulting from the solicitation and be a continuing requirement.
9. The breach of this nondisclosure agreement by Respondent shall entitle CPA to immediately terminate any contract with Respondent resulting from the solicitation upon written notice to Respondent for such breach. The parties acknowledge that the measure of damages in the event of a breach of this nondisclosure agreement may be difficult or impossible to calculate, depending on the nature of the breach. Regardless of whether CPA elects to terminate any contract with Respondent resulting from the solicitation upon the breach hereof, CPA may require Respondent to pay to CPA the sum of \$5,000 for each breach as liquidated damages. This amount is not intended to be in the nature of a penalty, but is intended to be a reasonable estimate of the amount of damages to CPA in the event of a breach hereof by Respondent of this nondisclosure agreement. CPA does not waive any right to seek additional relief, either equitable or otherwise, concerning any breach of this nondisclosure agreement.
10. This nondisclosure agreement is governed by and construed under the laws of the State of Texas. Any and all obligations of this agreement are due in Travis County, Texas and venue is proper in only such county.

\_\_\_\_\_  
Signature of Authorized Representative

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Printed Name & Title of Authorized Representative

\_\_\_\_\_  
Entity Name (“Respondent”)

**VIII. Confidential Treatment of Information Acknowledgment**  
**Texas Comptroller of Public Accounts**  
**Confidential Treatment of Information Acknowledgment (CTIA)**

I have read and understand the Comptroller’s Summary Public Information Disclosure Manual, a copy of which has been made available to me. I understand that confidential information made available to me by the Comptroller’s office may include the Comptroller’s own information and information held by the Comptroller’s office from other entities. I understand that confidential information is to be held in strictest confidence, and I will act in accordance with applicable federal and state laws, regulations, and Comptroller policy with regard to the safekeeping and disclosure of confidential information. I understand that I am not to use such information to the detriment of the Comptroller’s office or the State of Texas.

I understand that it is my responsibility to consult with the Comptroller’s office and obtain approval to disclose confidential information made available to me, and to ensure that any and all disclosures I make are made to people or entities authorized to receive such information.

I understand that I shall either return to the Comptroller’s office or destroy any confidential information in my possession according to Comptroller guidelines when I no longer require such information for authorized purposes.

I understand that computer system password(s) I receive or devise to access computer systems, which may be made available to me for my use by the Comptroller’s office, are confidential. I will not disclose to any unauthorized person any password(s) which I am given or devise, and I will not write such password(s) or post them where they may be viewed by unauthorized people. I understand that I am responsible for any computer transactions performed as a result of access authorized by use of my password(s). I understand that use of a password not issued specifically to me, or to a group of which I am a member, is expressly prohibited.


I understand that criminal and/or civil penalties and/or civil damages may apply if I obtain unauthorized access to, or make an unauthorized disclosure or inspection of, certain types of confidential information (e.g., IRS Federal Taxpayer Information, Protected Health Information, Sensitive Personal Information). Such penalties and/or damages may include, but are not limited to, the following:

- a misdemeanor, punishable by up to 1 year in jail and/or up to a \$4,000 fine (Texas Labor Code §301.085);
- a misdemeanor, punishable by up to 1 year in jail and/or up to a \$1,000 fine (Texas Tax Code §171.361);
- a misdemeanor, punishable by up to 180 days in jail and/or up to a \$2,000 fine (Texas Tax Code §22.27(c));
- a felony, punishable by up to 5 years in prison and/or a fine of up to \$5,000 (26 USC §7213);
- a misdemeanor, punishable by up to 1 year in jail and/or up to a \$1,000 fine (26 USC §7213A);
- civil damages equal to sum of the greater of \$1,000 for each unauthorized inspection/disclosure or sum of actual damages sustained plus punitive damages for gross negligence, and the cost of action (26 USC §7431); and
- civil and criminal penalties related to criminal justice information (28 CFR §20.25).

I understand that an attempt to circumvent any computer security system or other security control by any means is a violation of Comptroller policy. I also understand that failure to observe these restrictions may constitute a “Breach of Computer Security” as defined in Texas Penal Code, Section 33.02(b), and that such an offense constitutes a Class B misdemeanor, a state jail felony, or a felony of the first, second or third degree.

I understand that any copyrighted material including, but not limited to, commercial computer software, which may be made available to me for my use by the Comptroller’s office, is protected by copyright laws and is not to be copied for any reason without permission from the copyright owner. I understand that the violation of copyright laws, including computer software, may result in fines and/or imprisonment.

By my signature hereon, I acknowledge my understanding of the contents of this form and the continued applicability of these provisions after my access to confidential information and computer systems has been terminated.

Printed name of person requesting access	Name of employer
Signature of person requesting access 	Date
Work phone (Area code and number)	Work email address

For general questions regarding this form, contact the Comptroller’s Information Security Office by calling 512-936-5671. Under Ch. 559, Government Code, you are entitled to review, request and correct information we have on file about you, with limited exceptions in accordance with Ch. 552, Government Code. To request information for review or to request error correction, contact us at 1-800-531-5441, ext. 6-6057.

**IX. Certification Regarding Public Nature of the Proposal**

The Legislative Budget Board (LBB) has established a database of state agency contracts pursuant to Section 322.020 of the Texas Government Code. See the LBB website at <http://www.lbb.texas.gov>. Following the contract award resulting from this solicitation, CPA plans to upload to the LBB contracts database the complete contract, except for information that is not subject to disclosure under Chapter 552 of the Texas Government Code. Information that is not subject to disclosure under Chapter 552 of the Texas Government Code must be referenced in an appendix that generally describes the information without disclosing the specific content of the information. In submitting an Proposal in response to this solicitation, Respondent acknowledges that it understands and accepts this requirement.

Respondent **must initial below EITHER Item 1 or Item 2, as appropriate. DO NOT INITIAL BOTH ITEMS.**

By signature hereon, Respondent certifies the following:

- 1. \_\_\_\_\_ Respondent does not assert that any portion of its Proposal is confidential.

OR

- 2. \_\_\_\_\_ Respondent has stamped in bold red letters the term “**CONFIDENTIAL**” on the specific part or page of the Proposal considered to be confidential by Respondent. In the table below or as an attachment to this form submitted with the Proposal, Respondent has identified by page number(s) the location of all information in the Proposal asserted to be confidential by Respondent as well as provided an explanation, including any relevant legal authority, for why Respondent reasonably considers the identified portion(s) of its Proposal to be confidential and exempt from public disclosure under the Texas Public Information Act, Chapter 552 of the Texas Government Code.

Page No. of Proposal	General description of the designated information	Explanation, including relevant legal authority, in support of the confidential treatment of the designated portion(s) of the Proposal.

\_\_\_\_\_  
Signature of Authorized Representative

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Printed Name & Title of Authorized Representative

\_\_\_\_\_  
Entity Name (Respondent)

**X. Contractor Cybersecurity Training Attestation Form**

**Texas Comptroller of Public Accounts (CPA)**

**Attestation of Contractor Compliance with  
State of Texas Cybersecurity Training Requirements**

Contractor Name:	
CPA Purchase Order Number:	
Contract Description:	

In accordance with [Section 2054.5192](#) of the Texas Government Code, the contractor identified above (“Contractor”) shall ensure that any employee or subcontractor who has access to a CPA computer system or database in performing services under the contract identified above (“Contract”) has completed a cybersecurity training program certified by the Texas Department of Information Resources (DIR) on an annual basis during the term of the Contract and during any renewal periods.

Please identify the completed course(s) from the list of [Department of Information Resources \(DIR\) Certified Training Programs](#). CPA will only accept attestation for DIR-certified training programs. CPA’s security awareness training includes DIR-certified training programs in compliance with [Section 2054.519](#) of the Texas Government Code.

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Contractor must complete, sign, and return this form to CPA no later than sixty (60) calendar days following contract award and each anniversary thereafter during the term of the Contract, including any renewal periods. Contractor must email the completed and signed form to CPA at [contract.administration@cpa.texas.gov](mailto:contract.administration@cpa.texas.gov) and reference “Cybersecurity Training Attestation” and the purchase order number in the subject line.

By signing below, Contractor hereby certifies that all applicable employees or subcontractors have completed a DIR-certified cybersecurity training program in accordance with by Section 2054.5192 of the Texas Government Code.

**[Contractor Entity Name]**

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

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

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

## **XI. Respondent Exceptions**

If Respondent takes any exception to any provisions of this RFP, the exceptions must be specifically and clearly identified by section number in Respondent's Proposal using this response template. In its Proposal, Respondent must provide a proposed alternative for each exception and must explain the necessity for the change. If a Respondent takes a "blanket exception" to the entire RFP or does not propose alternate language for CPA's consideration, Respondent's Proposal may be considered non-responsive and disqualified from further consideration.

<b>Item Number</b>	<b>RFP Section and Part Reference</b>	<b>Original RFP Language</b>	<b>Respondent's Proposed Alternative and Explanation for Necessity for Change</b>

**XII. Vendor Reference Questionnaire**

RFP # 907-25-1902KW SECO IRA Home Energy Rebates

**DEADLINE to email to Comptroller: April 25, 2025 @ 02:00 PM (CT)**

The Texas Comptroller’s Office (CPA) requests your assistance in providing a Vendor reference for a Request for Proposals (RFP) that has been issued for the type of product/service listed below (the “Services”).

**This portion to be completed by the Vendor requesting reference information:**

<b>Respondent Name (the “Vendor”)</b>	
<b>Company to be contacted as a reference (Reference)</b>	
<b>Type of Product/Service Provided</b>	
<b>Dates of Performance for Listed Reference</b>	<b>Starting Date:</b> <b>Ending Date:</b>
<b>Total Estimated Contract Dollar Amount</b>	<b>\$</b>

**This portion to be completed by the Reference providing reference and returned by Reference to CPA at: bidcpa@cpa.texas.gov.**

Rating: (0) Unsatisfactory; (1) Marginally Satisfactory; (2) Satisfactory; (3) Exceeds Expectations; or N/A (Not Applicable). Definitions for each rating category are contained on the following page.

Please provide your opinion by rating the following:

**Quality of Services**

- 1. Have you purchased any Services from this Vendor in the past 2 years? Yes \_\_\_ No \_\_\_
- 2. Vendor’s ability to provide the Services in a timely manner? 0. \_\_\_ 1. \_\_\_ 2. \_\_\_ 3. \_\_\_ N/A \_\_\_
- 3. Vendor’s knowledge of and ability to answer questions regarding the Services? 0. \_\_\_ 1. \_\_\_ 2. \_\_\_ 3. \_\_\_ N/A \_\_\_
- 4. Vendor’s ability to resolve problems? 0. \_\_\_ 1. \_\_\_ 2. \_\_\_ 3. \_\_\_ N/A \_\_\_

**Cost**

- 5. Did Vendor submit timely, accurate and complete invoices? 0. \_\_\_ 1. \_\_\_ 2. \_\_\_ 3. \_\_\_ N/A \_\_\_

**Timeliness of Performance**

- 6. Adherence to delivery schedule (major tasks, milestones) 0. \_\_\_ 1. \_\_\_ 2. \_\_\_ 3. \_\_\_ N/A \_\_\_

**Business Relations & Satisfaction**

- 7. Effectively communicated with Reference’s management & staff 0. \_\_\_ 1. \_\_\_ 2. \_\_\_ 3. \_\_\_ N/A \_\_\_
- 8. Vendor personnel (professional, cooperative & flexible) 0. \_\_\_ 1. \_\_\_ 2. \_\_\_ 3. \_\_\_ N/A \_\_\_
- 9. Vendor’s attitude toward customer service 0. \_\_\_ 1. \_\_\_ 2. \_\_\_ 3. \_\_\_ N/A \_\_\_
- 10. Overall Satisfaction with Vendor 0. \_\_\_ 1. \_\_\_ 2. \_\_\_ 3. \_\_\_ N/A \_\_\_

**Comments: (Please use additional page if necessary)**

\_\_\_\_\_  
\_\_\_\_\_

**In your opinion, would you use this Vendor again for these Services?** Yes \_\_\_ No \_\_\_  
**In your opinion, should this Vendor be recommended to others?** Yes \_\_\_ No \_\_\_

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

**Organization:** \_\_\_\_\_ **Title:** \_\_\_\_\_

**Phone Number:** \_\_\_\_\_ **Fax Number:** \_\_\_\_\_ **Email address:** \_\_\_\_\_

## Vendor Reference Scoring

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<b>Excellent (3)</b>			
There are no quality problems.	There are no cost issues.	There are no delays.	Responses to inquiries, technical, service, and administrative issues are effective and responsive.
<hr/>			
<b>Satisfactory (2)</b>			
Nonconformances do not impact achievement of contract requirements.	Cost issues do not impact achievement of contract requirements.	Delays do not impact achievement of contract requirements.	Response to inquiries, technical, service, and administrative issues is usually effective and responsive.
<hr/>			
<b>Marginal (1)</b>			
Nonconformances require minor Agency resources to ensure achievement of contract requirements.	Cost issues require minor Agency resources to ensure achievement of contract requirements.	Delays require minor Agency resources to ensure achievement of contract requirements.	Response to inquiries, technical, service, and administrative issues is somewhat effective and responsive.
<hr/>			
<b>Unsatisfactory (0)</b>			
Nonconformances are compromising the achievement of contract requirements.	Cost issues are compromising performance of contract requirements.	Delays are compromising the achievement of contract requirements.	Response to inquiries, technical, service, and administrative issues is not effective and responsive.

**XIII. Federal Funding Accountability and Transparency Act (FFATA) Form**

**Federal Funding Accountability and Transparency Act (FFATA) Form**

<b>Federal Funding Accountability and Transparency Act</b>
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This form is required to be completed by the subrecipient for contracts funded wholly or partially with federal funds by the Texas Comptroller of Public Accounts (CPA). In accordance with 2 Code of Federal Regulation (CFR) Part 170 and the Federal Funding Accountability and Transparency Act, as amended, CPA must collect subrecipient information for transactions \$30,000 or greater.

**Information completed by CPA Program Area:**

CPA Award ID	
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**Information completed by Subrecipient:**

Legal Name of Entity	
Unique Entity Identifier (UEI)	

Exemption from reporting compensation information
* <input type="checkbox"/> Please check box for exemption from reporting if in the preceding fiscal year either of the following bulleted items applied:
<ul style="list-style-type: none"> <li>• Recipient received less than 80% of its annual gross revenues in Federal awards [federal contracts (and subcontracts), loans, grants (and subgrants) and cooperative agreements]; and</li> </ul> <p>the recipient received less than \$25,000,000 in annual gross revenues from Federal awards. OR</p> <ul style="list-style-type: none"> <li>• the public has access to information about compensation of the senior executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986.</li> </ul>

Total Compensation and Names of Top Five Executives (if applicable)		
<b>Name</b>	<b>Compensation Amount</b>	
Subrecipient Responsible Party		
Title	Print Name	Signature/Date



## FFATA Form Instructions

### Federal Funding Accountability and Transparency Act

This form is required to be completed by the subrecipient for contracts funded wholly or partially with federal funds by the Texas Comptroller of Public Accounts (CPA). In accordance with 2 Code of Federal Regulation (CFR) Part 170 and the Federal Funding Accountability and Transparency Act, as amended, CPA must collect subrecipient information for transactions \$30,000 or greater.

#### **Information completed by CPA Program Area:**

This field should be completed by CPA area.

- **CPA Contract No.** – Enter the Contract Number

#### **Information completed by Subrecipient:**

Each field requires a response by the subrecipient.

- **Legal Name of Entity** – Enter name of the subrecipient organization that corresponds with subrecipient's Unique Entity Identifier (UEI) as it appears in the System for Award Management (SAM) profile, [www.sam.gov](http://www.sam.gov).
- **UEI** – Enter subrecipient's organization's 12-digit UEI as it appears in its SAM Profile. Effective April 4, 2023, the UEI replaced the DUNS Number for the purpose of completing this form. To find your UEI or request a UEI, visit SAM.gov.
- **Total Compensation and Names of Top Five Executives (if applicable)** – As defined in 2 CFR 170.110, you must report Executive Compensation from your preceding fiscal year unless any of the exemption criteria apply.
- **Subrecipient Responsible Party** – The person completing the form should provide title, printed name, signature, and date the form was signed.

**Return completed and signed form to CPA Contract Manager.**

**XIV. Certification Regarding Lobbying lower tier covered transactions**

FORM CD-512 (REV 05-17)	U.S. DEPARTMENT OF COMMERCE
<p><b>CERTIFICATION REGARDING LOBBYING LOWER TIER COVERED TRANSACTIONS</b></p>	
<p>Applicants should review the instructions for certification included in the regulations before completing this form. Signature on this form provides for compliance with certification requirements under 15 CFR Part 28, "New Restrictions on Lobbying."</p>	
<p><b>LOBBYING</b></p> <p>As required by Section 1352, Title 31 of the U.S. Code, and implemented at 15 CFR Part 28, for persons entering into a grant, cooperative agreement or contract over \$100,000 or a loan or loan guarantee over \$150,000 as defined at 15 CFR Part 28, Sections 28.105 and 28.110, the applicant certifies that to the best of his or her knowledge and belief, that:</p> <p>(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 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.</p> <p>(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.</p> <p>(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.</p> <p>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 occurring on or before October 23, 1996, and of not less than \$11,000 and not more than \$110,000 for each such failure occurring after October 23, 1996.</p>	<p><b>Statement for Loan Guarantees and Loan Insurance</b></p> <p>The undersigned states, to the best of his or her knowledge and belief, that:</p> <p>In any 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 commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.</p> <p>Submission of this statement 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 statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure occurring on or before October 23, 1996, and of not less than \$11,000 and not more than \$110,000 for each such failure occurring after October 23, 1996.</p>
<p><b>As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above applicable certification.</b></p>	
NAME OF APPLICANT	AWARD NUMBER AND/OR PROJECT NAME
PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
SIGNATURE	DATE

**XV. Disclosure of Lobbying Activities**

**DISCLOSURE OF LOBBYING ACTIVITIES (SF-LLL)**

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

1. Type of Federal Action: _____ a. contract b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	2. Status of Federal Action: _____ a. bid/offer/application b. initial award c. post award	3. Report Type: _____ a. initial filing b. material change For Material Change Only: year _____ quarter _____ date of last report _____
. Name and Address of Reporting Entity:  Name _____ Address _____ _____ Prime _____ Subawardee Tier, if known: _____		5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime: _____
6. Federal Department/Agency: _____	7. Federal Program Name/Description CFDA Number, if applicable: _____	
8. Federal Action Number, If known: _____	9. Award Amount, if known: _____	
10.a. Name and Address of Lobbying Entity: (if individual, last name, first name, MI): (attach Continuation Sheet(s) SF-LLL-A, if necessary)	10.b. Individual Performing Services (including address if different from No. 10A) (last name, first name, MI):	
11. Amount of Payment (check all that apply):  \$ _____ actual _____ _____ Planned _____	12. Form of Payment (check all that apply): a. cash _____ b. in-kind; specify: nature _____ value _____	
13. Type of Payment (check all that apply): _____ a. retainer _____ c. commission _____ e. deferred _____ b. one-time fee _____ d. contingent fee _____ f. other; specify _____		
14. Brief Description of Services Performed or to be Performed and Date(s) of Service, including officer(s), employee(s), or Member(s) contacted, for Payment indicated in Item 11:		
15. Continuation Sheet(s) SF-LLL-A attached: _____ Yes _____ No		
16. 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-annual 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	Authorized Representative: _____ Title: _____ Signature: _____ Telephone: _____ Date: _____	



# HUB Subcontracting Plan (HSP) QUICK CHECKLIST

While this HSP Quick Checklist is being provided to merely assist you in readily identifying the sections of the HSP form that you will need to complete, it is very important that you adhere to the instructions in the HSP form and instructions provided by the contracting agency.

- **If you will be awarding all of the subcontracting work you have to offer under the contract to only Texas certified HUB vendors, complete:**
  - Section 1 - Respondent and Requisition Information
  - Section 2 a. - Yes, I will be subcontracting portions of the contract.
  - Section 2 b. - List all the portions of work you will subcontract, and indicate the percentage of the contract you expect to award to Texas certified HUB vendors.
  - Section 2 c. - Yes
  - Section 4 - Affirmation
  - GFE Method A (Attachment A) - Complete an Attachment A for each of the subcontracting opportunities you listed in Section 2 b.
- **If you will be subcontracting any portion of the contract to Texas certified HUB vendors and Non-HUB vendors, and the aggregate percentage of all the subcontracting work you will be awarding to the Texas certified HUB vendors with which you do not have a continuous contract\* in place for more than five (5) years meets or exceeds the HUB Goal the contracting agency identified in the "Agency Special Instructions/Additional Requirements", complete:**
  - Section 1 - Respondent and Requisition Information
  - Section 2 a. - Yes, I will be subcontracting portions of the contract.
  - Section 2 b. - List all the portions of work you will subcontract, and indicate the percentage of the contract you expect to award to Texas certified HUB vendors and Non-HUB vendors.
  - Section 2 c. - No
  - Section 2 d. - Yes
  - Section 4 - Affirmation
  - GFE Method A (Attachment A) - Complete an Attachment A for each of the subcontracting opportunities you listed in Section 2 b.
- **If you will be subcontracting any portion of the contract to Texas certified HUB vendors and Non-HUB vendors or only to Non-HUB vendors, and the aggregate percentage of all the subcontracting work you will be awarding to the Texas certified HUB vendors with which you do not have a continuous contract\* in place for more than five (5) years does not meet or exceed the HUB Goal the contracting agency identified in the "Agency Special Instructions/Additional Requirements", complete:**
  - Section 1 - Respondent and Requisition Information
  - Section 2 a. - Yes, I will be subcontracting portions of the contract.
  - Section 2 b. - List all the portions of work you will subcontract, and indicate the percentage of the contract you expect to award to Texas certified HUB vendors and Non-HUB vendors.
  - Section 2 c. - No
  - Section 2 d. - No
  - Section 4 - Affirmation
  - GFE Method B (Attachment B) - Complete an Attachment B for each of the subcontracting opportunities you listed in Section 2 b.
- **If you will not be subcontracting any portion of the contract and will be fulfilling the entire contract with your own resources (i.e., employees, supplies, materials and/or equipment), complete:**
  - Section 1 - Respondent and Requisition Information
  - Section 2 a. - No, I will not be subcontracting any portion of the contract, and I will be fulfilling the entire contract with my own resources.
  - Section 3 - Self Performing Justification
  - Section 4 - Affirmation

**\*Continuous Contract:** Any existing written agreement (including any renewals that are exercised) between a prime contractor and a HUB vendor, where the HUB vendor provides the prime contractor with goods or service, to include under the same contract for a specified period of time. The frequency the HUB vendor is utilized or paid during the term of the contract is not relevant to whether the contract is considered continuous. Two or more contracts that run concurrently or overlap one another for different periods of time are considered by CPA to be individual contracts rather than renewals or extensions to the original contract. In such situations the prime contractor and HUB vendor are entering (have entered) into "new" contracts.



# HUB Subcontracting Plan (HSP)

In accordance with Texas Gov't Code §2161.252, the contracting agency has determined that subcontracting opportunities are probable under this contract. Therefore, all respondents, including State of Texas certified Historically Underutilized Businesses (HUBs) must complete and submit this State of Texas HUB Subcontracting Plan (HSP) with their response to the bid requisition (solicitation).

**NOTE:** Responses that do not include a completed HSP shall be rejected pursuant to Texas Gov't Code §2161.252(b).

The HUB Program promotes equal business opportunities for economically disadvantaged persons to contract with the State of Texas in accordance with the goals specified in the 2009 State of Texas Disparity Study. The statewide HUB goals defined in 34 Texas Administrative Code (TAC) §20.284 are:

- **11.2 percent for heavy construction other than building contracts,**
- **21.1 percent for all building construction, including general contractors and operative builders' contracts,**
- **32.9 percent for all special trade construction contracts,**
- **23.7 percent for professional services contracts,**
- **26.0 percent for all other services contracts, and**
- **21.1 percent for commodities contracts.**

**- - Agency Special Instructions/Additional Requirements - -**

*In accordance with 34 TAC §20.285(d)(1)(D)(iii), a respondent (prime contractor) may demonstrate good faith effort to utilize Texas certified HUBs for its subcontracting opportunities if the total value of the respondent's subcontracts with Texas certified HUBs meets or exceeds the statewide HUB goal or the agency specific HUB goal, whichever is higher. When a respondent uses this method to demonstrate good faith effort, the respondent must identify the HUBs with which it will subcontract. If using existing contracts with Texas certified HUBs to satisfy this requirement, only the aggregate percentage of the contracts expected to be subcontracted to HUBs with which the respondent **does not** have a **continuous contract\*** in place for **more than five (5) years** shall qualify for meeting the HUB goal. This limitation is designed to encourage vendor rotation as recommended by the 2009 Texas Disparity Study.*

**SECTION 1: RESPONDENT AND REQUISITION INFORMATION**

- a. Respondent (Company) Name: \_\_\_\_\_ State of Texas VID #: \_\_\_\_\_  
 Point of Contact: \_\_\_\_\_ Phone #: \_\_\_\_\_  
 E-mail Address: \_\_\_\_\_ Fax #: \_\_\_\_\_
- b. Is your company a State of Texas certified HUB?  - Yes  - No
- c. Requisition #: \_\_\_\_\_ Bid Open Date: \_\_\_\_\_

(mm/dd/yyyy)

Enter your company's name here: \_\_\_\_\_ Requisition #: \_\_\_\_\_

**SECTION 2: RESPONDENT'S SUBCONTRACTING INTENTIONS**

After dividing the contract work into reasonable lots or portions to the extent consistent with prudent industry practices, and taking into consideration the scope of work to be performed under the proposed contract, including all potential subcontracting opportunities, the respondent must determine what portions of work, **including contracted staffing, goods and services will be subcontracted**. Note: In accordance with 34 TAC §20.282, a "Subcontractor" means a person who contracts with a prime contractor to work, to supply commodities, or to contribute toward completing work for a governmental entity.

a. Check the appropriate box (Yes or No) that identifies your subcontracting intentions:

- Yes, I will be subcontracting portions of the contract. (If Yes, complete Item b of this SECTION and continue to Item c of this SECTION.)
- No, I will not be subcontracting any portion of the contract, and I will be fulfilling the entire contract with my own resources, including employees, goods and services. (If No, continue to SECTION 3 and SECTION 4.)

b. List all the portions of work (subcontracting opportunities) you will subcontract. Also, based on the total value of the contract, identify the percentages of the contract you expect to award to Texas certified HUBs, and the percentage of the contract you expect to award to vendors that are not a Texas certified HUB (i.e., Non-HUB).

Item #	Subcontracting Opportunity Description	HUBs		Non-HUBs
		Percentage of the contract expected to be subcontracted to HUBs with which you <b>do not</b> have a <b>continuous contract*</b> in place for <b>more than five (5) years</b> .	Percentage of the contract expected to be subcontracted to HUBs with which you have a <b>continuous contract*</b> in place for <b>more than five (5) years</b> .	Percentage of the contract expected to be subcontracted to non-HUBs.
1		%	%	%
2		%	%	%
3		%	%	%
4		%	%	%
5		%	%	%
6		%	%	%
7		%	%	%
8		%	%	%
9		%	%	%
10		%	%	%
11		%	%	%
12		%	%	%
13		%	%	%
14		%	%	%
15		%	%	%
Aggregate percentages of the contract expected to be subcontracted:		%	%	%

(Note: If you have more than fifteen subcontracting opportunities, a continuation sheet is available online at <https://www.comptroller.texas.gov/purchasing/vendor/hub/forms.php>.)

c. Check the appropriate box (Yes or No) that indicates whether you will be using **only** Texas certified HUBs to perform **all** of the subcontracting opportunities you listed in SECTION 2, Item b.

- Yes (If Yes, continue to SECTION 4 and complete an "HSP Good Faith Effort - Method A (Attachment A)" for **each** of the subcontracting opportunities you listed.)
- No (If No, continue to Item d, of this SECTION.)

d. Check the appropriate box (Yes or No) that indicates whether the aggregate expected percentage of the contract you will subcontract **with Texas certified HUBs** with which you **do not** have a **continuous contract\*** in place with for **more than five (5) years**, **meets or exceeds** the HUB goal the contracting agency identified on page 1 in the "Agency Special Instructions/Additional Requirements."

- Yes (If Yes, continue to SECTION 4 and complete an "HSP Good Faith Effort - Method A (Attachment A)" for **each** of the subcontracting opportunities you listed.)
- No (If No, continue to SECTION 4 and complete an "HSP Good Faith Effort - Method B (Attachment B)" for **each** of the subcontracting opportunities you listed.)

**\*Continuous Contract:** Any existing written agreement (including any renewals that are exercised) between a prime contractor and a HUB vendor, where the HUB vendor provides the prime contractor with goods or service under the same contract for a specified period of time. The frequency the HUB vendor is utilized or paid during the term of the contract is not relevant to whether the contract is considered continuous. Two or more contracts that run concurrently or overlap one another for different periods of time are considered by CPA to be individual contracts rather than renewals or extensions to the original contract. In such situations the prime contractor and HUB vendor are entering (have entered) into "new" contracts.

Enter your company's name here: \_\_\_\_\_ Requisition #: \_\_\_\_\_

**SECTION 2: RESPONDENT'S SUBCONTRACTING INTENTIONS (CONTINUATION SHEET)**

This page can be used as a continuation sheet to the HSP Form's page 2, Section 2, Item b. Continue listing the portions of work (subcontracting opportunities) you will subcontract. Also, based on the total value of the contract, identify the percentages of the contract you expect to award to Texas certified HUBs, and the percentage of the contract you expect to award to vendors that are not a Texas certified HUB (i.e., Non-HUB).

Item #	Subcontracting Opportunity Description	HUBs		Non-HUBs
		Percentage of the contract expected to be subcontracted to HUBs with which you <b>do not</b> have a <b>continuous contract*</b> in place for <b>more than five (5) years</b> .	Percentage of the contract expected to be subcontracted to HUBs with which you have a <b>continuous contract*</b> in place for <b>more than five (5) years</b> .	Percentage of the contract expected to be subcontracted to non-HUBs.
16		%	%	%
17		%	%	%
18		%	%	%
19		%	%	%
20		%	%	%
21		%	%	%
22		%	%	%
23		%	%	%
24		%	%	%
25		%	%	%
26		%	%	%
27		%	%	%
28		%	%	%
29		%	%	%
30		%	%	%
31		%	%	%
32		%	%	%
33		%	%	%
34		%	%	%
35		%	%	%
36		%	%	%
37		%	%	%
38		%	%	%
39		%	%	%
40		%	%	%
41		%	%	%
42		%	%	%
43		%	%	%
Aggregate percentages of the contract expected to be subcontracted:		%	%	%

**\*Continuous Contract:** Any existing written agreement (including any renewals that are exercised) between a prime contractor and a HUB vendor, where the HUB vendor provides the prime contractor with goods or service under the same contract for a specified period of time. The frequency the HUB vendor is utilized or paid during the term of the contract is not relevant to whether the contract is considered continuous. Two or more contracts that run concurrently or overlap one another for different periods of time are considered by CPA to be individual contracts rather than renewals or extensions to the original contract. In such situations the prime contractor and HUB vendor are entering (have entered) into "new" contracts.

Enter your company's name here: _____	Requisition #: _____
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**SECTION 3: SELF PERFORMING JUSTIFICATION** (If you responded "No" to SECTION 2, Item a, you must complete this SECTION and continue to SECTION 4.) If you responded "No" to SECTION 2, Item a, in the space provided below **explain how** your company will perform the entire contract with its own employees, supplies, materials and/or equipment.

**SECTION 4: AFFIRMATION**

As evidenced by my signature below, I affirm that I am an authorized representative of the respondent listed in SECTION 1, and that the information and supporting documentation submitted with the HSP is true and correct. Respondent understands and agrees that, if awarded any portion of the requisition:

- The respondent will provide notice as soon as practical to all the subcontractors (HUBs and Non-HUBs) of their selection as a subcontractor for the awarded contract. The notice must specify at a minimum the contracting agency's name and its point of contact for the contract, the contract award number, the subcontracting opportunity they (the subcontractor) will perform, the approximate dollar value of the subcontracting opportunity and the expected percentage of the total contract that the subcontracting opportunity represents. A copy of the notice required by this section must also be provided to the contracting agency's point of contact for the contract no later than ten (10) working days after the contract is awarded.
- The respondent must submit monthly compliance reports (Prime Contractor Progress Assessment Report – PAR) to the contracting agency, verifying its compliance with the HSP, including the use of and expenditures made to its subcontractors (HUBs and Non-HUBs). (The PAR is available at <https://www.comptroller.texas.gov/purchasing/docs/hub-forms/ProgressAssessmentReportForm.xls>).
- The respondent must seek approval from the contracting agency prior to making any modifications to its HSP, including the hiring of additional or different subcontractors and the termination of a subcontractor the respondent identified in its HSP. If the HSP is modified without the contracting agency's prior approval, respondent may be subject to any and all enforcement remedies available under the contract or otherwise available by law, up to and including debarment from all state contracting.
- The respondent must, upon request, allow the contracting agency to perform on-site reviews of the company's headquarters and/or work-site where services are being performed and must provide documentation regarding staffing and other resources.

Signature	Printed Name	Title	Date <small>(mm/dd/yyyy)</small>
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**Reminder:**

- If you responded "Yes" to SECTION 2, Items c or d, you must complete an "HSP Good Faith Effort - Method A (Attachment A)" for each of the subcontracting opportunities you listed in SECTION 2, Item b.
- If you responded "No" SECTION 2, Items c and d, you must complete an "HSP Good Faith Effort - Method B (Attachment B)" for each of the subcontracting opportunities you listed in SECTION 2, Item b.



# HSP Good Faith Effort - Method A (Attachment A)

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Enter your company's name here: _____	Requisition #: _____
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**IMPORTANT:** If you responded "Yes" to **SECTION 2, Items c or d** of the completed HSP form, you must submit a completed "HSP Good Faith Effort - Method A (Attachment A)" for each of the subcontracting opportunities you listed in **SECTION 2, Item b** of the completed HSP form. You may photo-copy this page or download the form at <https://www.comptroller.texas.gov/purchasing/docs/hub-forms/hub-sbcont-plan-gfe-achm-a.pdf>

## SECTION A-1: SUBCONTRACTING OPPORTUNITY

Enter the item number and description of the subcontracting opportunity you listed in SECTION 2, Item b, of the completed HSP form for which you are completing the attachment.

Item Number: \_\_\_\_\_ Description: \_\_\_\_\_

## SECTION A-2: SUBCONTRACTOR SELECTION

List the subcontractor(s) you selected to perform the subcontracting opportunity you listed above in SECTION A-1. Also identify whether they are a Texas certified HUB and their Texas Vendor Identification (VID) Number or federal Employer Identification Number (EIN), the approximate dollar value of the work to be subcontracted, and the expected percentage of work to be subcontracted. When searching for Texas certified HUBs and verifying their HUB status, ensure that you use the State of Texas' Centralized Master Bidders List (CMBL) - Historically Underutilized Business (HUB) Directory Search located at <http://mycpa.cpa.state.tx.us/tpasscmbsearch/index.jsp>. HUB status code "A" signifies that the company is a Texas certified HUB.

Company Name	Texas certified HUB	Texas VID or federal EIN <small>Do not enter Social Security Numbers. If you do not know their VID / EIN, leave their VID / EIN field blank.</small>	Approximate Dollar Amount	Expected Percentage of Contract
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%

**REMINDER:** As specified in SECTION 4 of the completed HSP form, if you (respondent) are awarded any portion of the requisition, you are required to provide notice as soon as practical to all the subcontractors (HUBs and Non-HUBs) of their selection as a subcontractor. The notice must specify at a minimum the contracting agency's name and its point of contact for the contract, the contract award number, the subcontracting opportunity they (the subcontractor) will perform, the approximate dollar value of the subcontracting opportunity and the expected percentage of the total contract that the subcontracting opportunity represents. A copy of the notice required by this section must also be provided to the contracting agency's point of contact for the contract no later than ten (10) working days after the contract is awarded.

# HSP Good Faith Effort - Method B (Attachment B)

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Enter your company's name here: _____	Requisition #: _____
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**IMPORTANT:** If you responded “No” to **SECTION 2, Items c and d** of the completed HSP form, you must submit a completed “HSP Good Faith Effort - Method B (Attachment B)” for **each** of the subcontracting opportunities you listed in **SECTION 2, Item b** of the completed HSP form. You may photo-copy this page or download the form at <https://www.comptroller.texas.gov/purchasing/docs/hub-forms/hub-sbcont-plan-gfe-achm-b.pdf>.

## SECTION B-1: SUBCONTRACTING OPPORTUNITY

Enter the item number and description of the subcontracting opportunity you listed in SECTION 2, Item b, of the completed HSP form for which you are completing the attachment.

Item Number: \_\_\_\_\_ Description: \_\_\_\_\_

## SECTION B-2: MENTOR PROTÉGÉ PROGRAM

If respondent is participating as a Mentor in a State of Texas Mentor Protégé Program, submitting its Protégé (Protégé must be a State of Texas certified HUB) as a subcontractor to perform the subcontracting opportunity listed in **SECTION B-1**, constitutes a good faith effort to subcontract with a Texas certified HUB towards that specific portion of work.

Check the appropriate box (Yes or No) that indicates whether you will be subcontracting the portion of work you listed in SECTION B-1 to your Protégé.

- Yes (If *Yes*, continue to SECTION B-4.)
- No / Not Applicable (If *No* or *Not Applicable*, continue to SECTION B-3 and SECTION B-4.)

## SECTION B-3: NOTIFICATION OF SUBCONTRACTING OPPORTUNITY

When completing this section you **MUST** comply with items **a, b, c and d**, thereby demonstrating your Good Faith Effort of having notified Texas certified HUBs and trade organizations or development centers about the subcontracting opportunity you listed in SECTION B-1. Your notice should include the scope of work, information regarding the location to review plans and specifications, bonding and insurance requirements, required qualifications, and identify a contact person. When sending notice of your subcontracting opportunity, you are encouraged to use the attached HUB Subcontracting Opportunity Notice form, which is also available online at <https://www.comptroller.texas.gov/purchasing/docs/hub-forms/HUBSubcontractingOpportunityNotificationForm.pdf>.

Retain supporting documentation (i.e., certified letter, fax, e-mail) demonstrating evidence of your good faith effort to notify the Texas certified HUBs and trade organizations or development centers. Also, be mindful that a working day is considered a normal business day of a state agency, not including weekends, federal or state holidays, or days the agency is declared closed by its executive officer. The initial day the subcontracting opportunity notice is sent/provided to the HUBs and to the trade organizations or development centers is considered to be “day zero” and does not count as one of the seven (7) working days.

- a.** Provide written notification of the subcontracting opportunity you listed in SECTION B-1, to three (3) or more Texas certified HUBs. Unless the contracting agency specified a different time period, you must allow the HUBs at least seven (7) working days to respond to the notice prior to you submitting your bid response to the contracting agency. When searching for Texas certified HUBs and verifying their HUB status, ensure that you use the State of Texas’ Centralized Master Bidders List (CMBL) - Historically Underutilized Business (HUB) Directory Search located at <http://mycpa.cpa.state.tx.us/tpasscmbsearch/index.jsp>. HUB status code “A” signifies that the company is a Texas certified HUB.
- b.** List the **three (3) Texas certified HUBs** you notified regarding the subcontracting opportunity you listed in SECTION B-1. Include the company’s Texas Vendor Identification (VID) Number, the date you sent notice to that company, and indicate whether it was responsive or non-responsive to your subcontracting opportunity notice.

Company Name	Texas VID <small>(Do not enter Social Security Numbers.)</small>	Date Notice Sent <small>(mm/dd/yyyy)</small>	Did the HUB Respond?
			- Yes      - No
			- Yes      - No
			- Yes      - No

- c.** Provide written notification of the subcontracting opportunity you listed in SECTION B-1 to **two (2)** or more trade organizations or development centers in Texas to assist in identifying potential HUBs by disseminating the subcontracting opportunity to their members/participants. Unless the contracting agency specified a different time period, you must provide your subcontracting opportunity notice to trade organizations or development centers at least seven (7) working days prior to submitting your bid response to the contracting agency. A list of trade organizations and development centers that have expressed an interest in receiving notices of subcontracting opportunities is available on the Statewide HUB Program’s webpage at <https://www.comptroller.texas.gov/purchasing/vendor/hub/resources.php>.

- d.** List **two (2) trade organizations or development centers** you notified regarding the subcontracting opportunity you listed in SECTION B-1. Include the date when you sent notice to it and indicate if it accepted or rejected your notice.

Trade Organizations or Development Centers	Date Notice Sent <small>(mm/dd/yyyy)</small>	Was the Notice Accepted?
		- Yes      - No
		- Yes      - No

# HSP Good Faith Effort - Method B (Attachment B) Cont.

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Enter your company's name here: \_\_\_\_\_ Requisition #: \_\_\_\_\_

**SECTION B-4: SUBCONTRACTOR SELECTION**

Enter the item number and description of the subcontracting opportunity you listed in **SECTION 2, Item b**, of the completed HSP form for which you are completing the attachment.

- a. Enter the item number and description of the subcontracting opportunity for which you are completing this Attachment B continuation page.

Item Number: \_\_\_\_\_ Description: \_\_\_\_\_

- b. List the subcontractor(s) you selected to perform the subcontracting opportunity you listed in **SECTION B-1**. Also identify whether they are a Texas certified HUB and their Texas Vendor Identification (VID) Number or federal Employer Identification Number (EIN), the approximate dollar value of the work to be subcontracted, and the expected percentage of work to be subcontracted. When searching for Texas certified HUBs and verifying their HUB status, ensure that you use the State of Texas' Centralized Master Bidders List (CMBL) - Historically Underutilized Business (HUB) Directory Search located at <http://mycpa.cpa.state.tx.us/tpasscmbsearch/index.jsp>. HUB status code "A" signifies that the company is a Texas certified HUB.

Company Name	Texas certified HUB	Texas VID or federal EIN <small>Do not enter Social Security Numbers. If you do not know their VID / EIN, leave their VID / EIN field blank.</small>	Approximate Dollar Amount	Expected Percentage of Contract
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%
	- Yes    - No		\$	%

- c. If any of the subcontractors you have selected to perform the subcontracting opportunity you listed in **SECTION B-1** is **not** a Texas certified HUB, provide written justification for your selection process (attach additional page if necessary):

**REMINDER:** As specified in SECTION 4 of the completed HSP form, if you (respondent) are awarded any portion of the requisition, you are required to provide notice as soon as practical to **all** the subcontractors (HUBs and Non-HUBs) of their selection as a subcontractor. The notice must specify at a minimum the contracting agency's name and its point of contact for the contract, the contract award number, the subcontracting opportunity it (the subcontractor) will perform, the approximate dollar value of the subcontracting opportunity and the expected percentage of the total contract that the subcontracting opportunity represents. A copy of the notice required by this section must also be provided to the contracting agency's point of contact for the contract no later than ten (10) working days after the contract is awarded.



# HUB Subcontracting Opportunity Notification Form

In accordance with Texas Gov't Code, Chapter 2161, each state agency that considers entering into a contract with an expected value of \$100,000 or more shall, before the agency solicits bids, proposals, offers, or other applicable expressions of interest, determine whether subcontracting opportunities are probable under the contract. The state agency I have identified below in Section B has determined that subcontracting opportunities are probable under the requisition to which my company will be responding.

34 Texas Administrative Code, §20.285 requires all respondents (prime contractors) bidding on the contract to provide notice of each of their subcontracting opportunities to at least three (3) Texas certified HUBs (who work within the respective industry applicable to the subcontracting opportunity), and allow the HUBs at least seven (7) working days to respond to the notice prior to the respondent submitting its bid response to the contracting agency. In addition, at least seven (7) working days prior to submitting its bid response to the contracting agency, the respondent must provide notice of each of its subcontracting opportunities to two (2) or more trade organizations or development centers (in Texas) that serves members of groups (i.e., Asian Pacific American, Black American, Hispanic American, Native American, Woman, Service Disabled Veteran) identified in Texas Administrative Code §20.282(19)(C).

We respectfully request that vendors interested in bidding on the subcontracting opportunity scope of work identified in Section C, Item 2, reply no later than the date and time identified in Section C, Item 1. Submit your response to the point-of-contact referenced in Section A.

<b>SECTION A: PRIME CONTRACTOR'S INFORMATION</b>	
Company Name: _____	State of Texas VID #: _____
Point-of-Contact: _____	Phone #: _____
E-mail Address: _____	Fax #: _____

<b>SECTION B: CONTRACTING STATE AGENCY AND REQUISITION INFORMATION</b>	
Agency Name: _____	Phone #: _____
Point-of-Contact: _____	Bid Open Date: _____
Requisition #: _____	(mm/dd/yyyy)

**SECTION C: SUBCONTRACTING OPPORTUNITY RESPONSE DUE DATE, DESCRIPTION, REQUIREMENTS AND RELATED INFORMATION**

**1. Potential Subcontractor's Bid Response Due Date:**

If you would like for our company to consider your company's bid for the subcontracting opportunity identified below in Item 2, we must receive your bid response no later than \_\_\_\_\_ on \_\_\_\_\_ .  
Central Time Date (mm/dd/yyyy)

*In accordance with 34 TAC §20.285, each notice of subcontracting opportunity shall be provided to at least three (3) Texas certified HUBs, and allow the HUBs at least seven (7) working days to respond to the notice prior to submitting our bid response to the contracting agency. In addition, at least seven (7) working days prior to us submitting our bid response to the contracting agency, we must provide notice of each of our subcontracting opportunities to two (2) or more trade organizations or development centers (in Texas) that serves members of groups (i.e., Asian Pacific American, Black American, Hispanic American, Native American, Woman, Service Disabled Veteran) identified in Texas Administrative Code, §20.282(19)(C).*

*(A working day is considered a normal business day of a state agency, not including weekends, federal or state holidays, or days the agency is declared closed by its executive officer. The initial day the subcontracting opportunity notice is sent/provided to the HUBs and to the trade organizations or development centers is considered to be "day zero" and does not count as one of the seven (7) working days.)*

**2. Subcontracting Opportunity Scope of Work:**

**3. Required Qualifications:** - Not Applicable

**4. Bonding/Insurance Requirements:** - Not Applicable

**5. Location to review plans/specifications:** - Not Applicable

**Appendix I Mandatory Price Sheet.**

Respondent must include all costs for providing the Services for the items listed on the Mandatory Price Sheet, failure to provide pricing for all Mandatory Price Sheet line items may result in disqualification of a respondent's proposal. CPA requests that Respondents quote costs per Early Administration Period and Progress Tranches; however, CPA may, in its sole discretion, authorize payments on a monthly basis for items listed in Price Schedule 1 and Price Schedule 2. The not-to-exceed prices associated with the Services shall be inclusive of all travel, meals, lodging or other related expenses.

This Mandatory Price Sheet consists of three (3) Price Schedules:

- (1) Program Management costs for Section 50121 HOMES as detailed in Section II Part D.
- (2) Program Management costs for Section 50122 HEAR as detailed in Section II Part D.
- (3) Optional Features, Products, or Services.

Rebates to be issued to Beneficiaries are the dollar amounts that were proposed by SECO and approved by DOE for delivery to recipients. Texas was awarded \$340,560,918.30 to implement the HOMES Program. Texas has set a minimum amount of funds that will pass on to beneficiaries, in the form of grants, at \$276,308,135.55 for the HOMES Program. This leaves \$64,252,782.75 for the administrative budget for the Successful Respondent to implement the HOMES Program. Any cost saving from the Respondent's proposed administrative budget will be passed on, in the form of grants, to the beneficiaries to benefit the people of Texas. The table below outline the minimum funds to pass on to beneficiaries, in the form of grants, and the possible maximum amount the funds for the Respondent to consider for each Progress Tranche in the Proposal.

<b>Section 50121 HOMES Obligations</b>					
	<b>Early Administration Period</b>	<b>Progress Tranche 1</b>	<b>Progress Tranche 2</b>	<b>Progress Tranche 3</b>	<b>Progress Tranche 4</b>
Maximum Contractual Administrative Budget	\$ 1,992,782.75	\$ 18,560,000.00	\$ 17,395,000.00	\$ 14,425,000.00	\$ 11,880,000.00
Minimum Beneficiaries' Grant Funds	\$	\$ 64,260,524.22	\$ 85,004,259.58	\$ 70,850,303.73	\$ 56,193,048.02
<b>Total</b>	<b>\$ 1,992,782.75</b>	<b>\$ 82,820,524.22</b>	<b>\$ 102,399,259.58</b>	<b>\$ 85,275,303.73</b>	<b>\$ 68,073,048.02</b>

<b>Mandatory Price Schedule 1: Section 50121 HOMES (Refer to Section II, Section D of this RFP)</b>					
	<b>Cost for Work to be Performed in Early Administration Period</b>	<b>Cost for Work to be Performed in Progress Tranche 1</b>	<b>Cost for Work to be Performed in Progress Tranche 2</b>	<b>Cost for Work to be Performed in Progress Tranche 3</b>	<b>Cost for Work to be Performed in Progress Tranche 4</b>
Salary/Wages	\$	\$	\$	\$	\$
Fringe Benefits	\$	\$	\$	\$	\$
Travel	\$	\$	\$	\$	\$
Supplies	\$	\$	\$	\$	\$
Equipment	\$	\$	\$	\$	\$
Contractual	\$	\$	\$	\$	\$

Other	\$	\$	\$	\$	\$
Total Direct Costs	\$ -	\$ -	\$ -	\$ -	\$ -
Indirect Costs (15%)	\$	\$	\$	\$	\$
Proposed Total Contractual Administrative Budget	\$ -	\$ -	\$ -	\$ -	\$ -
Proposed Beneficiaries' Grant Funds	\$	\$	\$	\$	\$

Rebates to be issued to Beneficiaries are the dollar amounts that were proposed by SECO and approved by DOE for delivery to recipients. Texas was awarded \$339,242,795.50 to implement the HEAR Program. Texas has set a minimum amount of funds that will pass on to beneficiaries, in the form of grants, at \$280,435,000.00 for the HEAR Program. This leaves \$58,807,795.50 for the administrative budget for the Successful Respondent to implement the HEAR Program. Any cost saving from the Respondent's proposed administrative budget will be passed on, in the form of grants, to the beneficiaries to benefit the people of Texas. The table below outline the minimum funds to pass on to beneficiaries, in the form of grants, and the possible maximum amount the funds for the Respondent to consider for each Progress Tranche in the Proposal.

Section 50122 HEAR Obligations					
	Early Administration Period	Progress Tranche 1	Progress Tranche 2	Progress Tranche 3	Progress Tranche 4
Maximum Contractual Administrative Budget	\$ 1,992,782.75	\$ 16,861,993.47	\$ 15,735,822.68	\$ 13,298,772.98	\$ 10,918,423.62
Minimum Beneficiaries' Grant Funds	\$	\$ 65,629,000.00	\$ 86,268,000.00	\$ 71,647,000.00	\$ 56,891,000.00
Total	\$ 1,992,782.75	\$ 82,490,993.47	\$ 102,003,822.68	\$ 84,945,772.98	\$ 67,809,423.62

Mandatory Price Schedule 2: Section 50122 HEAR (Refer to Section II, Section D of this RFP)					
	Cost for Work to be Performed in Early Administration Period	Cost for Work to be Performed in Progress Tranche 1	Cost for Work to be Performed in Progress Tranche 2	Cost for Work to be Performed in Progress Tranche 3	Cost for Work to be Performed in Progress Tranche 4
Salary/Wages	\$	\$	\$	\$	\$
Fringe Benefits	\$	\$	\$	\$	\$
Travel	\$	\$	\$	\$	\$
Supplies	\$	\$	\$	\$	\$
Equipment	\$	\$	\$	\$	\$
Contractual	\$	\$	\$	\$	\$
Other	\$	\$	\$	\$	\$
Total Direct Costs	\$ -	\$ -	\$ -	\$ -	\$ -
Indirect Costs (15%)	\$	\$	\$	\$	\$

Proposed Total Contractual Administrative Budget	\$ -	\$ -	\$ -	\$ -	\$ -
Proposed Beneficiaries' Grant Funds	\$	\$	\$	\$	\$

<b>Price Schedule 3</b> <b>Optional Features, Products, or Services</b> <b>(Refer to Section II, Section D.9 of this RFP)</b>					
	Early Administration Period	Progress Tranche 1	Progress Tranche 2	Progress Tranche 3	Progress Tranche 4
<i>Insert lines as necessary for each offered Optional Feature, Product, or Service</i>	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$ -	\$ -	\$ -	\$ -	\$ -



# Federal Assistance Reporting Checklist

Attachment 2

1. Award Number: DE-SE0000066.0001	2. Program/Project Title: SCEP- IRA 50121 ALRD-2022 - Home Energy Rebates: Home Efficiency Rebates	
3. Recipient: State of Texas		
4. Reporting Requirements (see also the Special Instructions)	Frequency	Addresses
<b>I. PROJECT MANAGEMENT REPORTING</b>		
<input checked="" type="checkbox"/> A. Performance Report - Narrative	Q	A. <a href="#">PAGE System</a>
<input checked="" type="checkbox"/> B. Performance Report - Quantitative	Q	B. <a href="#">PAGE System</a>
<input checked="" type="checkbox"/> C. Financial Report (SF-425)	F, Q	C. <a href="#">PAGE System</a>
<input checked="" type="checkbox"/> D. Scientific and Technical Reporting		
<input checked="" type="checkbox"/> 1. Accepted Manuscript of Journal Article(s)	A5, P	D.1. <a href="#">OSTI E-Link</a>
<input checked="" type="checkbox"/> 2. Conference Product(s)	A5, P	D.2. <a href="#">OSTI E-Link</a>
<input checked="" type="checkbox"/> 3. Technical Report(s)	A5, P	D.3. <a href="#">OSTI E-Link</a>
<input checked="" type="checkbox"/> 4. Software & Manual(s)	A5, P	D.4. <a href="#">DOE CODE</a>
<input checked="" type="checkbox"/> 5. Dataset(s)	A5, P	D.5. <a href="#">OSTI E-Link Datasets</a>
<input checked="" type="checkbox"/> 6. Other STI (Dissertation / Thesis, etc.)	A5, P	D.6. <a href="#">OSTI E-Link</a>
<input checked="" type="checkbox"/> E. Intellectual Property Reporting		
<input checked="" type="checkbox"/> 1. Intellectual Property Reporting	A5, P	E.1. <a href="#">iEdison</a>
<input checked="" type="checkbox"/> 2. Invention Utilization Report	A5, P	E.2. <a href="#">iEdison</a>
<input type="checkbox"/> F. Project Management Plan (PMP)		F. <a href="#">PAGE System</a>
<input checked="" type="checkbox"/> G. Special Status Report	A5	G. See section I.G. for instructions and due dates
<input checked="" type="checkbox"/> H. Progress Tranche Summary Report	A5	H. <a href="#">PAGE System</a>
<input checked="" type="checkbox"/> I. Other Project Management Reporting (see Special Instructions)		I. See Special Instructions
<input checked="" type="checkbox"/> 1. Deferred Narrative Document Responses	A5	1. <a href="#">PAGE System</a>
<input checked="" type="checkbox"/> 2. Privacy and Risk Assessment of State Systems	A5	2. <a href="#">PAGE System</a>
<input checked="" type="checkbox"/> 3. Outreach and Education Strategy	A5	3. <a href="#">PAGE System</a>
<input checked="" type="checkbox"/> 4. Utility Data Access Plan (Only required for 50121)	A5	4. <a href="#">PAGE System</a>
<input checked="" type="checkbox"/> 5. Consumer Protection Plan	A5	5. <a href="#">PAGE System</a>
<input checked="" type="checkbox"/> 6. Market Transformation Plan	A5	6. Determined by DOE
<input checked="" type="checkbox"/> 7. Community Benefits Plan	A5	7. <a href="#">PAGE System</a>
<input checked="" type="checkbox"/> 8. Security and Privacy Controls documentation	A5	8. <a href="#">PAGE System</a>
<input checked="" type="checkbox"/> 9. Evaluation Plan (Not required if participating in DOE-led impact evaluation)	Q	9. <a href="#">PAGE System</a>
<input checked="" type="checkbox"/> 10. Pre-Launch Information	A5	10. DOE Project Officer
<input checked="" type="checkbox"/> 11. Rebate Transaction Data	A5	11. <a href="#">PNNL</a>
<input checked="" type="checkbox"/> 12. Programmatic Data Tracking	A5	12. <a href="#">PAGE System</a>
<input checked="" type="checkbox"/> 13. Final Evaluation Results (Not required if participating in DOE-led impact evaluation)	Q	13. <a href="#">PAGE System</a>
<input checked="" type="checkbox"/> 14. IRA Supplemental Annual Data Report	Y	14. <a href="#">PAGE System</a>
<input checked="" type="checkbox"/> 15. IRA Home Energy Rebates Program Planned Activities	Q	15. <a href="#">PAGE System</a>
<b>II. AWARD MANAGEMENT REPORTING</b>		
<input checked="" type="checkbox"/> A. Current and Pending Support	A5	A. <a href="#">PAGE System</a>
<input checked="" type="checkbox"/> B. Demographic Reporting	A5	B. <a href="#">PAGE System</a>
<input checked="" type="checkbox"/> C. Financial Conflict of Interest Report	A5	C. <a href="#">PAGE System</a>
<input type="checkbox"/> D. Tangible Personal Property Report - Annual Property Report (SF-428 & SF-428A)		D. <a href="#">PAGE System</a>
<input checked="" type="checkbox"/> E. Tangible Personal Property Report – Disposition Request/Report (SF-428 & SF-428C)	A5	E. <a href="#">PAGE System</a>
<input checked="" type="checkbox"/> F. Uniform Commercial Code (UCC) Financing Statements	A5	F. See section II. F. for instructions and due dates
<input checked="" type="checkbox"/> G. Federal Subaward Reporting System (FSRS)	A5	G. <a href="#">FSRS</a>
<input checked="" type="checkbox"/> H. Annual Incurred Cost Proposal	Y180	H. See section II. H. for instructions and due dates
<input type="checkbox"/> I. DOE For-Profit Compliance Audit		I. See section II. I. for instructions and due dates
<input checked="" type="checkbox"/> J. Single Audit: States, Locals, Tribal Governments, and Non-Profits	O	J. See section II. J. for instructions and due dates





# Federal Assistance Reporting Checklist

Attachment 2

<p><input checked="" type="checkbox"/> K. Other Award Management Reporting (see Special Instructions)</p> <p>    <input checked="" type="checkbox"/> 1. Invoice documentation</p> <p>    <input type="checkbox"/> 2. Trafficking in Persons</p> <p><b>III. CLOSEOUT REPORTING</b></p> <p><input checked="" type="checkbox"/> A. Final Scientific/Technical Report</p> <p><input type="checkbox"/> B. Invention Certification (DOE F 2050.11)</p> <p><input checked="" type="checkbox"/> C. Tangible Personal Property Report – Final Report (SF-428 &amp; SF-428B)</p> <p><input checked="" type="checkbox"/> D. Verification of Receipt of Accepted Manuscripts</p> <p><input type="checkbox"/> E. Other Closeout Reporting (see Special Instructions)</p> <p><b>IV. POST-PROJECT REPORTING</b></p> <p><input checked="" type="checkbox"/> A. Scientific and Technical Reporting</p> <p><input checked="" type="checkbox"/> B. Intellectual Property Reporting</p> <p><b>V. Bipartisan Infrastructure Law/Inflation Reduction Act Reporting</b></p> <p><input checked="" type="checkbox"/> A. Community Benefits Report</p> <p><input type="checkbox"/> B. Boosting Domestic Manufacturing</p> <p><input checked="" type="checkbox"/> C. Quality Job Creation</p> <p>    <input type="checkbox"/> 1. Direct Jobs</p> <p>    <input type="checkbox"/> 2. Training Outcomes</p> <p>    <input checked="" type="checkbox"/> 3. Good Jobs Outcomes</p> <p>    <input type="checkbox"/> 4. Permanent Jobs</p> <p><input type="checkbox"/> D. Equity and Justice</p> <p>    <input type="checkbox"/> 1. Community Engagement Process</p> <p>    <input type="checkbox"/> 2. Engagement Events and Technical Assistance</p> <p>    <input type="checkbox"/> 3. Community Ownership</p> <p><input type="checkbox"/> E. Pathway to Net-Zero</p> <p>    <input type="checkbox"/> 1. Infrastructure Supported</p> <p>    <input type="checkbox"/> 2. Hydrogen Production</p> <p>    <input type="checkbox"/> 3. Carbon Capture, Removal, and Storage</p> <p>    <input type="checkbox"/> 4. Energy Saved</p> <p><input type="checkbox"/> F. Davis Bacon Act Semi-Annual Labor Compliance Report</p> <p><input type="checkbox"/> G. Locations of Work</p>	<p>K. See Special Instructions</p> <p>    1. Determined by DOE</p> <p><b>A5</b></p> <p><b>F</b> A. <a href="#">OSTI E-Link</a></p> <p>    B. <a href="#">PAGE System</a></p> <p><b>F</b> C. <a href="#">PAGE System</a></p> <p><b>F</b> D. See section III.D. for instructions and due dates</p> <p>    E. See Special Instructions</p> <p><b>P</b> A. <a href="#">OSTI E-Link</a></p> <p><b>P</b> B. <a href="#">iEdison</a></p> <p><b>A5, Y, F</b> A. <a href="#">PAGE System</a></p> <p>    B. <a href="#">PAGE System</a></p> <p><b>A5, Y, F</b> C.1. <a href="#">LCPtracker</a></p> <p>    C.2. <a href="#">PAGE System</a></p> <p>    C.3. <a href="#">PAGE System</a></p> <p>    C.4. <a href="#">PAGE System</a></p> <p>D.1. <a href="#">PAGE System</a></p> <p>D.2. <a href="#">PAGE System</a></p> <p>D.3. <a href="#">PAGE System</a></p> <p>E.1. <a href="#">PAGE System</a></p> <p>E.2. <a href="#">PAGE System</a></p> <p>E.3. <a href="#">PAGE System</a></p> <p>E.4. <a href="#">PAGE System</a></p> <p>F. <a href="#">PAGE System</a></p> <p>G. <a href="#">Applicable only to OCED &amp; FECM. Program Offices to complete</a></p>
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# Federal Assistance Reporting Checklist

Attachment 2

## FREQUENCY CODES AND DUE DATES:

**A5** – As Specified or within five (5) calendar days after the event.

**F** – Final; within 120 calendar days after expiration or termination of the award.

**O** – Other: See instructions for further details.

**P** – Post-project (after the period of performance); within five (5) calendar days after the event, or as specified.

**Q** – Quarterly; within 30 calendar days after the end of the federal fiscal year quarter.

**S** – Semiannually; within 30 days after end of the reporting period.

**Y** – Yearly; within 90 calendar days after the end of the federal fiscal year.

**Y180** – Yearly; within 180 calendar days after the close of the recipient’s fiscal year.

## FULL URLS:

OSTI E-Link: <http://www.osti.gov/elink-2413>

OSTI E-Link Datasets: <https://www.osti.gov/elink/2416-submission.jsp>

DOE CODE: <https://www.osti.gov/doecode/>

iEdison: <http://www.iedison.gov>

DOE PAGE: <https://page.energy.gov>

FRRS: <https://www.frrs.gov>

LCPtracker: <https://www.lcptracker.com>

## Special Instructions:

### PROJECT MANAGEMENT REPORTING

#### I.I. Other Project Management Reporting (Special Instructions)

1. Deferred Narrative Document Responses: All Narrative Document responses deferred at the time of application must be resubmitted to DOE as part of the State Implementation Blueprint 60 days prior to planned rebate program launch.

State Implementation Blueprint (found in [Home Energy Rebate \(HER\) Program Requirements & Application Instructions](#)) : The State Implementation Blueprint consists of the documents outlined below. Each of these is due 60 days prior to planned rebate program launch, unless otherwise noted. All State Implementation Blueprint documents should be submitted through the DOE PAGE system. State Implementation Blueprint documents:

2. Privacy and Risk Assessment of State Systems
3. Outreach and Education Strategy
4. Utility Data Access Plan (Only required for 50121)
5. Consumer Protection Plan (Consumer Protection Plan must be reviewed every 2 years, adjusted based on lessons learned, and changes must be shared with DOE, contractors, aggregators, and third-party inspectors.)
6. Market Transformation Plan – Market Transformation Plan can be submitted up to 1 year after award date.
7. Community Benefits Plan
8. Security and Privacy Controls documentation (found in the [HER Program Requirements & Application Instructions](#)) is due upon DOE request.
9. Evaluation Plan (found in [HER Program Requirements & Application Instructions](#)) is due within three months of rebate program launch and submitted through PAGE. The Evaluation Plan is submitted through PAGE. If a state chooses to participate in DOE-led impact evaluation an Evaluation Plan is not required.
10. Pre-Launch Information (found in [Data & Tools Requirements Guide](#)) is due at least 60 days before program launch and submitted to DOE Project Officer.
  - i. **Note:** If the state chooses to submit an alternative workflow instead of the DOE/PNNL workflows, the alternative needs to be submitted at least 60 days prior to program launch. For states not using the CESJT to designate disadvantaged communities, they must propose an alternative map for DACs and provide a shapefile to DOE/PNNL no later than 60 days prior to launch.
11. Rebate Transaction Data (found in [Data & Tools Requirements Guide](#)) is due monthly on 30 days after the last day of the prior month if the DOE/PNNL Rebate Tracking and Reporting Tool Real Time API connection is not used. Data should be submitted on [PNNL Administrative Portal](#).
12. Programmatic Data (found in [Data & Tools Requirements Guide](#)) Tracking is due monthly and submitted through DOE PAGE.
13. Final Evaluation Results (found in the [HER Program Requirements & Application Instructions](#)) are due within 18 months of evaluation approval, or the agree-upon timeline in the evaluation plan. DOE may require another evaluation depending on the results of their first evaluation. The results are submitted through PAGE. If a state chooses to participate in DOE-led impact evaluation, Final Evaluation Results are not required.
14. The IRA Supplemental Annual Data Report form will be used to uniformly collect data on the outputs and outcomes of IRA-funded activities. The IRA Supplemental Annual Data Report shall be submitted annually within 90 days of the end of each IRA Program Year, which is a 365-day period upon the day rebates become available to consumers. Grantees should only complete the portions of the form that correspond to the grantee’s activities. A template report will be provided to grantees by the DOE Project Officer.
15. IRA Home Energy Rebates Program Planned Activities will be used to collect performance data of IRA Home Energy Rebates Program activities and outputs on a quarterly basis. Information is to be submitted via [PAGE System](#) at each quarterly reporting period, which is within 30 calendar days after the end of the quarterly reporting period (Due dates would thus be January 30, April 30, July 30, October 30).

### AWARD MANAGEMENT REPORTING

#### II.K. Other Award Management Reporting (Special Instructions)



# Federal Assistance Reporting Checklist

## Attachment 2

1. Invoice documentation (found in the [HER Program Requirements & Application Instructions](#)) for work performed is as due upon request in the event of an audit. Invoice documentation refers to the documentation that provides details about the work that was carried out.

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# Federal Assistance Reporting Checklist

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## Reporting Instructions

**\*\*\* Throughout the performance of the project, it is important that you mark Protected Data/Limited Rights Data as described in Appendix A. It is equally important that you not submit Protected Personally Identifiable Information (Protected PII) to DOE. See Appendix A for guidance on Protected PII. \*\*\***

### I. Project Management Reporting

#### A. Performance Report Narrative (PRN)

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Within 30 calendar days after the end of the quarterly reporting period (January 30, April 30, July 30, October 30)

Every quarter, the prime recipient is required to submit a Performance Report - Narrative (PRN) and a Performance Report Quantitative (PRQ) for the project. Together these two documents summarize the entirety of work performed by the prime recipient, subrecipients, and contractors. The Performance Report - Narrative contains qualitative information on the project progress. The Performance Report - Quantitative captures quantitative information on the project progress. The PRN must include the following information. A PRN Template is available at <https://www.energy.gov/infrastructure/reporting-checklists> with the intent to reduce the administrative burden by promoting the use of common formats.

#### 1. Cover Page

- a. Federal Agency and Organization Element to Which Report is Submitted
- b. Federal Grant or Other Identifying Number Assigned by Agency
- c. Project Title
- d. Program Director/Principal Investigator/Lead Project Manager (PD/PI) Name, Title, and Contact Information (e-mail address and phone number)
- e. Business Contact Name, Title, and Contact Information (e-mail address and phone number)
- f. Submission Date
- g. Recipient Organization (Name and Address)
- h. Period of Performance (Start Date, End Date)
- i. Budget Period (Start Date, End Date)
- j. Reporting Period (Start Date, End Date)



# Federal Assistance Reporting Checklist

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- k. Certification by the Submitting Official that includes: Signature of Submitting Official (electronic signatures (i.e., Adobe Acrobat) are acceptable); date of signature; and the following certification statement:

By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate. I am aware that any false, fictitious, or fraudulent information, misrepresentations, half-truths, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise. (U.S. Code Title 18, Section 1001, Section 287 and Title 31, Sections 3729-3730). I further understand and agree that the information contained in this report are material to Federal agency's funding decisions and I have an ongoing responsibility to promptly update the report within the time frames stated in the terms and conditions of the above referenced Award, to ensure that my responses remain accurate and complete.

## 2. Summary

The purpose of the Summary is to describe a high-level status on the items listed below. This section should be a mix of short paragraphs and bullet points.

### Major Goals and Objectives

Provide a summary of the major project goals and objectives. This should be the same from quarter to quarter and align with the Statement of Project Objectives (SOPO)/Statement of Work (SOW).

### Technical Achievement(s)

Provide a summary of all significant technical progress of the project in achieving objective and programmatic goals during the life of the project. This should include key outcomes or other achievements, such as major findings, developments, or conclusions (both positive and negative), information dissemination, etc. This section should be a cumulative summary of technical achievements with newly added comments for the current reporting period highlighted.

### Impact

State how the findings, results, or techniques developed in this project will continue to make an impact on the specific fields of research in this project and in other disciplines, which may include training and educational experiences; human resource development in science, engineering, and technology; technology transfer; and societal impacts.

### Project Schedule Status

Provide a narrative summary of the status of tasks with respect to the plan for the quarter and budget period. If deviations from the schedule are noted, describe the



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impacts and mitigation alternatives that are in place or planned in the Changes/Problems section below.

## Project Budget Status

Provide a summary of the project expenditures and costs with respect to the plan for the quarter and budget period. If applicable, describe the variance, associated impacts, and mitigation alternatives that are in place or planned in the Changes/Problems section below.

## Changes/Problems

Include any planned or anticipated changes to scope, schedule, or budget. Proposed award modifications noted solely within a Performance Report do not constitute a proposed award modification. Significant changes to the award scope, schedule, and budget must be submitted to the Grants Management Specialist and the Project Officer and must be approved by the Grants Officer. If there is nothing significant to report during this reporting period, state "Nothing to Report."

### **Key Personnel Changes**

Describe planned or actual changes in principal investigator, business contacts, or senior/key personnel and the impact to achieving project objectives.

### **Scope Issues**

Describe issues with completing the required project scope identified in the SOPO/SOW, the impacts to achieving project objectives and program goals if applicable, and proposed mitigation alternatives. The quantitative impact to achievement of Technical Milestones and Go/No Go decision points and key deliverables should also be addressed.

### **Schedule Issues**

Describe issues with achieving the planned activities identified in the project schedule and the impact to the award budget period end dates and the overall award period of performance. The quantitative impact to the timing of Technical Milestones and Go/No Go decision points, and key deliverables should also be addressed.

### **Budget Issues**

Describe changes during the reporting period that may have a significant positive or negative impact on expenditures or the overall budget.

## **3. Special Reporting**

Respond to any special reporting requirements specified in the award Terms and Conditions, as well as any award specific reporting requirements outlined in the FARC Special Instructions.





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## B. Performance Report Quantitative (PRQ)

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Within 30 calendar days after the end of the quarterly reporting period (January 30, April 30, July 30, October 30)

Every quarter, the prime recipient is required to submit a Performance Report Narrative (PRN) and a Performance Report - Quantitative (PRQ) for the project. Together these two documents summarize the entirety of work performed by the prime recipient, subrecipients, and contractors. The Performance Report - Narrative contains qualitative information on the project progress. The Performance Report - Quantitative captures quantitative information on the project progress. The PRQ must include the following information. A PRQ Template is provided at <https://www.energy.gov/infrastructure/reporting-checklists> with the intent to reduce the administrative burden by promoting the use of common formats.

### 1. Organizations

Identify all subrecipients, contractors, U.S. National Laboratories, partners, and collaborating organizations. Recipients must also include all foreign collaborators as outlined in the Foreign Collaboration Considerations term of the award Terms and Conditions. For each, provide name, UEI, zip code or latitude/longitude, role in the project, contribution to the project, and start and end date.

### 2. Tasks and Milestones

Enter all tasks and milestones identified in your Statement of Project Objectives (SOPO) Project Management Plan (PMP), or other document which outlines your project scope, schedule and budget, Community Benefits Plan (CBP), and Cybersecurity Plan (if directed by your DOE Project Team). Each quarter, update the status of the task/milestone, the physical percent complete, and, when applicable, the actual month complete.

### 3. Contractual Cost Summary

For each subrecipient and contractor working on the project (excluding FFRDCs), provide a summary of the work, approved budget, and actual expenses.

### 4. Cost Summary

Using your approved budget, enter the project costs by budget category and report actual expenses each quarter. Also include budgeted and actual recipient cost share.

### 5. Spend Plan

For both federal and recipient cost share, enter the planned spending for the entire project period. Planned spend means when the project team anticipates incurring costs. Each quarter, update with actual federal and recipient spend.



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## 6. Earned Value Management

When required by your DOE project team, complete the table for Earned Value Management.

## 7. Products

### What has the project produced?

List any products resulting from the project during the reporting period. Specific product submission instructions can be found in [Scientific and Technical Reporting](#). Examples of products include: publications, conference papers, and presentations; website(s); technologies or techniques; inventions, patent applications, and/or licenses; and other products, such as data or databases, physical collections, audio or video products, software or NetWare, models, educational aids or curricula, instruments or equipment, research material, interventions (e.g., clinical or educational), new business creation or any other public release of information related to the project.

#### a. Publications, conference papers, and presentations

Report the publication(s) resulting from the work under this award.

Please note: Recipients must use the DOE acknowledgement and legal disclaimer language as described in the Special Terms and Conditions.

The recipient is reminded that all data produced under the award should comply with the award's plan (DMP) if applicable. The DMP provides a plan for making all research data displayed in publications resulting from the proposed work digitally accessible at the time of publication. At a minimum, the DMP (1) describes how data sharing and preservation will enable validation of the results from the proposed work, how the results could be validated if data are not shared or preserved and (2) has a plan for making all research data displayed in publications resulting from the proposed work digitally accessible at the time of publications.

#### i. Accepted Manuscript(s) of Journal Article

List peer-reviewed articles or papers that have been submitted for publication in scientific, technical, or professional journals. Include any paper submitted for peer-reviewed publication in the periodically published proceedings of a scientific society, a conference, or the like. A publication in the proceedings of a one-time conference, not part of a series, should be reported under "Books or other non-periodical, one-time publications."

Identify for each publication: Author(s); title; journal; volume: year; page numbers; status of publication (published; accepted, awaiting publication; submitted, under review; other); acknowledgement of federal support (yes/no);



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legal disclaimer language (yes/no). Also see instructions under **II. Scientific/Technical Reporting** regarding the submission of accepted manuscripts and other STI as appropriate.

**ii. Books or other non-periodical, one-time publications**

Report any book, monograph, dissertation, abstract, or the like published as or in a separate publication, rather than a periodical or series. Include any significant publication in the proceedings of a one-time conference or in the report of a one-time study, commission, or the like.

Identify for each one-time publication: author(s); title; editor; title of collection, if applicable; bibliographic information; year; type of publication (book, thesis or dissertation, other); status of publication (published; accepted, awaiting publication; submitted, under review; other); acknowledgement of federal support (yes/no); legal disclaimer language (yes/no).

**iii. Other publications, conference papers and presentations**

Identify any other publications, conference papers and/or presentations not reported above. Specify the status of the publication as noted above.

**b. Website(s)**

List the URL for any Internet site(s) that disseminates the results of the research activities. A short description of each site should be provided. It is not necessary to include the publications already specified above in this section.

**c. Technologies or techniques**

Identify technologies or techniques that have resulted from the research activities. Describe the technologies or techniques and how they are being shared.

**d. Inventions, patent applications, and/or licenses**

Identify inventions, patent applications with date, and/or licenses that have resulted from the research. Submission of this information as part of an interim report or Final Technical Report is not a substitute for any other invention reporting required under the terms and conditions of an award.

**e. Other products**

Identify any other significant products that were developed under this project. Describe the product and how it is being shared. Examples of other products are: Data or databases; Physical collections; Audio or video products; Software or NetWare; Models; Educational aids or curricula; Instruments or equipment; Research material (e.g., germplasm, cell lines, DNA probes, animal models); Interventions (e.g. clinical, educational); new business creation; and Other.

## 8. Participants



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The following information on participants (individuals) was provided during award negotiations. On a quarterly basis, provide updates as needed. For changes to covered individuals, please refer to the Current and Pending Support reporting for additional requirements.

**a. What individuals have worked on the project?**

Provide the following information for individuals at the prime recipient and subrecipient level: (1) all covered individuals as defined in the Terms and Conditions, and (2) each person who has worked or is expected to work at least one person month per year on the project regardless of the source of compensation (a person month equals approximately 160 hours of effort).

- i. Name
- ii. Organization
- iii. Job Title
- iv. Role in the project
- v. Start and end date (month and year) working on the project
- vi. State, U.S. territory, and/or country of residence
- vii. Whether this person collaborated with an individual or entity located in a foreign country in connection with the scope of this Award, and
- viii. If yes to a.vii, whether the person traveled to the foreign country as part of that collaboration, and, if so, where and what the duration of stay was.

**9. Special Reporting Requirements**

Respond to any special reporting requirements specified in the award terms and conditions, as well as any award specific reporting requirements.

**C. Financial Report SF-425 Federal Financial Report**

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Within 30 calendar days after the end of the quarterly reporting period (January 30, April 30, July 30, October 30) <b>and</b> within 120 calendar days after expiration or termination of the award

Every quarter, the prime recipient is required to submit a completed SF-425 for the project to DOE, covering the entirety of work performed by the prime recipient, subrecipients, and contractors – to DOE. A fillable version of the SF-425 is available at [Post-Award Reporting Forms | Grants.gov](#).

**D. Scientific and Technical Reporting**

The dissemination of scientific and technical information (STI) ensures public access to the results of federally funded research. STI refers to information products in any medium or format used to convey results, findings, or technical innovations from research and



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development or other scientific and technological work that are prepared with the intention of being preserved and disseminated in the broadest sense applicable (i.e., to the public or, in the case of controlled unclassified information or classified information, disseminated among authorized individuals). By properly submitting STI to DOE Energy Link System (E-Link), the information will be made available to the public through OSTI.GOV.

**NOTE: SCIENTIFIC/TECHNICAL PRODUCTS INTENDED FOR PUBLIC RELEASE MUST NOT CONTAIN PROTECTED PERSONALLY IDENTIFIABLE INFORMATION (PII).** Please refer to **Appendix A for more information.**

**NOTE: For awards made after August 8, 2024, the digital persistent identifier (e.g., ORCID iD) for individuals must be used when publishing products (when that is an option). The digital persistent identifier for individuals must be provided when reporting outputs to the Department of Energy Office of Scientific and Technical Information (DOE OSTI).**

## 1. Accepted Manuscript of Journal Article

Submit to:	DOE Energy Link System (E-Link) available at <a href="http://www.osti.gov/elink-2413">http://www.osti.gov/elink-2413</a>
Submission deadline:	No later than the published online date of the article

Public access to scholarly publications is enabled by providing the Accepted Manuscript (AM) of the Journal Article to DOE OSTI and is consistent with the U.S. Government's retained license to published results of federally-funded research. If the recipient has a journal article accepted for publication which includes information/data produced under the award, then the recipient must submit an AN 241.3, as described below, no later than the published online date of the article.

**Content.** The recipient is to provide the final peer-reviewed AM, i.e., the version of a journal article that has been peer reviewed and accepted for publication in a journal. Do NOT submit the journal's published version of the article, i.e., do NOT submit a copyrighted reprint.

DOE will make no additional review of the content of the AM because the AM is the version of the journal article with the content to be published (i.e., publicly released) by the journal publisher.

The recipient must self-certify at the time of submission to DOE via E-Link that the content is appropriate and that it is not a copyrighted reprint, i.e., the final version of the published article. Recipients are reminded that the article is to include an acknowledgement of federal support and a legal disclaimer as required in the "Publications" Term in the award Special Terms and Conditions.



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The recipient is also reminded that all data produced under the award should comply with the award's data management plan (DMP). The DMP provides a plan for making all research data displayed in publications resulting from the proposed work digitally accessible at the time of publication. At a minimum, the DMP (1) describes how data sharing and preservation will enable validation of the results from the proposed work, how the results could be validated if data are not shared or preserved and (2) has a plan for making all research data displayed in publications resulting from the proposed work digitally accessible at the time of publications.

Electronic Submission Process. The AM of the Journal Article must be provided electronically via the DOE Energy Link System (E-Link) and must be accompanied by a completed DOE Announcement Notice (AN) 241.3 (<http://www.osti.gov/elink-2413>).

## 2. Conference Product(s)

Submit to:	DOE Energy Link System (E-Link) available at <a href="http://www.osti.gov/elink-2413">http://www.osti.gov/elink-2413</a>
Submission deadline:	Within five (5) calendar days after the event, or as specified

The recipient must submit a copy of any scientific/technical conference papers, proceedings, or presentations.

Content: The content should include a copy of the paper, presentation, or proceeding and: (1) name of conference; (2) location of conference; (3) date of conference; and (4) conference sponsor. Also include an acknowledgement of federal support and a legal disclaimer as described in the Special Terms and Conditions.

Electronic Submission Process: Scientific/technical conference proceedings, papers/presentations or must be submitted via the DOE Energy Link System (E-Link) with a completed DOE Announcement Notice (AN) 241.3 (<https://www.osti.gov/elink-2413>).

The recipient is responsible for ensuring the suitability of the content for public release. The terms and conditions of award provide that submissions must not contain any Protected Personally Identifiable Information (PII), limited rights data (proprietary data), classified information, information subject to export control classification, or other information not subject to release.

## 3. Technical Report(s)

Submit to:	DOE Energy Link System (E-Link) available at <a href="http://www.osti.gov/elink-2413">http://www.osti.gov/elink-2413</a>
Submission deadline:	Within five (5) calendar days after the event, or as specified



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The recipient must submit a copy of any scientific/technical reports.

Content: The content should include a copy of the report as well as an acknowledgement of federal support and a legal disclaimer as described in the Special Terms and Conditions.

Electronic Submission Process: Scientific/technical reports must be submitted via the DOE Energy Link System (E-Link) with a completed DOE Announcement Notice (AN) 241.3 (<https://www.osti.gov/elink-2413>).

The recipient is responsible for ensuring the suitability of the content for public release. The terms and conditions of award provide that submissions must not contain any Protected Personally Identifiable Information (PII), limited rights data (proprietary data), classified information, information subject to export control classification, or other information not subject to release.

#### 4. Software & Manual(s)

Submit to:	DOE CODE: <a href="https://www.osti.gov/doecode/">https://www.osti.gov/doecode/</a>
Submission deadline:	Within five (5) calendar days after the event, or as specified

The recipient must submit all software deliverables created under the award, as well as any accompanying documentation or manuals.

DOE CODE is DOE’s software services platform for submitting and searching for software resulting from DOE-funded research. Through submission to DOE CODE, users have the option to obtain a Digital Object Identifier (DOI) for the code, making it more easily discoverable, citable, and shared.

Content. When a recipient submits software to OSTI through DOE CODE, a set of required metadata elements and a link to the software repository must be provided.

Submission Process. Recipients will submit software by going to <https://www.osti.gov/doecode/>. Before submissions can be made, the recipient will be required to create an account. The recipient may create an account by visiting the top right of the DOE CODE homepage. Once the account is created, submissions may be made through the submit software/code link on the homepage. For more information about DOE CODE please visit <https://www.osti.gov/doecode/faq>.

#### 5. Dataset(s)



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Submit to:	DOE Energy Link System (E-Link) available at <a href="https://www.osti.gov/mlink/241-6-submission.jsp">https://www.osti.gov/mlink/241-6-submission.jsp</a>
Submission deadline:	Within five (5) calendar days after the event, or as specified

Scientific/technical datasets (data-streams, data files, etc.) support the technical reports and published literature resulting from DOE-funded research. They are also recognized as valuable information entities in their own right that, now and in the future, need to be available for citation, discovery, retrieval, and reuse. The assignment and registration of a Digital Object Identifier (DOI) is a free service for DOE-funded researchers which is provided by OSTI to enhance access to this important resource. In order to obtain a DOI, provide to OSTI the specific data elements relevant to the dataset, as specified in DOE AN 241.6.

Content. If the recipient generates publicly available datasets resulting from work funded by DOE, they may announce these datasets to OSTI and have them registered with DataCite to obtain a DOI, which ensures long-term linkage between the DOI and the dataset's location. To register and publicly announce a dataset, the recipient must provide an AN 241.6, including the required data elements needed for describing the dataset. Note: Do NOT submit the dataset itself, only the metadata for registering the dataset, obtaining a DOI, and announcing its availability.

Electronic Submission Process. Notification of scientific datasets must be submitted electronically via the DOE Energy Link System (E-Link) and must be accompanied by a completed DOE Announcement Notice (AN) 241.6 (<https://www.osti.gov/mlink/241-6-submission.jsp>). Within the AN 241.6, provide relevant information about the dataset as well as the URL where the dataset can be accessed.

## 6. Other STI (Dissertation / Thesis, etc.)

Submit to:	<a href="http://www.osti.gov/mlink-2413">http://www.osti.gov/mlink-2413</a>
Submission deadline:	Within five (5) calendar days after the event, or as specified

Recipients are encouraged to announce other forms of STI especially if they are the primary means by which certain research results are disseminated or if they contain research results not already announced to DOE by the recipient in technical reports, accepted journal articles, conference products, software, and datasets.





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Other types of scientific and technical information produced which may be used for public dissemination of project results include: dissertation/thesis, patent, book, or other similar products. These types of STI may also be announced using DOE AN 241.3 by following instructions on the E-Link website (<http://www.osti.gov/elink-2413>).

## E. Intellectual Property Reporting

### 1. Intellectual Property Reporting

Submit to:	<a href="http://www.iEdison.gov">http://www.iEdison.gov</a>
Submission deadline:	Within five (5) calendar days after the event, or as specified

iEdison requires a login and password. If the recipient’s organization does not already have an iEdison administrator account, the recipient may register for one at: [iEdison Registration](#).

In accordance with the patent rights clause of the award, the recipient and subrecipient(s), if any, must complete the following intellectual property reports in iEdison when applicable:

Disclosing a subject invention, including anticipated uses and sales (use iEdison’s Invention Report);

Reporting publications, manuscript submissions, or other public disclosures concerning a subject invention (add documents to the Invention Report);

If authorized by the award agreement, electing (or declining) to retain title to a subject invention (modify the Invention Report and input “Title Election Date” or “Not Elect Title Reason”);

Disclosing the filing or termination of patent applications on a subject invention (i.e., patent applications disclosing or claiming a subject invention). Patent disclosures must be made (using iEdison’s Patent Report) for filing the following patent applications:

- An initial domestic patent application (including provisional or non-provisional);
- A domestic divisional or continuation patent application;
- A domestic continuation-in-part application; and
- A foreign patent application.

Discontinuing prosecution of a patent application, maintenance of a patent, or defense in a patent reexamination or opposition proceeding, regardless of jurisdiction (modify the Patent Report); and,

Requesting an extension of time to:



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- Elect (or decline) to retain title to a subject invention (modify the Invention Report); and
- File an initial domestic or foreign patent application (modify the Invention Report).

Failure to submit Intellectual Property Reporting Forms in a timely manner may result in forfeiture of the recipient’s or subrecipient’s rights in the subject inventions and related patent applications.

## 2. Invention Utilization Report

Submit to:	<a href="http://www.iEdison.gov">http://www.iEdison.gov</a>
Submission deadline:	For each subject invention, reports are due annually once the recipient or subrecipient elects to retain title to the subject invention and must continue to be provided for 10 years thereafter

The recipient and subrecipient(s) must provide Invention Utilization Reports for each subject invention that the recipient or subrecipient retains ownership. Reports are due annually starting one year after the recipient or subrecipient elects to take title and must continue to be provided for 10 years thereafter or until the recipient or subrecipient informs DOE in writing that it no longer wants to retain title in the subject invention. Failure to submit Invention Utilization Reports in a timely manner may result in forfeiture of the recipient’s or subrecipient’s rights in the subject inventions.

## F. Project Management Plan (PMP)

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Within six (6) weeks of the effective date of the award

### Iterations and Maintenance

The recipient is required to develop, update, and adhere to a project management plan. The purpose of the plan is to establish cost, schedule, and technical performance baselines, and to formalize the processes by which the project will be managed. These processes include considerations such as risk management, change management, and communications management. While it is primarily the project recipient’s responsibility to maintain the plan,



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federal staff may request changes. The plan is intended to be a living document, modified as necessary, and comprising the following iterations:

## Application Draft

The recipient must submit a draft of the project management plan with the initial application for financial assistance.

## Negotiation Draft

The selected recipient may be required by the selecting Office to revise its project management plan during the negotiation phase.

## Active Plan

Following formal award of the financial assistance agreement, the recipient must submit an updated project management plan, to include any changes requested during negotiation and a timeline based upon the actual award date.

### 1. Revised Plan(s)

During the life of the project the recipient must submit a revised project management plan based on the following circumstances:

- a. Developments that have a significant favorable impact on the project.
- b. Problems, delays, or adverse conditions which materially impair the recipient's ability to meet the objectives of the award or which may require the program office to respond to questions relating to such events from the public. Specifically, the recipient must update the plan when any of the following incidents occur:
  - i. Any event which is anticipated to cause significant schedule or cost changes, such as changes to the funding and costing profile or changes to the project timeline.
  - ii. Any change to Technology Readiness Level.
  - iii. Any significant change to risk events (including both potential and realized events) or to risk management strategies.
  - iv. Failure to meet a milestone or milestones; any dependencies should be adjusted.
  - v. Any changes to partnerships.
  - vi. Any significant change to facilities or other project resources.
  - vii. Any other incident that has the potential for high visibility in the media.

### 2. Content of revised PMP

**Project Title:** The DOE award number and project title

**Recipient Organization:** Official name of the recipient organization

**Principal Investigator:** The name and title of the project director/ principal investigator



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**Date of Plan:** The date the plan or plan revision was completed

The revised PMP must describe changes to any of the following sections of the PMP as well as provide updated versions of any logs, tables, charts, or timelines.

**a. Executive Summary:**

Provide a description of the project that includes the objective, project goals, and expected results. The description should include a high-level description of the technology, potential use or benefit of the technology, location of work sites and a brief discussion of work performed at each site, along with a description of project phases (if the project includes phases).

**b. Technology Readiness Levels (TRLs):**

Identify the readiness level of the technology associated with the project as well as the planned progression during project execution. A detailed explanation of the rationale for the estimated technology readiness level should be provided. Specific entry criteria for the next higher technology readiness level should be identified.

**c. Risk Management:**

Provide a summary description of the proposed approach to identify, analyze, and respond to potential risks associated with the proposed project. Project risk events are uncertain future events that, if realized, impact the success of the project. At a minimum, include the initial identification of significant technical, resource, and management issues that have the potential to impede project progress and strategies to minimize impacts from those issues. The risk management approach should be tailored to the TRL. If a project or task is expected to progress to a higher TRL, then the risk plan should address the retirement of any risks associated with the first TRL and identify new risks related to moving to the next TRL. Additionally, the risk management approach should include risk opportunities that if realized, could benefit the project.

**d. Milestone Log:**

Provide milestones for each budget period (or phase) of the project. Each milestone should include a title and planned completion date. Milestones should be quantitative (e.g., a date, a decision to be made, a key event) and show progress toward budget period and/or project goals. Milestones should also be important and few. Higher TRL projects (Demonstration and Deployment) typically have the most detailed milestone logs compared to lower TRL level projects (Research and Development). If applicable, milestones chosen should clearly reflect progress through various TRL stages.

Note: The Milestone Status must present actual performance in comparison with the Milestone Log, and include:

- The actual status and progress of the project,
- Specific progress made toward achieving the project's milestones, and



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- Any proposed changes in the project's schedule required to complete milestones.

**e. Funding and Costing Profile:**

Provide a table (the Project Funding Profile) that shows, by budget period, the amount of government funding going to each project team member. Also, a table (the Project Costing Profile) which projects, by month, the expenditure of both government and recipient funds for the first budget period, at a minimum. The Funding and Costing Profile should show the relationships with the Milestone Log (Item d above) and Project Timeline (Item f below); for example, Funding and Costing information could be shown as an overlay on milestone or timeline charts.

**f. Project Timeline:**

Provide a timeline of the project (similar to a Gantt chart) broken down by each task and subtask, as described in the Statement of Project Objectives. The timeline should include a start date and end date for each task, as well as interim milestones. The timeline should also show interdependencies between tasks and include the milestones that are identified in the Milestone Log (Item d above). The timeline should also show the relationship to the Project Costing Profile (Item e above). If applicable, the timeline should include activities and milestones related to achieving succeeding TRLs.

**g. Success Criteria at Decision Points:**

Provide well-defined success criteria for each decision point in the project, including go/no-go decision points and the conclusions of budget periods and the entire project. The success criteria should be objective and stated in terms of specific, measurable, and repeatable data. Usually, the success criteria pertain to desirable outcomes, results, and observations from the project. Key milestones can be associated with success criteria. If applicable, the success criteria should include exit criteria for progressing from one TRL to the next.

**h. Key Partnerships, Teaming Arrangements and Team Members:**

Provide a list of key team members in the project as well as the role and contact information of each. A hierarchical project organization and structure chart should be provided along with a description of the role and responsibilities of each team member in terms of contribution to project scope. The section should also include key team members who fulfill single or multiple roles within a project as well as the contact information for each.

**i. Facilities and Resources:**

Provide a list of project locations along with a discussion of capabilities and activities performed at each site in terms of contribution to project scope. The address of each work site should be provided.



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**j. Communications Management:**

Describe the communications needs and expectations for the project team members. The communications plan may be simple or detailed, depending on the complexity of the project. At a minimum, the plan should include contact information, methods of communicating and anticipated frequency.

**k. Change Management:**

Provide a description of the process for managing change on the project. Describe how change will be monitored, controlled and documented within the project. This includes, but is not limited to, changes to the Scope, Schedule, and Budget. If applicable, Change Management should include assessing how changes impact TRLs.

**G. Special Status Reports**

Submit to:	See instructions below, submit either by email to the Project Lead or to <a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	As specified, see instructions below, submit either in 48 hours or 5 business days.

Problems, delays, adverse conditions which materially impair the recipient’s ability to meet the objectives of the award or which may require DOE to respond to questions relating to such events from the public. The recipient must report any of the following incidents and include the anticipated impact and remedial action to be taken to correct or resolve the problem/condition.

**Within forty-eight (48) hours**, provide notification to the DOE Project Lead by email, with a copy to the cognizant Grants Officer, the following events:

1. Any fatality, injury, or illness that results in loss of consciousness or requires medical treatment beyond first aid involving an employee, or member of the public.
2. An imminent or actual environmental contamination or the need for environmental cleanup (including, but not limited to, contamination or cleanup resulting from an accident connected to or arising from the presence, leakage or spill of hazardous materials) in accordance with National Environmental Policy Act 42 USC §§4321, et seq. Examples of due care may include, but are not limited to, visual site inspection of any portions of the property where environmental contamination is likely or suspected, or other reasonable measures. Such notice must be made to DOE following any immediate mitigation efforts, as appropriate, and contacts made to requisite agencies.
3. Actual physical property damage in excess of \$50,000.

**Within 48 hours**, the recipient is responsible for reporting cybersecurity incident(s) as follows

4. The recipient is responsible for identifying a cybersecurity incident. In general, a cybersecurity incidents is identified as any incident that may cause financial harm or



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loss of intellectual property created or supported in performance of the award, including malware and ransomware attacks; affecting operations or the security of, or access to, data, including disruption of both physical operations and business operations for a duration greater than one (1) hour or any Cybersecurity incidents that have national security implications.

Once identified, the Recipient is responsible for reporting Cybersecurity incidents to the [Cyber Incident mailbox](#) within 48 hours of the incident. The recipient sends a password protected document via email attachment that includes the date and time of the incident, a high-level description of the incident, a summary of the known impacts, and current and planned mitigation activities. The recipient sends a second email to the [Cyber Incident mailbox](#) including the password to the protected document.

**Within 5 business days**, submit to <https://page.energy.gov>

5. If the recipient or project team member receives any other award of federal funds for activities that potentially overlap with the activities funded under the DOE award, the recipient must promptly notify DOE in writing of the potential overlap and state whether project funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items under the DOE award;
6. If an individual on the project team is or is believed to be participating in a foreign government-sponsored talent recruitment program of a foreign country of risk.
7. If the recipient is considering new collaborations with foreign entities and governments, the recipient must provide written notification to DOE and await further guidance from DOE prior to contacting the proposed foreign entity or government regarding the potential collaboration or negotiating the terms of any potential agreement. In general, a collaboration will involve some provision of a thing of value to, or from, the recipient. A thing of value includes but may not be limited to all resources made available to, or from, the recipient in support of and/or related to the DOE award, regardless of whether or not they have monetary value. Things of value also may include in-kind contributions (such as office/laboratory space, data, equipment, supplies, employees, students). In-kind contributions not intended for direct use on the DOE award but resulting in provision of a thing of value from or to the DOE award must also be reported.
8. Any current or pending subsidiary, foreign business entity, or offshore entity that is based in or funded by any foreign country of risk or foreign entity based in a country of risk;
9. Any current or pending contractual or financial obligation or other agreement specific to a business arrangement, or joint venture-like arrangement with an entity owned by a country of risk or foreign entity based in a country of risk;
10. Any current or pending change in ownership structure of the recipient or subrecipients that increases foreign ownership related to a country of risk. Each notification shall be accompanied by a complete and up-to-date capitalization table



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- showing all equity interests held including limited liability company (LLC) and partnership interests, as well as derivative securities. Include both the number of shares issued to each equity holder, as well as the percentage of that series and of all equity on fully diluted basis. For each equity holder, provide the place of incorporation and the principal place of business, as applicable. If the equity holder is a natural person, identify the citizenship(s);
11. Any current or pending venture capital or institutional investment by an entity that has a general partner or individual holding a leadership role in such entity who has a foreign affiliation with any foreign country of risk;
  12. Any current or pending technology licensing, transfer or intellectual property sales to a foreign country of risk within the same technology area as the award (e.g., batteries, biotechnology, grid, energy generation and storage, advanced computing);
  13. Any changes to the recipient or the subrecipients' board of directors, including additions to the number of directors, the identity of new directors, as well as each new director's citizenship, shareholder affiliation (if applicable); each notification shall include a complete up-to-date list of all directors (and board observers), including their full name, citizenship and shareholder affiliation, date of appointment, duration of term, as well as a description of observer rights as applicable.
  14. Any proposed changes to the equipment used on the project that would result in:
    - a. Unmanned aircraft, control, and communications components originally made or manufactured in a foreign country of risk (including relabeled or rebranded equipment).
    - b. Coded equipment where the source code is written in a foreign country of risk.
    - c. Equipment from a foreign country of risk that will be connected to the internet or other remote communication system.
    - d. Any entity from a foreign country of risk that will have physical or remote access to any part of the equipment used on the project after delivery.
  15. Potential or actual violations of environmental, health, safety, or labor laws and regulations, any significant environmental permit violation, and any incident which causes a significant process or hazard control system failure;
  16. Any incident arising out of or relating to work under the award that has the potential for high visibility in the media;
  17. Potential or actual violations of federal, state, and municipal laws arising out of or relating to work under the award;
  18. Potential or actual noncompliance with DOE reporting requirements under the award;
  19. Potential or actual bankruptcy/insolvency of the prime recipient or subrecipient;
  20. Potential or actual violation of U.S. export control laws and regulations arising out of or relating to the work under the award;
  21. Any notices or claims of patent or copyright infringement arising out of or relating to the performance of the DOE award;
  22. Refusal of a subrecipient to accept flow down requirements in the Special Terms and Conditions and/or any Attachment to the DOE award;





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- 23. Any improper claims or excess payments arising out of or relating to work under the award;
- 24. Potential or actual violations of the cost share requirements under the award;
- 25. Potential or actual violations of the lobbying restrictions in the award;
- 26. Any event which is anticipated to cause a significant schedule slippage or cost increase; and,
- 27. Developments that have a significant favorable impact on the project.

## H. Progress Tranche Summary Report

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Within five (5) calendar days after the event, or as specified

A Progress Tranche Summary Report is a summary of award performance as it relates to the progress tranches outlined in the ALRD. The Progress Tranche Summary Report should be submitted at least ninety (90) calendar days prior to the Recipient achieving the progress tranches, or as specified in the Special Terms and Conditions of the award.

## I. Other (see Special Instructions)

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Within five (5) calendar days after the event, or as specified

## II. Award Management Reporting

### A. Current and Pending Support

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a> or as instructed below
Submission deadline:	Within thirty (30) calendar days only when there is a change to Current and Pending Support for existing covered individuals

Prior to award, the Recipient was required to provide current and pending support disclosure statements for each covered individual, as defined by the award Terms and Conditions, at the recipient and subrecipient level, regardless of funding source.

#### **New Covered Individuals:**

Prior to starting work on the project, new covered individuals must submit a current and pending support disclosure and biosketch/resume to the cognizant Technical Project Officer and Grants Officer and must receive approval from DOE. R&D covered individuals are



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encouraged to comply with the Digital Persistent Identifier (PID) and Research Security Training Requirements Terms. The PID and Research Training will be required for all R&D covered individuals on May 1, 2025

### Existing Covered Individuals

If there are any changes to current and pending support disclosure statements previously submitted to DOE, the recipient must submit updated current and pending disclosure statements within thirty (30) days of the change. The recipient must ensure all covered individuals at the recipient and subrecipient level, are aware of the requirement to submit updated current and pending support disclosure statements to DOE.

If there has been a change that would prompt the submission of a new or updated current and pending support disclosure, the instructions to complete the new or updated disclosure is listed below.

Current and pending support is intended to allow the identification of potential duplication, overcommitment, potential conflicts of interest or commitment, and all other sources of support. All covered individuals at the recipient and subrecipient level must provide a list of all sponsored activities, awards, and appointments, whether paid or unpaid; provided as a gift with terms or conditions or provided as a gift without terms or conditions; full-time, part-time, or voluntary; faculty, visiting, adjunct, or honorary; cash or in-kind; foreign or domestic; governmental or private-sector; directly supporting the individual’s research or indirectly supporting the individual by supporting students, research staff, space, equipment, or other research expenses. All foreign government-sponsored talent recruitment programs must be identified in current and pending support.

For every activity, list the following items:

<b>Information Required for Each Activity</b>	
<b>Sponsor of the Activity</b>	The sponsor of the activity or the source of funding.
<b>Award Number</b>	The federal award number or any other identifying number.
<b>Award Title</b>	The title of the award or activity. If the title of the award or activity is not descriptive, add a brief description of the research being performed that would identify any overlaps or synergies with the proposed research
<b>Total Cost or Value</b>	The total cost or value of the award or activity, including direct and indirect costs and cost share. For pending proposals, provide the total amount of requested funding
<b>Award Period</b>	The "Start Date" through "End Date".
<b>Person-months</b>	The person-months of effort per year dedicated to the award or activity.



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<b>Description</b>	To identify overlap, duplication of effort, or synergistic efforts, append a description of the other award or activity to the current and pending support.
<b>Details</b>	Details of any obligations, contractual or otherwise, to any program, entity, or organization sponsored by a foreign government must be provided to DOE upon request to either the applicant institution or DOE. Supporting documents of any identified source of support must be provided to DOE on request, including certified translations of any document.
<b>Digital Persistent Identifier (e.g., ORCID iD)</b>	Providing an ORCID iD is optional until May 2025, and required thereafter for R&D projects.
<b>Certification Statement</b>	<p>All covered individuals must provide a separate disclosure statement listing the required information above regarding current and pending support. Each individual must sign and date their respective certification statement:</p> <p style="padding-left: 40px;">I, [Full Name and Title], understand that I have been designated as a covered individual by the federal funding agency.</p> <p style="padding-left: 40px;">I certify to the best of my knowledge and belief that the information contained in this Current and Pending Support Disclosure Statement 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. §§ 3729-3733 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.</p> <p style="padding-left: 40px;">I also certify that, at the time of submission, I am not a party in a <a href="#">malign foreign talent recruitment program</a>.</p> <p><b>The following certification is optional until May 1, 2025, and mandatory thereafter for R&amp;D projects:</b></p> <p style="padding-left: 40px;">I further certify that within the past 12 months I have completed one of the following: (1) research security training meeting the guidelines in SEC. 10634(b) of 42 USC 19234, or (2) all of the NSF</p>



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	training modules located <a href="https://new.nsf.gov/research-security/training">https://new.nsf.gov/research-security/training</a> .
<b>Foreign Government Sponsorship</b>	Details of any obligations, contractual or otherwise, to any program, entity, or organization sponsored by a foreign government must be provided on request to either the applicant institution or DOE. Supporting documents of any identified source of support must be provided to DOE on request, including certified translations of any document.

The information may be provided in the common disclosure format available at [Common Form for Current and Pending \(Other\) Support \(nsf.gov\) to be implemented by DOE](#). Regardless of the format used, the individual must still include a signature, date, and a certification statement using the language included in the paragraph above.

## B. Demographic Reporting

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Within 30 days after issuance of award

### DEMOGRAPHIC INFORMATION FOR SIGNIFICANT CONTRIBUTORS

Demographic data (i.e., gender, ethnicity, race, and disability status) should be provided directly by the Principal Investigator, Program Director, and Business Contact with the understanding that the submission of this report is mandatory. There are no adverse consequences for responding “Do not wish to provide” in any question. Confidentiality of demographic data will be in accordance with agency’s policy and practices for complying with the requirements of the Privacy Act. Demographic Reporting is submitted via a web-based form in the DOE PAGE and includes the questions outlined below.

**Gender:**

- Male
- Female
- Do not wish to provide

**Ethnicity:**

- Hispanic or Latina/o
- Not-Hispanic or not-Latina/o
- Do not wish to provide

**Race (select one or more):**

- American Indian or Alaska Native
- Asian
- Black or African American



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- Native Hawaiian or other Pacific Islander
- White
- Do not wish to provide

**Disability Status:**

- Yes (check yes if any of the following apply to you)
  - Deaf or serious difficulty hearing
  - Blind or serious difficulty seeing even when wearing glasses
  - Serious difficulty walking or climbing stairs
  - Other serious disability related to a physical, mental, or emotional condition.
- No
- Do not wish to provide

This measure is designed as a binary measure; it encompasses all self-reported disabilities. Please do not use it to report the number of individuals who have different types of disabilities (e.g., hearing impairments).

Note: This construct is not designed to be used at an individual-level (i.e., it should not be used for determining accommodation needs or disability status for particular individuals associated with the project).

**C. Financial Conflict of Interest Report**

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Within 180 days of the date of the award and within thirty (30) calendar days only when there is a change

Prior to award, the Recipient was required to: 1) ensure all Investigators on this Award completed their significant financial disclosures; 2) review the disclosures; 3) determine whether a FCOI exists; 4) develop and implement a management plan for FCOIs; and 5) provide DOE with an initial FCOI report that includes all FCOIs (i.e., managed and unmanaged/unmanageable). Within 180 days of the date of the Award, the Recipient must be in full compliance with the other requirements set forth in DOE’s interim COI Policy <https://www.energy.gov/management/department-energy-interim-conflict-interest-policy-requirements-financial-assistance>. Further, the recipient must submit updated reports within 30 days of a change.

The DOE interim Conflict of Interest Policy for Financial Assistance (COI Policy) is applicable to all recipients that receive, DOE funding by means of a financial assistance award (e.g., a grant, cooperative agreement, or technology investment agreement) and, through the implementation of this policy by the entity, to each Investigator who is planning to participate in, or is participating in, the project funded wholly or in part under this Award. The term “Investigator” means the PI and any other person, regardless of title or position,



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who is responsible for the purpose, design, conduct, or reporting of a project funded by DOE or proposed for funding by DOE. The recipient must flow down the requirements of the interim COI Policy to any subrecipient, with the exception of DOE National Laboratories. Further, the recipient must identify all financial conflicts of interests (FCOI), i.e., managed and unmanaged/ unmanageable, in its initial and ongoing FCOI reports.

### D. Tangible Personal Property Report – Annual Property Report (SF-428 & SF-428A)

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Within 90 calendar days after the end of the annual reporting period

The prime recipient must submit an annual inventory of federally-owned property (government-furnished) where the award specifies that title to the property vests with the federal government, whether it is in the possession of the prime recipient or subrecipient(s). The prime recipient must complete an SF-428 and SF-428A, available at [Post-Award Reporting Forms | Grants.gov](#).

### E. Tangible Personal Property Report – Disposition Request/Report (SF-428 & SF-428C)

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Within 5 calendar days of the event or as specified

The prime recipient must request disposition instructions for or report disposition of federally-owned property or equipment acquired with project funds, whether the property or equipment is/was in the possession of the prime recipient or subrecipient(s). Recipients may also be required to provide compensation to the awarding agency when acquired equipment is sold or retained for use on activities not sponsored by the federal government. Any equipment with an acquisition cost above \$10,000 must be included in the inventory.

If disposition occurs at any time other than award closeout (i.e., at any time throughout the life of the project or after project completion and closeout as long as the federal government retains an interest in the item), the prime recipient must complete an SF-428 and SF-428C, available at [Post-Award Reporting Forms | Grants.gov](#)

If disposition instructions are requested at the time of award closeout, the prime recipient must submit the SF-428 and SF-428B (see **III. Closeout Reporting**).

Please note that the SF-428 family of documents is in the process of being updated to increase the threshold to \$10,000 per the [2024 updates to 2CFR](#) effective October 1, 2024.



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Only the DOE Grants Officer has authority to approve disposition requests and issue disposition instructions.

## F. Uniform Commercial Code (UCC) Financing Statements

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Within five (5) calendar days after the event, or as specified.

If a for-profit recipient or subrecipient desires to purchase a piece of equipment for their project, and the per-unit dollar value of said equipment is \$10,000 or more, and the federal share of the financial assistance agreement is more than \$1M, the recipient or subrecipient must file a UCC financing statement.

A UCC financing statement provides public notice that the federal government has an undivided reversionary interest in the equipment, and as such the equipment cannot be sold or used as collateral for a loan (encumbered).

The for-profit recipient or subrecipient must file the UCC financing statement(s) with the Secretary of State where the equipment will be physically located and must pay any associated costs for such filings.

The initial UCC financing statement may also be referred to as a UCC1. For additional pieces of equipment not specified in the award budget, TBD equipment, or equipment needed in future budget periods, the recipient can file an amendment to the original UCC1 financing statement, by submitting the UCC3 financing statement amendment.

Each UCC financing statement or amendment is to be filed with the appropriate Secretary of State office, where the equipment will be physically located.

Note: All costs associated with filing UCC financing statements, UCC financing statement amendments, and UCC financing statement terminations, are allowable and allocable costs which can be charged to the federal award.

At a minimum, the recipient must have stated in their UCC financing statement in block 4. (collateral) the following:

- "Title to all equipment (not real property) purchased with federal funds under this financial assistance agreement is conditional pursuant to the terms of 2 CFR 910.360, and the federal government retains an undivided reversionary interest in the equipment at the federal cost-share proportion specified in the award terms and conditions."
- Federal Award Identification Number (e.g., DE-EE000XXXX)



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## G. Federal Subaward Reporting System (FSRS)

Submit to:	<a href="https://www.fsrs.gov/">https://www.fsrs.gov/</a>
Submission deadline:	The prime recipient is required to file a FFATA sub-award report by the end of the month following the month in which the prime recipient awards any sub-grant greater than or equal to \$30,000. The recipient must also report a subaward if a modification increases the Federal funding to an amount that equals or exceeds \$30,000

The Federal Subaward Reporting System (FSRS) is the reporting tool prime recipients use to capture and report subaward and executive compensation data regarding their first-tier subrecipients to meet the FFATA reporting requirements. Prime recipients will report against subrecipients' awards. The subrecipient information entered in FSRS will then be displayed on [USASpending.gov](http://USASpending.gov) associated with the prime recipient's award furthering federal spending transparency.

The prime recipient is required to file a FFATA sub-award report by the end of the month following the month in which the prime recipient awards any sub-award greater than or equal to \$30,000. The recipient must also report a subaward if a modification increases the Federal funding to an amount that equals or exceeds \$30,000

## H. Annual Incurred Cost Proposals

Submit to:	<p>If DOE is the Cognizant Federal Agency, send the Annual Incurred Cost Proposal to one of the following offices:</p> <ul style="list-style-type: none"> <li>• <a href="mailto:CostPrice@ee.doe.gov">CostPrice@ee.doe.gov</a> (if the Golden Field Office is Cognizant);</li> <li>OR</li> <li>• <a href="mailto:IndirectRates@hq.doe.gov">IndirectRates@hq.doe.gov</a> (if OCED is Cognizant)</li> <li>OR</li> <li>• <a href="mailto:FITS@netl.doe.gov">FITS@netl.doe.gov</a> and <a href="mailto:PricingGroup@netl.doe.gov">PricingGroup@netl.doe.gov</a> (if NETL is Cognizant)</li> </ul> <p>Otherwise, submit the proposal to the Recipient's appropriate Cognizant Federal Agency office.</p>
Submission deadline:	<p>Within 180 calendar days after the close of the recipient's fiscal year*</p> <p>*The end of the period of the performance, or closure of an award, does not dismiss this reporting requirement.</p>

Prime recipients must submit a certified annual Incurred Cost Proposal (ICP), reconciled to its financial records, in order to finalize and reconcile billing rates incurred and billed to the Government.

An ICP submission is required unless one of the following conditions apply to the DOE award:

- Recipient elected to apply the de minimis rate of up to 15% as allowed under 2 CFR 200.414(f);
- or
- Recipient has a pre-determined Negotiated Indirect Cost Rate Agreement (NICRA).





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## I. DOE For-Profit Compliance Audit

Submit to:	Email a copy of the annual DOE For-Profit Compliance Audit to: <ul style="list-style-type: none"> <li>• <a href="mailto:DOE-Audit-Submission@hq.doe.gov">DOE-Audit-Submission@hq.doe.gov</a> and</li> <li>• The DOE Grants Officer</li> <li>• For awards administered by OCED, also email a copy to RecipientAudits@hq.doe.gov</li> <li>• For awards administered by the DOE NETL Office, also email a copy to <a href="mailto:PricingGroup@netl.doe.gov">PricingGroup@netl.doe.gov</a> and <a href="mailto:FITS@netl.doe.gov">FITS@netl.doe.gov</a>.</li> </ul>
Submission deadline:	Within the earlier of 30 days after receipt of the auditor’s report(s) or 9 months after the end of the audit period (recipient’s fiscal year-end)* *The end of the period of the performance, or closure of an award, does not dismiss this reporting requirement.

A for-profit recipient which expends \$1 million or more during the recipient’s fiscal year in DOE awards may have a compliance audit conducted for that year in accordance with 2 CFR 910.500 through .521 (subject to any deviation issued pursuant to 2 CFR § 910.133).

The DOE For-Profit Compliance Audit must be conducted in accordance with the regulations at 2 CFR 910.500-521 (subject to any deviation issued pursuant to 2 CFR § 910.133) and must refer to the appropriate regulations used by the auditor in their examination.

The compliance audit report must be submitted, along with audited financial statements, if required and available.

## J. Single Audit: States, Local Government, Tribal Governments, Institution of Higher Education (IHE), or Non-Profit Organization

Submit to:	Federal Audit Clearinghouse - <a href="https://www.fac.gov">https://www.fac.gov</a>
Submission deadline:	Within the earlier of 30 days after receipt of the auditor’s report(s) or 9 months after the end of the audit period (recipient’s fiscal year-end)* *The end of the period of the performance, or closure of an award, does not dismiss this reporting requirement.

As required by 2 CFR 200 Subpart F, recipients that expend \$1 million or more during the recipient’s fiscal year in federal awards must have a single or program-specific audit conducted. The single audit must be conducted in accordance with §200.514 Scope of audit, except when it elects to have a program-specific audit conducted.

For most single audits, the requirement is for annual single audits. However, there are occasions where a single audit is not required annually. Per 2 CFR 200.504 - Frequency of audits, a state, local government, or Indian tribe that is required by constitution or statute



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to undergo its audits less frequently than annually, is permitted to undergo its audits biennially. Also, any nonprofit organization that had biennial audits for all biennial periods ending between July 1, 1992, and January 1, 1995, is permitted to undergo its single audits biennially.

For a program-specific audit, when a recipient expends federal award funds 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. 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.

The single audit report shall include audited financial statements.

## K. Other (see Special Instructions)

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Within five (5) calendar days after the event, or as specified

## III. Closeout Reporting

### A. Final Scientific/Technical Report

Submit to:	DOE Energy Link System (E-Link) available at <a href="http://www.osti.gov/elink-2413">http://www.osti.gov/elink-2413</a>
Submission deadline:	Within 120 calendar days after expiration or termination of the award

The prime recipient must submit a Final Scientific/Technical Report to DOE for all projects.

The scientific/technical report is intended to increase the diffusion of knowledge gained by DOE-funded research, and all requirements shall be interpreted in that light.

Content: Research findings and other significant scientific and technical information (STI) resulting from the DOE-sponsored projects shall be included in the final scientific/technical report, subject to the following provisions:

1. The scientific/technical report is to cover the entire period of performance. For Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) awards, a final scientific/technical report must be submitted after the completion of each phase, e.g., Phase I, Phase II, and sequential Phase II, as described in the Special Instructions.



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2. STI that is publicly accessible need not be duplicated in the report if a citation with a link to where the information may be found is included in the report. For example, articles found in PAGES (i.e., DOE's Public Access Gateway for Energy and Science, <http://www.osti.gov/pages/>) are accessible to the public.
3. Provide identifying information: the DOE award number; sponsoring program office; name of recipient; project title; name of project director/principal investigator; and consortium/team members.
4. Include the DOE acknowledgement and legal disclaimer language as described in the Special Terms and Conditions.
5. Include any limitations on public release of the report, if authorized by the award agreement. If the document being submitted contains patentable material or protected data (i.e., data first produced in the performance of the award that is protected from public release for a period of time by terms of the award agreement) as set forth in the award agreement, then (1) prominently display on the cover of the report any authorized distribution limitation notices, such as patentable material or protected data and (2) clearly identify patentable or protected data on each page of the report. Reports delivered without such notices or with restrictive notices not authorized by the award agreement may be deemed to have been furnished with unlimited rights, and the Government assumes no liability for the disclosure, use or reproduction of such reports. Any restrictive markings must also be noted in the distribution limitation section of the Announcement Notice (AN) 241.3. No protected PII should be included.
6. Provide an abstract or executive summary, which should be a minimum of one paragraph and written in terms understandable by an educated layperson. (Refer to <http://www.osti.gov/stip/standards> for ANSI/NISO guidance as needed.) The abstract included in an application may serve as a model for this.
7. Summarize project activities for the entire period of funding, including original hypotheses, approaches used, and findings. Include, if applicable, facts, figures, analyses, and assumptions used during the life of the project to support the results in a manner that conveys to the scientific community the STI created during the project. To minimize duplication, the report may reference STI, including journal articles, that is publicly accessible. See also #2.
8. For guidance offered by the National Information Standards Organization on typical attributes and content of a technical report, if needed, refer to ANSI/NISO Z39.18-2005 (R2010), Scientific and Technical Reports – Preparation, Presentation, and Preservation (see <http://www.osti.gov/stip/standards>).



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Electronic Submission Process: The final scientific/technical report must be submitted via the DOE Energy Link System (E-Link) with a completed electronic version of DOE Announcement Notice (AN) 241.3, "U.S. Department of Energy (DOE), Announcement of Scientific and Technical Information (STI)." The recipient can complete, upload, and submit the DOE AN 241.3 online via E-Link (<https://www.osti.gov/elink-2413>).

The recipient must mark the appropriate block in the "Intellectual Property/Distribution Limitations" Section of the DOE AN 241.3. Reports that are electronically uploaded must not contain any limited rights data (proprietary data), classified information, protected PII, information subject to export control classification, or other information not subject to release. During the upload process, the recipient must self-certify that no content of this nature is being submitted. For assistance with reports containing such content, contact your cognizant Grants Officer.



# Federal Assistance Reporting Checklist

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## B. Invention Certification (DOE F 2050.11)

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Within 120 calendar days after expiration or termination of the award

The prime recipient is required to submit an Invention Certification DOE F 2050.11. The Invention Certification form is available at <http://energy.gov/eere/funding/eere-funding-application-and-management-forms>.

The Invention Certification must include a list of all subcontracts at any tier containing a patent rights clause (or state that there were none).

## C. Tangible Personal Property Report – Final Report (SF-428 & SF-428B)

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Within 120 calendar days after expiration or termination of the award

The prime recipient must submit a final inventory of and request disposition instructions for any federally-owned property and/or property or equipment acquired with project funds with an acquisition cost above \$10,000, whether the property is/was in the possession of the prime recipient or subrecipients.

The prime recipient must complete an SF-428 and SF-428B, available at [Post-Award Reporting Forms | Grants.gov](#).

If disposition occurs at any time other than award closeout, the prime recipient must complete an SF-428 and SF-428C (see IV. Other Reporting H. Property Disposition Request/Report).

Please note that the SF-428 family of documents is in the process of being updated to increase the threshold to \$10,000 per the [2024 updates to 2 CFR](#) effective October 1, 2024.

Only the DOE Grants Officer has authority to approve disposition requests and issue disposition instructions.



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## D. Verification of Receipt of Accepted Manuscripts

Recipients are required to submit Accepted Manuscripts of Journal Articles resulting in whole or in part from a DOE-funded project to E-Link (See section 1.C.1. Accepted Manuscript of Journal Article).

As part of the closeout process, DOE will verify that all accepted manuscripts have been submitted. Recipients are required to submit all missing accepted manuscript before closeout is finalized.

## E. Other (see Special Instructions)

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Within 120 calendar days after expiration or termination of the award

## IV. Post-Project Reporting

### A. Scientific and Technical Reporting

Scientific and Technical Reporting requirements as outlined in **I.C. Scientific and Technical Reporting** remain applicable after the award ends. If the recipient has created Scientific and Technical Information (STI) such as publications, conference products, technical reports, book chapters, etc. which include information/data produced under the award, they are required to submit this document to <https://www.osti.gov/elink/forms.jsp>. Recipients must continue to include proper DOE Acknowledgement and Legal Disclaimer language in all STI. Please see section **I.C. Scientific and Technical Reporting** for additional information on submissions.

Note that after the project ends, recipients are no longer required to submit notification of STI directly to DOE.

### B. Intellectual Property Reporting

Intellectual Property Reporting requirements as outlined in **I.D. Intellectual Property Reporting** remain applicable after the award ends.

Recipients are required to continue submitting intellectual property reports, as applicable, to iEdison <https://public.era.nih.gov/iedison>.

Note that after the project ends, recipients are no longer required to submit notification of intellectual property directly to DOE.



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## V. Bipartisan Infrastructure Law/Inflation Reduction Act Reporting

### A. Community Benefits Report

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	<b>As Specified</b> , within 30 calendar days after the end of the first quarterly reporting period; <b>Yearly</b> ; within 90 calendar days after the end of the federal fiscal year and <b>Final</b> ; within 120 calendar days after expiration or termination of the award.

The Recipient must meet the stated objectives and milestones set forth in its Community Benefits Outcomes and Objectives, which is incorporated into the Award. A report on the Recipient's progress towards meeting the objectives and milestones must be reported annually. A Community Benefits Reporting Template is available at <https://www.energy.gov/infrastructure/reporting-checklists> with the intent to reduce the administrative burden by promoting the use of common formats.

### B. Boosting Domestic Manufacturing

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	<b>As Specified</b> , within 30 calendar days after the end of the first quarterly reporting period; <b>Yearly</b> ; within 90 calendar days after the end of the federal fiscal year and <b>Final</b> ; within 120 calendar days after expiration or termination of the award.

There are three tabs of the Boosting Domestic Manufacturing Report. The information contained in all three tabs is required for reporting. A Boosting Domestic Manufacturing Reporting Template is available at <https://www.energy.gov/infrastructure/reporting-checklists> the intent to reduce the administrative burden by promoting the use of common formats.

#### 1. Domestic Manufacturing & Critical Materials and Rare Earth Element Mining, Processing, Production & Recycling Capacity

This report applies to projects that support (i.e., construct, establish, retool, re-equip, or retrofit) manufacturing capacity as well as projects that support the mining, processing, production, or recycling of critical minerals or rare earth materials and elements.

Recipients of such projects are required to report on direct domestic manufacturing capacity as well as critical materials and rare earth element mining, processing, production, or recycling capacity.

#### 2. GHG Emissions & Air Pollutants

This report documents the increases and decreases in pollutants across the effective useful life of the project as well as GHG emissions created through mining, processing, production, or recycling operations projects and indirect changes in GHG emissions resulting from projects.



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### 3. Equipment

Recipients must provide a list of all equipment in mining, processing, production or recycling facilities projects that emit pollutants or GHGs onsite in facilities listed in the mining processing & production or recycling tab.

## C. Quality Job Creation

### 1. Direct Jobs

Submit to:	<a href="http://www.lcptracker.com">www.lcptracker.com</a>
Submission deadline:	Weekly

This award is funded under Division D of the Bipartisan Infrastructure Law (BIL). All laborers and mechanics employed by the recipient, subrecipients, contractors or subcontractors in the performance of construction, alteration, or repair work in excess of \$2000 on an award funded directly by or assisted in whole or in part by funds made available under this award 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).

The Recipient must ensure the timely electronic submission of weekly certified payrolls to [LCPtracker](http://LCPtracker) unless a waiver is granted to a particular contractor or subcontractor because they are unable or limited in their ability to use or access the software.

### 2. Training Outcomes

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	<b>As Specified</b> , within 30 calendar days after the end of the first quarterly reporting period; <b>Yearly</b> ; within 90 calendar days after the end of the federal fiscal year and <b>Final</b> ; within 120 calendar days after expiration or termination of the award.

This report on training and training outcomes is required for all projects requiring DBA compliance, those that discuss workforce development or training in statute, as well as any projects where recipients utilize a portion of their BIL funding on workforce development. Only career-track training that focuses on skill development or pathways into career-track training such as pre-apprenticeship should be tracked for this metric. Career-track training leads to an appropriate industry-recognized credential, professional qualification, or license. It teaches broad occupational knowledge and skills that can be applied across a range of technologies, leading to several different career paths. Continuing education allowing incumbent workers to keep up with the latest technology and practices, and to advance in their careers, is another important element of career-track training. This report will also track the number of workforce partnerships involving employers, community-based organizations (CBOs), or labor unions, including partnerships specified in community benefits agreements and project labor agreements, or similar.





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A Training Outcomes reporting template is available at <https://www.energy.gov/infrastructure/reporting-checklists> with the intent to reduce the administrative burden by promoting the use of common formats.

### 3. Good Jobs Outcomes

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	<b>As Specified</b> , within 30 calendar days after the end of the first quarterly reporting period; <b>Yearly</b> ; within 90 calendar days after the end of the federal fiscal year and <b>Final</b> ; within 120 calendar days after expiration or termination of the award.

This report is required of all recipients of BIL funding. To assess activities contributing to growing American jobs, improving the quality of energy jobs, and facilitating equitable access to good jobs and training opportunities, all BIL recipients must report annually on good jobs outcomes.

A Good Jobs Outcomes reporting template is available at <https://www.energy.gov/infrastructure/reporting-checklists> with the intent to reduce the administrative burden by promoting the use of common formats.

### 4. Permanent Jobs

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Quarterly; within 30 calendar days after the end of the federal fiscal year quarter

All BIL funding recipients who are creating ongoing operations, maintenance, and production jobs must report the number of hires for each reporting period and associated demographic information.

A Permanent Jobs reporting template is available at <https://www.energy.gov/infrastructure/reporting-checklists> with the intent to reduce the administrative burden by promoting the use of common formats.

## D. Equity and Justice

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Quarterly; within 30 calendar days after the end of the federal fiscal year quarter

There are three reports associated with Equity and Justice. All three reports are included on the same form provided by the DOE Project Team. While the reports are included on the same form, some recipients may not need to complete all three. Refer to the checklist at the beginning of this document for applicability.

An Equity and Justice reporting template is available at <https://www.energy.gov/infrastructure/reporting-checklists> with the intent to reduce the administrative burden by promoting the use of common formats.

### 1. Community Engagement Process



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This report applies to all projects that include building, expanding, or retrofitting a facility. Recipients should report on engagement activities such as participatory research, citizen advisory committees, open planning forums, etc. and the outputs of those activities such as negotiated community or workforce agreements, memorandums of understanding, letters of support, etc. Information in this tab should reflect the objectives outlined in the Community Benefits Plan.

## 2. Engagement Events and Technical Assistance

This report applies to all projects that hold stakeholder engagement events as outlined in their Community Benefits Plan. Recipients are required to report on stakeholders engaged and from what, if any, communities of interest.

## 3. Community Ownership

This report applies to all projects that build or install new clean energy or climate assets. Recipients should report whether any or all their project will be community owned, as well as the compensation the community will receive.

### E. Pathways to Net Zero

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	<b>As Specified</b> , within 30 calendar days after the end of the first quarterly reporting period; <b>Yearly</b> ; within 90 calendar days after the end of the federal fiscal year and <b>Final</b> ; within 120 calendar days after expiration or termination of the award.

There are four reports associated with Pathways to Net Zero. While all four reports are included on the same form, all four reports are not applicable to each project. Refer to the checklist at the beginning of this document for applicability. All four reports are also required to complete the Infrastructure Identifier tab. The purpose of this tab is to record the infrastructure, facility, or operating site. The metrics associated with each site will be reported in the individual reports (Infrastructure Supported, Hydrogen Production, Carbon Capture, Removal, Storage, and Energy Saved) as applicable.

A Pathways to Net Zero reporting template is available at <https://www.energy.gov/infrastructure/reporting-checklists> with the intent to reduce the administrative burden by promoting the use of common formats.

### 1. Infrastructure Supported

This report applies to projects that build, retrofit, retool, repurpose, or otherwise support the construction or continued operation of energy generation, energy storage, or other clean energy infrastructure. Projects that fund infrastructure planning should also report.

Recipients are required to report on planned values, annual actual values for the life of project, and values at closeout. This report is structured by technology type, recipients



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need only complete the technology type applicable to their project as indicated by the DOE project team.

## 2. Hydrogen Production

This report applies to projects that build, retrofit, retool, repurpose, or otherwise support the construction or continued operation of hydrogen fuel production. Hydrogen can be utilized across sectors to generate electricity, replace existing feedstock or fuel in the industrial sector, provide residential and commercial heating, or fuel transportation

Recipients are required to report on planned values, annual actual values for the life of project, and values at closeout.

## 3. Carbon Capture, Removal, Storage

This report applies to projects that build, or otherwise support the construction or continued operation of carbon capture, carbon removal, carbon storage, or carbon dioxide transport.

Recipients are required to report on planned values, annual actual values for the life of project, and values at closeout. This report is structured by technology type, recipients need only complete the technology type applicable to their project as indicated by the DOE project team.

## 4. Energy Saved

This report applies to all projects that include energy efficiency upgrades or fuel switching, water conservation upgrades that save energy, or distributed energy resources. Recipients are required to report on interventions completed as well as planned and actual energy savings.

## F. Davis Bacon Act Semi-Annual Labor Compliance Report

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a> and email <a href="mailto:DBAenforcementreports@hq.doe.gov">DBAenforcementreports@hq.doe.gov</a>
Submission deadline:	<b>As Specified</b> , April 21 and October 21

This award is funded under Division D of the Bipartisan Infrastructure Law (BIL). All laborers and mechanics employed by the recipient, subrecipients, contractors or subcontractors in the performance of construction, alteration, or repair work in excess of \$2,000 on an award funded directly by or assisted in whole or in part by funds made available under this award 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).

Calendar year semi-annual reports are required on compliance with, and enforcement of, the labor standards provisions of the Davis-Bacon Act and its related acts covering the periods of October 1st through March 31st, and April 1st through September 30th,



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respectively. Please submit your semi-annual report to DOE three weeks after the end of semi-annual reporting period by April 21st and October 21st for the applicable performance period. The Davis Bacon Act Semi-Annual Labor Compliance Report may be accessed at <https://www.energy.gov/infrastructure/davis-bacon-act>.

## G. Location(s) of Work

Submit to:	<a href="#">Applicable only to OCED/FECM. Program Offices to complete</a>
Submission deadline:	<b>As Specified</b> , quarterly only when there are changes to report.

Prior to award, the Recipient was required to identify each known location being served directly as a primary project site work location or a location impacted by the project. This includes the location(s) of construction or alteration activity as well as any communities geographically near the proposed project site and/or communities that may be a part of the proposed project's supply or waste life cycle (e.g., where raw materials come from, where waste is being sent). The Location(s) of Work report is required to be validated by the project team on a quarterly basis. If there are any changes to the Location(s) of Work, the recipient must submit the updated information to DOE.

## VI. Appendix A: Notice To Recipients (Prime Recipients And Subrecipients) Regarding Protected Data, Limited Rights Data And Protected Personally Identifiable Information

### I. PROTECTED DATA AND LIMITED RIGHTS DATA

The recipient is required to mark protected data and limited rights data in accordance with the IP clause set of the award agreement. Failure to properly mark data may result in its public disclosure under the Freedom of Information Act (FOIA, 5 U.S.C. § 552) or otherwise.

#### A. Protected Data - Technical Data or Commercial or Financial Data First Produced in the Performance of the Award

The U.S. Government normally retains unlimited rights in any technical data or commercial or financial data produced in performance of Government financial assistance awards, including the right to distribute to the public.

However, under certain DOE awards, the recipient may mark certain categories of data produced under the award as protected from public disclosure for a period of time ("Protected Data"). If the award agreement provides for protected data and the recipient wants the data to be protected, the recipient must properly mark any documents containing Protected Data. The recipient should review the IP clause set of the award agreement to determine the applicability of protected data, the maximum length of period of time for data protection and the required markings that must be used to invoke data protection for the award.



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## **B. Limited Rights Data - Data Produced Outside of the Award at Private Expense**

Limited Rights Data is data (other than computer software) developed at private expense outside any Government financial assistance award or contract that embody trade secrets or are commercial or financial and confidential or privileged. Prior to including any Limited Rights Data in any documents to DOE, the recipient should review the award agreement. In most DOE awards, the recipient should not deliver any limited rights data to DOE if the recipient wants to protect the Limited Rights Data. If the DOE award does allow and require the delivery of limited rights data, then the recipient must properly mark any documents containing Limited Rights Data as set forth in the IP clause of the award agreement.



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## II. PROTECTED PERSONALLY IDENTIFIABLE INFORMATION

The recipient should not include any Protected Personally Identifiable Information (Protected PII) in their submissions to DOE. Protected PII is defined as any data that, if compromised, could cause harm to an individual such as identify theft. Protected PII includes, but is not limited to:

- 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;
- Ratings;
- Disciplinary actions;
- Passport number;
- Educational transcripts;
- Financial information associated with an individual;
- Credit card numbers; and
- Security clearance history or related information (not including actual clearances held).



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1. Award Number: DE-SE0000122.0001	2. Program/Project Title: SCEP- IRA 50122 ALRD-2022 - Home Electrification and Appliance Rebates	
3. Recipient: State of Texas		
4. Reporting Requirements (see also the Special Instructions)	Frequency	Addresses
<p><b>I. PROJECT MANAGEMENT REPORTING</b></p> <p><input checked="" type="checkbox"/> A. Performance Report - Narrative</p> <p><input checked="" type="checkbox"/> B. Performance Report - Quantitative</p> <p><input checked="" type="checkbox"/> C. Financial Report (SF-425)</p> <p><input checked="" type="checkbox"/> D. Scientific and Technical Reporting</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> 1. Accepted Manuscript of Journal Article(s)</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> 2. Conference Product(s)</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> 3. Technical Report(s)</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> 4. Software &amp; Manual(s)</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> 5. Dataset(s)</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> 6. Other STI (Dissertation / Thesis, etc.)</p> <p><input checked="" type="checkbox"/> E. Intellectual Property Reporting</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> 1. Intellectual Property Reporting</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> 2. Invention Utilization Report</p> <p><input type="checkbox"/> F. Project Management Plan (PMP)</p> <p><input checked="" type="checkbox"/> G. Special Status Report</p> <p><input checked="" type="checkbox"/> H. Progress Tranche Summary Report</p> <p><input checked="" type="checkbox"/> I. Other Project Management Reporting (see Special Instructions)</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> 1. Deferred Narrative Document Responses</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> 2. Privacy and Risk Assessment of State Systems</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> 3. Outreach and Education Strategy</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> 4. Utility Data Access Plan (Only required for 50121)</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> 5. Consumer Protection Plan</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> 6. Market Transformation Plan</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> 7. Community Benefits Plan</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> 8. Security and Privacy Controls documentation</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> 9. Evaluation Plan (Not required if participating in DOE-led impact evaluation)</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> 10. Pre-Launch Information</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> 11. Rebate Transaction Data</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> 12. Programmatic Data Tracking</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> 13. Final Evaluation Results (Not required if participating in DOE-led impact evaluation)</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> 14. IRA Supplemental Annual Data Report</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> 15. IRA Home Energy Rebates Program Planned Activities</p> <p><b>II. AWARD MANAGEMENT REPORTING</b></p> <p><input checked="" type="checkbox"/> A. Current and Pending Support</p> <p><input checked="" type="checkbox"/> B. Demographic Reporting</p> <p><input checked="" type="checkbox"/> C. Financial Conflict of Interest Report</p> <p><input type="checkbox"/> D. Tangible Personal Property Report - Annual Property Report (SF-428 &amp; SF-428A)</p> <p><input checked="" type="checkbox"/> E. Tangible Personal Property Report – Disposition Request/Report (SF-428 &amp; SF-428C)</p> <p><input checked="" type="checkbox"/> F. Uniform Commercial Code (UCC) Financing Statements</p> <p><input checked="" type="checkbox"/> G. Federal Subaward Reporting System (FSRS)</p> <p><input checked="" type="checkbox"/> H. Annual Incurred Cost Proposal</p> <p><input type="checkbox"/> I. DOE For-Profit Compliance Audit</p> <p><input checked="" type="checkbox"/> J. Single Audit: States, Locals, Tribal Governments, and Non-Profits</p>	<p>Q</p> <p>Q</p> <p>F, Q</p> <p>A5, P</p> <p>A5, P</p> <p>A5, P</p> <p>A5, P</p> <p>A5, P</p> <p>A5, P</p> <p>A5, P</p> <p>A5, P</p> <p>A5</p> <p>A5</p> <p>A5</p> <p>A5</p> <p>A5</p> <p>A5</p> <p>A5</p> <p>A5</p> <p>A5</p> <p>A5</p> <p>A5</p> <p>A5</p> <p>Q</p> <p>A5</p> <p>A5</p> <p>A5</p> <p>A5</p> <p>Q</p> <p>Y</p> <p>Q</p> <p>A5</p> <p>A5</p> <p>A5</p> <p>A5</p> <p>A5</p> <p>A5</p> <p>Y180</p> <p>O</p>	<p>A. <a href="#">PAGE System</a></p> <p>B. <a href="#">PAGE System</a></p> <p>C. <a href="#">PAGE System</a></p> <p>D.1. <a href="#">OSTI E-Link</a></p> <p>D.2. <a href="#">OSTI E-Link</a></p> <p>D.3. <a href="#">OSTI E-Link</a></p> <p>D.4. <a href="#">DOE CODE</a></p> <p>D.5. <a href="#">OSTI E-Link Datasets</a></p> <p>D.6. <a href="#">OSTI E-Link</a></p> <p>E.1. <a href="#">iEdison</a></p> <p>E.2. <a href="#">iEdison</a></p> <p>F. <a href="#">PAGE System</a></p> <p>G. See section I.G. for instructions and due dates</p> <p>H. <a href="#">PAGE System</a></p> <p>I. See Special Instructions</p> <p style="padding-left: 20px;">1. <a href="#">PAGE System</a></p> <p style="padding-left: 20px;">2. <a href="#">PAGE System</a></p> <p style="padding-left: 20px;">3. <a href="#">PAGE System</a></p> <p style="padding-left: 20px;">4. <a href="#">PAGE System</a></p> <p style="padding-left: 20px;">5. <a href="#">PAGE System</a></p> <p style="padding-left: 20px;">6. Determined by DOE</p> <p style="padding-left: 20px;">7. <a href="#">PAGE System</a></p> <p style="padding-left: 20px;">8. <a href="#">PAGE System</a></p> <p style="padding-left: 20px;">9. <a href="#">PAGE System</a></p> <p style="padding-left: 20px;">10. DOE Project Officer</p> <p style="padding-left: 20px;">11. <a href="#">PNNL</a></p> <p style="padding-left: 20px;">12. <a href="#">PAGE System</a></p> <p style="padding-left: 20px;">13. <a href="#">PAGE System</a></p> <p style="padding-left: 20px;">14. <a href="#">PAGE System</a></p> <p style="padding-left: 20px;">15. <a href="#">PAGE System</a></p> <p>A. <a href="#">PAGE System</a></p> <p>B. <a href="#">PAGE System</a></p> <p>C. <a href="#">PAGE System</a></p> <p>D. <a href="#">PAGE System</a></p> <p>E. <a href="#">PAGE System</a></p> <p>F. See section II. F. for instructions and due dates</p> <p>G. <a href="#">FSRS</a></p> <p>H. See section II. H. for instructions and due dates</p> <p>I. See section II. I. for instructions and due dates</p> <p>J. See section II. J. for instructions and due dates</p>



# Federal Assistance Reporting Checklist

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<p><input checked="" type="checkbox"/> K. Other Award Management Reporting (see Special Instructions)</p> <p>    <input checked="" type="checkbox"/> 1. Invoice documentation</p> <p>    <input type="checkbox"/> 2. Trafficking in Persons</p> <p><b>III. CLOSEOUT REPORTING</b></p> <p><input checked="" type="checkbox"/> A. Final Scientific/Technical Report</p> <p><input type="checkbox"/> B. Invention Certification (DOE F 2050.11)</p> <p><input checked="" type="checkbox"/> C. Tangible Personal Property Report – Final Report (SF-428 &amp; SF-428B)</p> <p><input checked="" type="checkbox"/> D. Verification of Receipt of Accepted Manuscripts</p> <p><input type="checkbox"/> E. Other Closeout Reporting (see Special Instructions)</p> <p><b>IV. POST-PROJECT REPORTING</b></p> <p><input checked="" type="checkbox"/> A. Scientific and Technical Reporting</p> <p><input checked="" type="checkbox"/> B. Intellectual Property Reporting</p> <p><b>V. Bipartisan Infrastructure Law/Inflation Reduction Act Reporting</b></p> <p><input checked="" type="checkbox"/> A. Community Benefits Report</p> <p><input type="checkbox"/> B. Boosting Domestic Manufacturing</p> <p><input checked="" type="checkbox"/> C. Quality Job Creation</p> <p>    <input type="checkbox"/> 1. Direct Jobs</p> <p>    <input type="checkbox"/> 2. Training Outcomes</p> <p>    <input checked="" type="checkbox"/> 3. Good Jobs Outcomes</p> <p>    <input type="checkbox"/> 4. Permanent Jobs</p> <p><input type="checkbox"/> D. Equity and Justice</p> <p>    <input type="checkbox"/> 1. Community Engagement Process</p> <p>    <input type="checkbox"/> 2. Engagement Events and Technical Assistance</p> <p>    <input type="checkbox"/> 3. Community Ownership</p> <p><input type="checkbox"/> E. Pathway to Net-Zero</p> <p>    <input type="checkbox"/> 1. Infrastructure Supported</p> <p>    <input type="checkbox"/> 2. Hydrogen Production</p> <p>    <input type="checkbox"/> 3. Carbon Capture, Removal, and Storage</p> <p>    <input type="checkbox"/> 4. Energy Saved</p> <p><input type="checkbox"/> F. Davis Bacon Act Semi-Annual Labor Compliance Report</p> <p><input type="checkbox"/> G. Locations of Work</p>	<p>K. See Special Instructions</p> <p>    1. Determined by DOE</p> <p><b>A5</b></p> <p><b>F</b> A. <a href="#">OSTI E-Link</a></p> <p>    B. <a href="#">PAGE System</a></p> <p><b>F</b> C. <a href="#">PAGE System</a></p> <p><b>F</b> D. See section III.D. for instructions and due dates</p> <p>    E. See Special Instructions</p> <p><b>P</b> A. <a href="#">OSTI E-Link</a></p> <p><b>P</b> B. <a href="#">iEdison</a></p> <p><b>A5, Y, F</b> A. <a href="#">PAGE System</a></p> <p>    B. <a href="#">PAGE System</a></p> <p><b>A5, Y, F</b> C.1. <a href="#">LCPtracker</a></p> <p>    C.2. <a href="#">PAGE System</a></p> <p>    C.3. <a href="#">PAGE System</a></p> <p>    C.4. <a href="#">PAGE System</a></p> <p>D.1. <a href="#">PAGE System</a></p> <p>D.2. <a href="#">PAGE System</a></p> <p>D.3. <a href="#">PAGE System</a></p> <p>E.1. <a href="#">PAGE System</a></p> <p>E.2. <a href="#">PAGE System</a></p> <p>E.3. <a href="#">PAGE System</a></p> <p>E.4. <a href="#">PAGE System</a></p> <p>F. <a href="#">PAGE System</a></p> <p>G. <a href="#">Applicable only to OCED &amp; FECM. Program Offices to complete</a></p>
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## FREQUENCY CODES AND DUE DATES:

**A5** – As Specified or within five (5) calendar days after the event.

**F** – Final; within 120 calendar days after expiration or termination of the award.

**O** – Other: See instructions for further details.

**P** – Post-project (after the period of performance); within five (5) calendar days after the event, or as specified.

**Q** – Quarterly; within 30 calendar days after the end of the federal fiscal year quarter.

**S** – Semiannually; within 30 days after end of the reporting period.

**Y** – Yearly; within 90 calendar days after the end of the federal fiscal year.

**Y180** – Yearly; within 180 calendar days after the close of the recipient’s fiscal year.

## FULL URLS:

OSTI E-Link: <http://www.osti.gov/elink-2413>

OSTI E-Link Datasets: <https://www.osti.gov/elink/2416-submission.jsp>

DOE CODE: <https://www.osti.gov/doecode/>

iEdison: <http://www.iedison.gov>

DOE PAGE: <https://page.energy.gov>

FIRS: <https://www.firs.gov>

LCPtracker: <https://www.lcptracker.com>

## Special Instructions:

### PROJECT MANAGEMENT REPORTING

#### I.I. Other Project Management Reporting (Special Instructions)

1. Deferred Narrative Document Responses: All Narrative Document responses deferred at the time of application must be resubmitted to DOE as part of the State Implementation Blueprint 60 days prior to planned rebate program launch.

State Implementation Blueprint (found in [Home Energy Rebate \(HER\) Program Requirements & Application Instructions](#)) : The State Implementation Blueprint consists of the documents outlined below. Each of these is due 60 days prior to planned rebate program launch, unless otherwise noted. All State Implementation Blueprint documents should be submitted through the DOE PAGE system. State Implementation Blueprint documents:

2. Privacy and Risk Assessment of State Systems
3. Outreach and Education Strategy
4. Utility Data Access Plan (Only required for 50121)
5. Consumer Protection Plan (Consumer Protection Plan must be reviewed every 2 years, adjusted based on lessons learned, and changes must be shared with DOE, contractors, aggregators, and third-party inspectors.)
6. Market Transformation Plan – Market Transformation Plan can be submitted up to 1 year after award date.
7. Community Benefits Plan
8. Security and Privacy Controls documentation (found in the [HER Program Requirements & Application Instructions](#)) is due upon DOE request.
9. Evaluation Plan (found in [HER Program Requirements & Application Instructions](#)) is due within three months of rebate program launch and submitted through PAGE. The Evaluation Plan is submitted through PAGE. If a state chooses to participate in DOE-led impact evaluation an Evaluation Plan is not required.
10. Pre-Launch Information (found in [Data & Tools Requirements Guide](#)) is due at least 60 days before program launch and submitted to DOE Project Officer.
  - i. **Note:** If the state chooses to submit an alternative workflow instead of the DOE/PNNL workflows, the alternative needs to be submitted at least 60 days prior to program launch. For states not using the CESJT to designate disadvantaged communities, they must propose an alternative map for DACs and provide a shapefile to DOE/PNNL no later than 60 days prior to launch.
11. Rebate Transaction Data (found in [Data & Tools Requirements Guide](#)) is due monthly on 30 days after the last day of the prior month if the DOE/PNNL Rebate Tracking and Reporting Tool Real Time API connection is not used. Data should be submitted on [PNNL Administrative Portal](#).
12. Programmatic Data (found in [Data & Tools Requirements Guide](#)) Tracking is due monthly and submitted through DOE PAGE.
13. Final Evaluation Results (found in the [HER Program Requirements & Application Instructions](#)) are due within 18 months of evaluation approval, or the agree-upon timeline in the evaluation plan. DOE may require another evaluation depending on the results of their first evaluation. The results are submitted through PAGE. If a state chooses to participate in DOE-led impact evaluation, Final Evaluation Results are not required.
14. The IRA Supplemental Annual Data Report form will be used to uniformly collect data on the outputs and outcomes of IRA-funded activities. The IRA Supplemental Annual Data Report shall be submitted annually within 90 days of the end of each IRA Program Year, which is a 365-day period upon the day rebates become available to consumers. Grantees should only complete the portions of the form that correspond to the grantee’s activities. A template report will be provided to grantees by the DOE Project Officer.
15. IRA Home Energy Rebates Program Planned Activities will be used to collect performance data of IRA Home Energy Rebates Program activities and outputs on a quarterly basis. Information is to be submitted via [PAGE System](#) at each quarterly reporting period, which is within 30 calendar days after the end of the quarterly reporting period (Due dates would thus be January 30, April 30, July 30, October 30).

### AWARD MANAGEMENT REPORTING

#### II.K. Other Award Management Reporting (Special Instructions)



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1. Invoice documentation (found in the [HER Program Requirements & Application Instructions](#)) for work performed is as due upon request in the event of an audit. Invoice documentation refers to the documentation that provides details about the work that was carried out.

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## Reporting Instructions

**\*\*\* Throughout the performance of the project, it is important that you mark Protected Data/Limited Rights Data as described in Appendix A. It is equally important that you not submit Protected Personally Identifiable Information (Protected PII) to DOE. See Appendix A for guidance on Protected PII. \*\*\***

### I. Project Management Reporting

#### A. Performance Report Narrative (PRN)

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Within 30 calendar days after the end of the quarterly reporting period (January 30, April 30, July 30, October 30)

Every quarter, the prime recipient is required to submit a Performance Report - Narrative (PRN) and a Performance Report Quantitative (PRQ) for the project. Together these two documents summarize the entirety of work performed by the prime recipient, subrecipients, and contractors. The Performance Report - Narrative contains qualitative information on the project progress. The Performance Report - Quantitative captures quantitative information on the project progress. The PRN must include the following information. A PRN Template is available at <https://www.energy.gov/infrastructure/reporting-checklists> with the intent to reduce the administrative burden by promoting the use of common formats.

#### 1. Cover Page

- a. Federal Agency and Organization Element to Which Report is Submitted
- b. Federal Grant or Other Identifying Number Assigned by Agency
- c. Project Title
- d. Program Director/Principal Investigator/Lead Project Manager (PD/PI) Name, Title, and Contact Information (e-mail address and phone number)
- e. Business Contact Name, Title, and Contact Information (e-mail address and phone number)
- f. Submission Date
- g. Recipient Organization (Name and Address)
- h. Period of Performance (Start Date, End Date)
- i. Budget Period (Start Date, End Date)
- j. Reporting Period (Start Date, End Date)



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- k. Certification by the Submitting Official that includes: Signature of Submitting Official (electronic signatures (i.e., Adobe Acrobat) are acceptable); date of signature; and the following certification statement:

By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate. I am aware that any false, fictitious, or fraudulent information, misrepresentations, half-truths, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise. (U.S. Code Title 18, Section 1001, Section 287 and Title 31, Sections 3729-3730). I further understand and agree that the information contained in this report are material to Federal agency's funding decisions and I have an ongoing responsibility to promptly update the report within the time frames stated in the terms and conditions of the above referenced Award, to ensure that my responses remain accurate and complete.

## 2. Summary

The purpose of the Summary is to describe a high-level status on the items listed below. This section should be a mix of short paragraphs and bullet points.

### Major Goals and Objectives

Provide a summary of the major project goals and objectives. This should be the same from quarter to quarter and align with the Statement of Project Objectives (SOPO)/Statement of Work (SOW).

### Technical Achievement(s)

Provide a summary of all significant technical progress of the project in achieving objective and programmatic goals during the life of the project. This should include key outcomes or other achievements, such as major findings, developments, or conclusions (both positive and negative), information dissemination, etc. This section should be a cumulative summary of technical achievements with newly added comments for the current reporting period highlighted.

### Impact

State how the findings, results, or techniques developed in this project will continue to make an impact on the specific fields of research in this project and in other disciplines, which may include training and educational experiences; human resource development in science, engineering, and technology; technology transfer; and societal impacts.

### Project Schedule Status

Provide a narrative summary of the status of tasks with respect to the plan for the quarter and budget period. If deviations from the schedule are noted, describe the



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impacts and mitigation alternatives that are in place or planned in the Changes/Problems section below.

## Project Budget Status

Provide a summary of the project expenditures and costs with respect to the plan for the quarter and budget period. If applicable, describe the variance, associated impacts, and mitigation alternatives that are in place or planned in the Changes/Problems section below.

## Changes/Problems

Include any planned or anticipated changes to scope, schedule, or budget. Proposed award modifications noted solely within a Performance Report do not constitute a proposed award modification. Significant changes to the award scope, schedule, and budget must be submitted to the Grants Management Specialist and the Project Officer and must be approved by the Grants Officer. If there is nothing significant to report during this reporting period, state "Nothing to Report."

### **Key Personnel Changes**

Describe planned or actual changes in principal investigator, business contacts, or senior/key personnel and the impact to achieving project objectives.

### **Scope Issues**

Describe issues with completing the required project scope identified in the SOPO/SOW, the impacts to achieving project objectives and program goals if applicable, and proposed mitigation alternatives. The quantitative impact to achievement of Technical Milestones and Go/No Go decision points and key deliverables should also be addressed.

### **Schedule Issues**

Describe issues with achieving the planned activities identified in the project schedule and the impact to the award budget period end dates and the overall award period of performance. The quantitative impact to the timing of Technical Milestones and Go/No Go decision points, and key deliverables should also be addressed.

### **Budget Issues**

Describe changes during the reporting period that may have a significant positive or negative impact on expenditures or the overall budget.

## **3. Special Reporting**

Respond to any special reporting requirements specified in the award Terms and Conditions, as well as any award specific reporting requirements outlined in the FARC Special Instructions.



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## B. Performance Report Quantitative (PRQ)

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Within 30 calendar days after the end of the quarterly reporting period (January 30, April 30, July 30, October 30)

Every quarter, the prime recipient is required to submit a Performance Report Narrative (PRN) and a Performance Report - Quantitative (PRQ) for the project. Together these two documents summarize the entirety of work performed by the prime recipient, subrecipients, and contractors. The Performance Report - Narrative contains qualitative information on the project progress. The Performance Report - Quantitative captures quantitative information on the project progress. The PRQ must include the following information. A PRQ Template is provided at <https://www.energy.gov/infrastructure/reporting-checklists> with the intent to reduce the administrative burden by promoting the use of common formats.

### 1. Organizations

Identify all subrecipients, contractors, U.S. National Laboratories, partners, and collaborating organizations. Recipients must also include all foreign collaborators as outlined in the Foreign Collaboration Considerations term of the award Terms and Conditions. For each, provide name, UEI, zip code or latitude/longitude, role in the project, contribution to the project, and start and end date.

### 2. Tasks and Milestones

Enter all tasks and milestones identified in your Statement of Project Objectives (SOPO) Project Management Plan (PMP), or other document which outlines your project scope, schedule and budget, Community Benefits Plan (CBP), and Cybersecurity Plan (if directed by your DOE Project Team). Each quarter, update the status of the task/milestone, the physical percent complete, and, when applicable, the actual month complete.

### 3. Contractual Cost Summary

For each subrecipient and contractor working on the project (excluding FFRDCs), provide a summary of the work, approved budget, and actual expenses.

### 4. Cost Summary

Using your approved budget, enter the project costs by budget category and report actual expenses each quarter. Also include budgeted and actual recipient cost share.

### 5. Spend Plan

For both federal and recipient cost share, enter the planned spending for the entire project period. Planned spend means when the project team anticipates incurring costs. Each quarter, update with actual federal and recipient spend.





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## 6. Earned Value Management

When required by your DOE project team, complete the table for Earned Value Management.

## 7. Products

### What has the project produced?

List any products resulting from the project during the reporting period. Specific product submission instructions can be found in [Scientific and Technical Reporting](#). Examples of products include: publications, conference papers, and presentations; website(s); technologies or techniques; inventions, patent applications, and/or licenses; and other products, such as data or databases, physical collections, audio or video products, software or NetWare, models, educational aids or curricula, instruments or equipment, research material, interventions (e.g., clinical or educational), new business creation or any other public release of information related to the project.

#### a. Publications, conference papers, and presentations

Report the publication(s) resulting from the work under this award.

Please note: Recipients must use the DOE acknowledgement and legal disclaimer language as described in the Special Terms and Conditions.

The recipient is reminded that all data produced under the award should comply with the award's plan (DMP) if applicable. The DMP provides a plan for making all research data displayed in publications resulting from the proposed work digitally accessible at the time of publication. At a minimum, the DMP (1) describes how data sharing and preservation will enable validation of the results from the proposed work, how the results could be validated if data are not shared or preserved and (2) has a plan for making all research data displayed in publications resulting from the proposed work digitally accessible at the time of publications.

#### i. Accepted Manuscript(s) of Journal Article

List peer-reviewed articles or papers that have been submitted for publication in scientific, technical, or professional journals. Include any paper submitted for peer-reviewed publication in the periodically published proceedings of a scientific society, a conference, or the like. A publication in the proceedings of a one-time conference, not part of a series, should be reported under "Books or other non-periodical, one-time publications."

Identify for each publication: Author(s); title; journal; volume: year; page numbers; status of publication (published; accepted, awaiting publication; submitted, under review; other); acknowledgement of federal support (yes/no);



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legal disclaimer language (yes/no). Also see instructions under **II. Scientific/Technical Reporting** regarding the submission of accepted manuscripts and other STI as appropriate.

**ii. Books or other non-periodical, one-time publications**

Report any book, monograph, dissertation, abstract, or the like published as or in a separate publication, rather than a periodical or series. Include any significant publication in the proceedings of a one-time conference or in the report of a one-time study, commission, or the like.

Identify for each one-time publication: author(s); title; editor; title of collection, if applicable; bibliographic information; year; type of publication (book, thesis or dissertation, other); status of publication (published; accepted, awaiting publication; submitted, under review; other); acknowledgement of federal support (yes/no); legal disclaimer language (yes/no).

**iii. Other publications, conference papers and presentations**

Identify any other publications, conference papers and/or presentations not reported above. Specify the status of the publication as noted above.

**b. Website(s)**

List the URL for any Internet site(s) that disseminates the results of the research activities. A short description of each site should be provided. It is not necessary to include the publications already specified above in this section.

**c. Technologies or techniques**

Identify technologies or techniques that have resulted from the research activities. Describe the technologies or techniques and how they are being shared.

**d. Inventions, patent applications, and/or licenses**

Identify inventions, patent applications with date, and/or licenses that have resulted from the research. Submission of this information as part of an interim report or Final Technical Report is not a substitute for any other invention reporting required under the terms and conditions of an award.

**e. Other products**

Identify any other significant products that were developed under this project. Describe the product and how it is being shared. Examples of other products are: Data or databases; Physical collections; Audio or video products; Software or NetWare; Models; Educational aids or curricula; Instruments or equipment; Research material (e.g., germplasm, cell lines, DNA probes, animal models); Interventions (e.g. clinical, educational); new business creation; and Other.

## 8. Participants



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The following information on participants (individuals) was provided during award negotiations. On a quarterly basis, provide updates as needed. For changes to covered individuals, please refer to the Current and Pending Support reporting for additional requirements.

**a. What individuals have worked on the project?**

Provide the following information for individuals at the prime recipient and subrecipient level: (1) all covered individuals as defined in the Terms and Conditions, and (2) each person who has worked or is expected to work at least one person month per year on the project regardless of the source of compensation (a person month equals approximately 160 hours of effort).

- i. Name
- ii. Organization
- iii. Job Title
- iv. Role in the project
- v. Start and end date (month and year) working on the project
- vi. State, U.S. territory, and/or country of residence
- vii. Whether this person collaborated with an individual or entity located in a foreign country in connection with the scope of this Award, and
- viii. If yes to a.vii, whether the person traveled to the foreign country as part of that collaboration, and, if so, where and what the duration of stay was.

**9. Special Reporting Requirements**

Respond to any special reporting requirements specified in the award terms and conditions, as well as any award specific reporting requirements.

**C. Financial Report SF-425 Federal Financial Report**

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Within 30 calendar days after the end of the quarterly reporting period (January 30, April 30, July 30, October 30) <b>and</b> within 120 calendar days after expiration or termination of the award

Every quarter, the prime recipient is required to submit a completed SF-425 for the project to DOE, covering the entirety of work performed by the prime recipient, subrecipients, and contractors – to DOE. A fillable version of the SF-425 is available at [Post-Award Reporting Forms | Grants.gov](#).

**D. Scientific and Technical Reporting**

The dissemination of scientific and technical information (STI) ensures public access to the results of federally funded research. STI refers to information products in any medium or format used to convey results, findings, or technical innovations from research and



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development or other scientific and technological work that are prepared with the intention of being preserved and disseminated in the broadest sense applicable (i.e., to the public or, in the case of controlled unclassified information or classified information, disseminated among authorized individuals). By properly submitting STI to DOE Energy Link System (E-Link), the information will be made available to the public through OSTI.GOV.

**NOTE: SCIENTIFIC/TECHNICAL PRODUCTS INTENDED FOR PUBLIC RELEASE MUST NOT CONTAIN PROTECTED PERSONALLY IDENTIFIABLE INFORMATION (PII).** Please refer to **Appendix A for more information.**

**NOTE: For awards made after August 8, 2024, the digital persistent identifier (e.g., ORCID iD) for individuals must be used when publishing products (when that is an option). The digital persistent identifier for individuals must be provided when reporting outputs to the Department of Energy Office of Scientific and Technical Information (DOE OSTI).**

## 1. Accepted Manuscript of Journal Article

Submit to:	DOE Energy Link System (E-Link) available at <a href="http://www.osti.gov/elink-2413">http://www.osti.gov/elink-2413</a>
Submission deadline:	No later than the published online date of the article

Public access to scholarly publications is enabled by providing the Accepted Manuscript (AM) of the Journal Article to DOE OSTI and is consistent with the U.S. Government's retained license to published results of federally-funded research. If the recipient has a journal article accepted for publication which includes information/data produced under the award, then the recipient must submit an AN 241.3, as described below, no later than the published online date of the article.

**Content.** The recipient is to provide the final peer-reviewed AM, i.e., the version of a journal article that has been peer reviewed and accepted for publication in a journal. Do NOT submit the journal's published version of the article, i.e., do NOT submit a copyrighted reprint.

DOE will make no additional review of the content of the AM because the AM is the version of the journal article with the content to be published (i.e., publicly released) by the journal publisher.

The recipient must self-certify at the time of submission to DOE via E-Link that the content is appropriate and that it is not a copyrighted reprint, i.e., the final version of the published article. Recipients are reminded that the article is to include an acknowledgement of federal support and a legal disclaimer as required in the "Publications" Term in the award Special Terms and Conditions.



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The recipient is also reminded that all data produced under the award should comply with the award's data management plan (DMP). The DMP provides a plan for making all research data displayed in publications resulting from the proposed work digitally accessible at the time of publication. At a minimum, the DMP (1) describes how data sharing and preservation will enable validation of the results from the proposed work, how the results could be validated if data are not shared or preserved and (2) has a plan for making all research data displayed in publications resulting from the proposed work digitally accessible at the time of publications.

Electronic Submission Process. The AM of the Journal Article must be provided electronically via the DOE Energy Link System (E-Link) and must be accompanied by a completed DOE Announcement Notice (AN) 241.3 (<http://www.osti.gov/elink-2413>).

## 2. Conference Product(s)

Submit to:	DOE Energy Link System (E-Link) available at <a href="http://www.osti.gov/elink-2413">http://www.osti.gov/elink-2413</a>
Submission deadline:	Within five (5) calendar days after the event, or as specified

The recipient must submit a copy of any scientific/technical conference papers, proceedings, or presentations.

Content: The content should include a copy of the paper, presentation, or proceeding and: (1) name of conference; (2) location of conference; (3) date of conference; and (4) conference sponsor. Also include an acknowledgement of federal support and a legal disclaimer as described in the Special Terms and Conditions.

Electronic Submission Process: Scientific/technical conference proceedings, papers/presentations or must be submitted via the DOE Energy Link System (E-Link) with a completed DOE Announcement Notice (AN) 241.3 (<https://www.osti.gov/elink-2413>).

The recipient is responsible for ensuring the suitability of the content for public release. The terms and conditions of award provide that submissions must not contain any Protected Personally Identifiable Information (PII), limited rights data (proprietary data), classified information, information subject to export control classification, or other information not subject to release.

## 3. Technical Report(s)

Submit to:	DOE Energy Link System (E-Link) available at <a href="http://www.osti.gov/elink-2413">http://www.osti.gov/elink-2413</a>
Submission deadline:	Within five (5) calendar days after the event, or as specified



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The recipient must submit a copy of any scientific/technical reports.

Content: The content should include a copy of the report as well as an acknowledgement of federal support and a legal disclaimer as described in the Special Terms and Conditions.

Electronic Submission Process: Scientific/technical reports must be submitted via the DOE Energy Link System (E-Link) with a completed DOE Announcement Notice (AN) 241.3 (<https://www.osti.gov/elink-2413>).

The recipient is responsible for ensuring the suitability of the content for public release. The terms and conditions of award provide that submissions must not contain any Protected Personally Identifiable Information (PII), limited rights data (proprietary data), classified information, information subject to export control classification, or other information not subject to release.

#### 4. Software & Manual(s)

Submit to:	DOE CODE: <a href="https://www.osti.gov/doecode/">https://www.osti.gov/doecode/</a>
Submission deadline:	Within five (5) calendar days after the event, or as specified

The recipient must submit all software deliverables created under the award, as well as any accompanying documentation or manuals.

DOE CODE is DOE’s software services platform for submitting and searching for software resulting from DOE-funded research. Through submission to DOE CODE, users have the option to obtain a Digital Object Identifier (DOI) for the code, making it more easily discoverable, citable, and shared.

Content. When a recipient submits software to OSTI through DOE CODE, a set of required metadata elements and a link to the software repository must be provided.

Submission Process. Recipients will submit software by going to <https://www.osti.gov/doecode/>. Before submissions can be made, the recipient will be required to create an account. The recipient may create an account by visiting the top right of the DOE CODE homepage. Once the account is created, submissions may be made through the submit software/code link on the homepage. For more information about DOE CODE please visit <https://www.osti.gov/doecode/faq>.

#### 5. Dataset(s)



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Submit to:	DOE Energy Link System (E-Link) available at <a href="https://www.osti.gov/elink/241-6-submission.jsp">https://www.osti.gov/elink/241-6-submission.jsp</a>
Submission deadline:	Within five (5) calendar days after the event, or as specified

Scientific/technical datasets (data-streams, data files, etc.) support the technical reports and published literature resulting from DOE-funded research. They are also recognized as valuable information entities in their own right that, now and in the future, need to be available for citation, discovery, retrieval, and reuse. The assignment and registration of a Digital Object Identifier (DOI) is a free service for DOE-funded researchers which is provided by OSTI to enhance access to this important resource. In order to obtain a DOI, provide to OSTI the specific data elements relevant to the dataset, as specified in DOE AN 241.6.

Content. If the recipient generates publicly available datasets resulting from work funded by DOE, they may announce these datasets to OSTI and have them registered with DataCite to obtain a DOI, which ensures long-term linkage between the DOI and the dataset's location. To register and publicly announce a dataset, the recipient must provide an AN 241.6, including the required data elements needed for describing the dataset. Note: Do NOT submit the dataset itself, only the metadata for registering the dataset, obtaining a DOI, and announcing its availability.

Electronic Submission Process. Notification of scientific datasets must be submitted electronically via the DOE Energy Link System (E-Link) and must be accompanied by a completed DOE Announcement Notice (AN) 241.6 (<https://www.osti.gov/elink/241-6-submission.jsp>). Within the AN 241.6, provide relevant information about the dataset as well as the URL where the dataset can be accessed.

## 6. Other STI (Dissertation / Thesis, etc.)

Submit to:	<a href="http://www.osti.gov/elink-2413">http://www.osti.gov/elink-2413</a>
Submission deadline:	Within five (5) calendar days after the event, or as specified

Recipients are encouraged to announce other forms of STI especially if they are the primary means by which certain research results are disseminated or if they contain research results not already announced to DOE by the recipient in technical reports, accepted journal articles, conference products, software, and datasets.



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Other types of scientific and technical information produced which may be used for public dissemination of project results include: dissertation/thesis, patent, book, or other similar products. These types of STI may also be announced using DOE AN 241.3 by following instructions on the E-Link website (<http://www.osti.gov/elink-2413>).

## E. Intellectual Property Reporting

### 1. Intellectual Property Reporting

Submit to:	<a href="http://www.iEdison.gov">http://www.iEdison.gov</a>
Submission deadline:	Within five (5) calendar days after the event, or as specified

iEdison requires a login and password. If the recipient’s organization does not already have an iEdison administrator account, the recipient may register for one at: [iEdison Registration](#).

In accordance with the patent rights clause of the award, the recipient and subrecipient(s), if any, must complete the following intellectual property reports in iEdison when applicable:

Disclosing a subject invention, including anticipated uses and sales (use iEdison’s Invention Report);

Reporting publications, manuscript submissions, or other public disclosures concerning a subject invention (add documents to the Invention Report);

If authorized by the award agreement, electing (or declining) to retain title to a subject invention (modify the Invention Report and input “Title Election Date” or “Not Elect Title Reason”);

Disclosing the filing or termination of patent applications on a subject invention (i.e., patent applications disclosing or claiming a subject invention). Patent disclosures must be made (using iEdison’s Patent Report) for filing the following patent applications:

- An initial domestic patent application (including provisional or non-provisional);
- A domestic divisional or continuation patent application;
- A domestic continuation-in-part application; and
- A foreign patent application.

Discontinuing prosecution of a patent application, maintenance of a patent, or defense in a patent reexamination or opposition proceeding, regardless of jurisdiction (modify the Patent Report); and,

Requesting an extension of time to:





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- Elect (or decline) to retain title to a subject invention (modify the Invention Report); and
- File an initial domestic or foreign patent application (modify the Invention Report).

Failure to submit Intellectual Property Reporting Forms in a timely manner may result in forfeiture of the recipient's or subrecipient's rights in the subject inventions and related patent applications.

## 2. Invention Utilization Report

Submit to:	<a href="http://www.iEdison.gov">http://www.iEdison.gov</a>
Submission deadline:	For each subject invention, reports are due annually once the recipient or subrecipient elects to retain title to the subject invention and must continue to be provided for 10 years thereafter

The recipient and subrecipient(s) must provide Invention Utilization Reports for each subject invention that the recipient or subrecipient retains ownership. Reports are due annually starting one year after the recipient or subrecipient elects to take title and must continue to be provided for 10 years thereafter or until the recipient or subrecipient informs DOE in writing that it no longer wants to retain title in the subject invention. Failure to submit Invention Utilization Reports in a timely manner may result in forfeiture of the recipient's or subrecipient's rights in the subject inventions.

## F. Project Management Plan (PMP)

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Within six (6) weeks of the effective date of the award

### Iterations and Maintenance

The recipient is required to develop, update, and adhere to a project management plan. The purpose of the plan is to establish cost, schedule, and technical performance baselines, and to formalize the processes by which the project will be managed. These processes include considerations such as risk management, change management, and communications management. While it is primarily the project recipient's responsibility to maintain the plan,



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federal staff may request changes. The plan is intended to be a living document, modified as necessary, and comprising the following iterations:

## Application Draft

The recipient must submit a draft of the project management plan with the initial application for financial assistance.

## Negotiation Draft

The selected recipient may be required by the selecting Office to revise its project management plan during the negotiation phase.

## Active Plan

Following formal award of the financial assistance agreement, the recipient must submit an updated project management plan, to include any changes requested during negotiation and a timeline based upon the actual award date.

### 1. Revised Plan(s)

During the life of the project the recipient must submit a revised project management plan based on the following circumstances:

- a. Developments that have a significant favorable impact on the project.
- b. Problems, delays, or adverse conditions which materially impair the recipient's ability to meet the objectives of the award or which may require the program office to respond to questions relating to such events from the public. Specifically, the recipient must update the plan when any of the following incidents occur:
  - i. Any event which is anticipated to cause significant schedule or cost changes, such as changes to the funding and costing profile or changes to the project timeline.
  - ii. Any change to Technology Readiness Level.
  - iii. Any significant change to risk events (including both potential and realized events) or to risk management strategies.
  - iv. Failure to meet a milestone or milestones; any dependencies should be adjusted.
  - v. Any changes to partnerships.
  - vi. Any significant change to facilities or other project resources.
  - vii. Any other incident that has the potential for high visibility in the media.

### 2. Content of revised PMP

**Project Title:** The DOE award number and project title

**Recipient Organization:** Official name of the recipient organization

**Principal Investigator:** The name and title of the project director/ principal investigator



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**Date of Plan:** The date the plan or plan revision was completed

The revised PMP must describe changes to any of the following sections of the PMP as well as provide updated versions of any logs, tables, charts, or timelines.

**a. Executive Summary:**

Provide a description of the project that includes the objective, project goals, and expected results. The description should include a high-level description of the technology, potential use or benefit of the technology, location of work sites and a brief discussion of work performed at each site, along with a description of project phases (if the project includes phases).

**b. Technology Readiness Levels (TRLs):**

Identify the readiness level of the technology associated with the project as well as the planned progression during project execution. A detailed explanation of the rationale for the estimated technology readiness level should be provided. Specific entry criteria for the next higher technology readiness level should be identified.

**c. Risk Management:**

Provide a summary description of the proposed approach to identify, analyze, and respond to potential risks associated with the proposed project. Project risk events are uncertain future events that, if realized, impact the success of the project. At a minimum, include the initial identification of significant technical, resource, and management issues that have the potential to impede project progress and strategies to minimize impacts from those issues. The risk management approach should be tailored to the TRL. If a project or task is expected to progress to a higher TRL, then the risk plan should address the retirement of any risks associated with the first TRL and identify new risks related to moving to the next TRL. Additionally, the risk management approach should include risk opportunities that if realized, could benefit the project.

**d. Milestone Log:**

Provide milestones for each budget period (or phase) of the project. Each milestone should include a title and planned completion date. Milestones should be quantitative (e.g., a date, a decision to be made, a key event) and show progress toward budget period and/or project goals. Milestones should also be important and few. Higher TRL projects (Demonstration and Deployment) typically have the most detailed milestone logs compared to lower TRL level projects (Research and Development). If applicable, milestones chosen should clearly reflect progress through various TRL stages.

Note: The Milestone Status must present actual performance in comparison with the Milestone Log, and include:

- The actual status and progress of the project,
- Specific progress made toward achieving the project's milestones, and



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- Any proposed changes in the project's schedule required to complete milestones.

**e. Funding and Costing Profile:**

Provide a table (the Project Funding Profile) that shows, by budget period, the amount of government funding going to each project team member. Also, a table (the Project Costing Profile) which projects, by month, the expenditure of both government and recipient funds for the first budget period, at a minimum. The Funding and Costing Profile should show the relationships with the Milestone Log (Item d above) and Project Timeline (Item f below); for example, Funding and Costing information could be shown as an overlay on milestone or timeline charts.

**f. Project Timeline:**

Provide a timeline of the project (similar to a Gantt chart) broken down by each task and subtask, as described in the Statement of Project Objectives. The timeline should include a start date and end date for each task, as well as interim milestones. The timeline should also show interdependencies between tasks and include the milestones that are identified in the Milestone Log (Item d above). The timeline should also show the relationship to the Project Costing Profile (Item e above). If applicable, the timeline should include activities and milestones related to achieving succeeding TRLs.

**g. Success Criteria at Decision Points:**

Provide well-defined success criteria for each decision point in the project, including go/no-go decision points and the conclusions of budget periods and the entire project. The success criteria should be objective and stated in terms of specific, measurable, and repeatable data. Usually, the success criteria pertain to desirable outcomes, results, and observations from the project. Key milestones can be associated with success criteria. If applicable, the success criteria should include exit criteria for progressing from one TRL to the next.

**h. Key Partnerships, Teaming Arrangements and Team Members:**

Provide a list of key team members in the project as well as the role and contact information of each. A hierarchical project organization and structure chart should be provided along with a description of the role and responsibilities of each team member in terms of contribution to project scope. The section should also include key team members who fulfill single or multiple roles within a project as well as the contact information for each.

**i. Facilities and Resources:**

Provide a list of project locations along with a discussion of capabilities and activities performed at each site in terms of contribution to project scope. The address of each work site should be provided.



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**j. Communications Management:**

Describe the communications needs and expectations for the project team members. The communications plan may be simple or detailed, depending on the complexity of the project. At a minimum, the plan should include contact information, methods of communicating and anticipated frequency.

**k. Change Management:**

Provide a description of the process for managing change on the project. Describe how change will be monitored, controlled and documented within the project. This includes, but is not limited to, changes to the Scope, Schedule, and Budget. If applicable, Change Management should include assessing how changes impact TRLs.

**G. Special Status Reports**

Submit to:	See instructions below, submit either by email to the Project Lead or to <a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	As specified, see instructions below, submit either in 48 hours or 5 business days.

Problems, delays, adverse conditions which materially impair the recipient’s ability to meet the objectives of the award or which may require DOE to respond to questions relating to such events from the public. The recipient must report any of the following incidents and include the anticipated impact and remedial action to be taken to correct or resolve the problem/condition.

**Within forty-eight (48) hours**, provide notification to the DOE Project Lead by email, with a copy to the cognizant Grants Officer, the following events:

1. Any fatality, injury, or illness that results in loss of consciousness or requires medical treatment beyond first aid involving an employee, or member of the public.
2. An imminent or actual environmental contamination or the need for environmental cleanup (including, but not limited to, contamination or cleanup resulting from an accident connected to or arising from the presence, leakage or spill of hazardous materials) in accordance with National Environmental Policy Act 42 USC §§4321, et seq. Examples of due care may include, but are not limited to, visual site inspection of any portions of the property where environmental contamination is likely or suspected, or other reasonable measures. Such notice must be made to DOE following any immediate mitigation efforts, as appropriate, and contacts made to requisite agencies.
3. Actual physical property damage in excess of \$50,000.

**Within 48 hours**, the recipient is responsible for reporting cybersecurity incident(s) as follows

4. The recipient is responsible for identifying a cybersecurity incident. In general, a cybersecurity incidents is identified as any incident that may cause financial harm or



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loss of intellectual property created or supported in performance of the award, including malware and ransomware attacks; affecting operations or the security of, or access to, data, including disruption of both physical operations and business operations for a duration greater than one (1) hour or any Cybersecurity incidents that have national security implications.

Once identified, the Recipient is responsible for reporting Cybersecurity incidents to the [Cyber Incident mailbox](#) within 48 hours of the incident. The recipient sends a password protected document via email attachment that includes the date and time of the incident, a high-level description of the incident, a summary of the known impacts, and current and planned mitigation activities. The recipient sends a second email to the [Cyber Incident mailbox](#) including the password to the protected document.

**Within 5 business days**, submit to <https://page.energy.gov>

5. If the recipient or project team member receives any other award of federal funds for activities that potentially overlap with the activities funded under the DOE award, the recipient must promptly notify DOE in writing of the potential overlap and state whether project funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items under the DOE award;
6. If an individual on the project team is or is believed to be participating in a foreign government-sponsored talent recruitment program of a foreign country of risk.
7. If the recipient is considering new collaborations with foreign entities and governments, the recipient must provide written notification to DOE and await further guidance from DOE prior to contacting the proposed foreign entity or government regarding the potential collaboration or negotiating the terms of any potential agreement. In general, a collaboration will involve some provision of a thing of value to, or from, the recipient. A thing of value includes but may not be limited to all resources made available to, or from, the recipient in support of and/or related to the DOE award, regardless of whether or not they have monetary value. Things of value also may include in-kind contributions (such as office/laboratory space, data, equipment, supplies, employees, students). In-kind contributions not intended for direct use on the DOE award but resulting in provision of a thing of value from or to the DOE award must also be reported.
8. Any current or pending subsidiary, foreign business entity, or offshore entity that is based in or funded by any foreign country of risk or foreign entity based in a country of risk;
9. Any current or pending contractual or financial obligation or other agreement specific to a business arrangement, or joint venture-like arrangement with an entity owned by a country of risk or foreign entity based in a country of risk;
10. Any current or pending change in ownership structure of the recipient or subrecipients that increases foreign ownership related to a country of risk. Each notification shall be accompanied by a complete and up-to-date capitalization table



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- showing all equity interests held including limited liability company (LLC) and partnership interests, as well as derivative securities. Include both the number of shares issued to each equity holder, as well as the percentage of that series and of all equity on fully diluted basis. For each equity holder, provide the place of incorporation and the principal place of business, as applicable. If the equity holder is a natural person, identify the citizenship(s);
11. Any current or pending venture capital or institutional investment by an entity that has a general partner or individual holding a leadership role in such entity who has a foreign affiliation with any foreign country of risk;
  12. Any current or pending technology licensing, transfer or intellectual property sales to a foreign country of risk within the same technology area as the award (e.g., batteries, biotechnology, grid, energy generation and storage, advanced computing);
  13. Any changes to the recipient or the subrecipients' board of directors, including additions to the number of directors, the identity of new directors, as well as each new director's citizenship, shareholder affiliation (if applicable); each notification shall include a complete up-to-date list of all directors (and board observers), including their full name, citizenship and shareholder affiliation, date of appointment, duration of term, as well as a description of observer rights as applicable.
  14. Any proposed changes to the equipment used on the project that would result in:
    - a. Unmanned aircraft, control, and communications components originally made or manufactured in a foreign country of risk (including relabeled or rebranded equipment).
    - b. Coded equipment where the source code is written in a foreign country of risk.
    - c. Equipment from a foreign country of risk that will be connected to the internet or other remote communication system.
    - d. Any entity from a foreign country of risk that will have physical or remote access to any part of the equipment used on the project after delivery.
  15. Potential or actual violations of environmental, health, safety, or labor laws and regulations, any significant environmental permit violation, and any incident which causes a significant process or hazard control system failure;
  16. Any incident arising out of or relating to work under the award that has the potential for high visibility in the media;
  17. Potential or actual violations of federal, state, and municipal laws arising out of or relating to work under the award;
  18. Potential or actual noncompliance with DOE reporting requirements under the award;
  19. Potential or actual bankruptcy/insolvency of the prime recipient or subrecipient;
  20. Potential or actual violation of U.S. export control laws and regulations arising out of or relating to the work under the award;
  21. Any notices or claims of patent or copyright infringement arising out of or relating to the performance of the DOE award;
  22. Refusal of a subrecipient to accept flow down requirements in the Special Terms and Conditions and/or any Attachment to the DOE award;



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- 23. Any improper claims or excess payments arising out of or relating to work under the award;
- 24. Potential or actual violations of the cost share requirements under the award;
- 25. Potential or actual violations of the lobbying restrictions in the award;
- 26. Any event which is anticipated to cause a significant schedule slippage or cost increase; and,
- 27. Developments that have a significant favorable impact on the project.

## H. Progress Tranche Summary Report

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Within five (5) calendar days after the event, or as specified

A Progress Tranche Summary Report is a summary of award performance as it relates to the progress tranches outlined in the ALRD. The Progress Tranche Summary Report should be submitted at least ninety (90) calendar days prior to the Recipient achieving the progress tranches, or as specified in the Special Terms and Conditions of the award.

## I. Other (see Special Instructions)

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Within five (5) calendar days after the event, or as specified

## II. Award Management Reporting

### A. Current and Pending Support

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a> or as instructed below
Submission deadline:	Within thirty (30) calendar days only when there is a change to Current and Pending Support for existing covered individuals

Prior to award, the Recipient was required to provide current and pending support disclosure statements for each covered individual, as defined by the award Terms and Conditions, at the recipient and subrecipient level, regardless of funding source.

#### **New Covered Individuals:**

Prior to starting work on the project, new covered individuals must submit a current and pending support disclosure and biosketch/resume to the cognizant Technical Project Officer and Grants Officer and must receive approval from DOE. R&D covered individuals are





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encouraged to comply with the Digital Persistent Identifier (PID) and Research Security Training Requirements Terms. The PID and Research Training will be required for all R&D covered individuals on May 1, 2025

### Existing Covered Individuals

If there are any changes to current and pending support disclosure statements previously submitted to DOE, the recipient must submit updated current and pending disclosure statements within thirty (30) days of the change. The recipient must ensure all covered individuals at the recipient and subrecipient level, are aware of the requirement to submit updated current and pending support disclosure statements to DOE.

If there has been a change that would prompt the submission of a new or updated current and pending support disclosure, the instructions to complete the new or updated disclosure is listed below.

Current and pending support is intended to allow the identification of potential duplication, overcommitment, potential conflicts of interest or commitment, and all other sources of support. All covered individuals at the recipient and subrecipient level must provide a list of all sponsored activities, awards, and appointments, whether paid or unpaid; provided as a gift with terms or conditions or provided as a gift without terms or conditions; full-time, part-time, or voluntary; faculty, visiting, adjunct, or honorary; cash or in-kind; foreign or domestic; governmental or private-sector; directly supporting the individual's research or indirectly supporting the individual by supporting students, research staff, space, equipment, or other research expenses. All foreign government-sponsored talent recruitment programs must be identified in current and pending support.

For every activity, list the following items:

<b>Information Required for Each Activity</b>	
<b>Sponsor of the Activity</b>	The sponsor of the activity or the source of funding.
<b>Award Number</b>	The federal award number or any other identifying number.
<b>Award Title</b>	The title of the award or activity. If the title of the award or activity is not descriptive, add a brief description of the research being performed that would identify any overlaps or synergies with the proposed research
<b>Total Cost or Value</b>	The total cost or value of the award or activity, including direct and indirect costs and cost share. For pending proposals, provide the total amount of requested funding
<b>Award Period</b>	The "Start Date" through "End Date".
<b>Person-months</b>	The person-months of effort per year dedicated to the award or activity.



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<b>Description</b>	To identify overlap, duplication of effort, or synergistic efforts, append a description of the other award or activity to the current and pending support.
<b>Details</b>	Details of any obligations, contractual or otherwise, to any program, entity, or organization sponsored by a foreign government must be provided to DOE upon request to either the applicant institution or DOE. Supporting documents of any identified source of support must be provided to DOE on request, including certified translations of any document.
<b>Digital Persistent Identifier (e.g., ORCID iD)</b>	Providing an ORCID iD is optional until May 2025, and required thereafter for R&D projects.
<b>Certification Statement</b>	<p>All covered individuals must provide a separate disclosure statement listing the required information above regarding current and pending support. Each individual must sign and date their respective certification statement:</p> <p style="padding-left: 40px;">I, [Full Name and Title], understand that I have been designated as a covered individual by the federal funding agency.</p> <p style="padding-left: 40px;">I certify to the best of my knowledge and belief that the information contained in this Current and Pending Support Disclosure Statement 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. §§ 3729-3733 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.</p> <p style="padding-left: 40px;">I also certify that, at the time of submission, I am not a party in a <a href="#">malign foreign talent recruitment program</a>.</p> <p><b>The following certification is optional until May 1, 2025, and mandatory thereafter for R&amp;D projects:</b></p> <p style="padding-left: 40px;">I further certify that within the past 12 months I have completed one of the following: (1) research security training meeting the guidelines in SEC. 10634(b) of 42 USC 19234, or (2) all of the NSF</p>



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	training modules located <a href="https://new.nsf.gov/research-security/training">https://new.nsf.gov/research-security/training</a> .
<b>Foreign Government Sponsorship</b>	Details of any obligations, contractual or otherwise, to any program, entity, or organization sponsored by a foreign government must be provided on request to either the applicant institution or DOE. Supporting documents of any identified source of support must be provided to DOE on request, including certified translations of any document.

The information may be provided in the common disclosure format available at [Common Form for Current and Pending \(Other\) Support \(nsf.gov\) to be implemented by DOE](#). Regardless of the format used, the individual must still include a signature, date, and a certification statement using the language included in the paragraph above.

## B. Demographic Reporting

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Within 30 days after issuance of award

### DEMOGRAPHIC INFORMATION FOR SIGNIFICANT CONTRIBUTORS

Demographic data (i.e., gender, ethnicity, race, and disability status) should be provided directly by the Principal Investigator, Program Director, and Business Contact with the understanding that the submission of this report is mandatory. There are no adverse consequences for responding “Do not wish to provide” in any question. Confidentiality of demographic data will be in accordance with agency’s policy and practices for complying with the requirements of the Privacy Act. Demographic Reporting is submitted via a web-based form in the DOE PAGE and includes the questions outlined below.

**Gender:**

- Male
- Female
- Do not wish to provide

**Ethnicity:**

- Hispanic or Latina/o
- Not-Hispanic or not-Latina/o
- Do not wish to provide

**Race (select one or more):**

- American Indian or Alaska Native
- Asian
- Black or African American



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- Native Hawaiian or other Pacific Islander
- White
- Do not wish to provide

**Disability Status:**

- Yes (check yes if any of the following apply to you)
  - Deaf or serious difficulty hearing
  - Blind or serious difficulty seeing even when wearing glasses
  - Serious difficulty walking or climbing stairs
  - Other serious disability related to a physical, mental, or emotional condition.
- No
- Do not wish to provide

This measure is designed as a binary measure; it encompasses all self-reported disabilities. Please do not use it to report the number of individuals who have different types of disabilities (e.g., hearing impairments).

Note: This construct is not designed to be used at an individual-level (i.e., it should not be used for determining accommodation needs or disability status for particular individuals associated with the project).

**C. Financial Conflict of Interest Report**

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Within 180 days of the date of the award and within thirty (30) calendar days only when there is a change

Prior to award, the Recipient was required to: 1) ensure all Investigators on this Award completed their significant financial disclosures; 2) review the disclosures; 3) determine whether a FCOI exists; 4) develop and implement a management plan for FCOIs; and 5) provide DOE with an initial FCOI report that includes all FCOIs (i.e., managed and unmanaged/unmanageable). Within 180 days of the date of the Award, the Recipient must be in full compliance with the other requirements set forth in DOE’s interim COI Policy <https://www.energy.gov/management/department-energy-interim-conflict-interest-policy-requirements-financial-assistance>. Further, the recipient must submit updated reports within 30 days of a change.

The DOE interim Conflict of Interest Policy for Financial Assistance (COI Policy) is applicable to all recipients that receive, DOE funding by means of a financial assistance award (e.g., a grant, cooperative agreement, or technology investment agreement) and, through the implementation of this policy by the entity, to each Investigator who is planning to participate in, or is participating in, the project funded wholly or in part under this Award. The term “Investigator” means the PI and any other person, regardless of title or position,



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who is responsible for the purpose, design, conduct, or reporting of a project funded by DOE or proposed for funding by DOE. The recipient must flow down the requirements of the interim COI Policy to any subrecipient, with the exception of DOE National Laboratories. Further, the recipient must identify all financial conflicts of interests (FCOI), i.e., managed and unmanaged/ unmanageable, in its initial and ongoing FCOI reports.

## D. Tangible Personal Property Report – Annual Property Report (SF-428 & SF-428A)

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Within 90 calendar days after the end of the annual reporting period

The prime recipient must submit an annual inventory of federally-owned property (government-furnished) where the award specifies that title to the property vests with the federal government, whether it is in the possession of the prime recipient or subrecipient(s). The prime recipient must complete an SF-428 and SF-428A, available at [Post-Award Reporting Forms | Grants.gov](#).

## E. Tangible Personal Property Report – Disposition Request/Report (SF-428 & SF-428C)

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Within 5 calendar days of the event or as specified

The prime recipient must request disposition instructions for or report disposition of federally-owned property or equipment acquired with project funds, whether the property or equipment is/was in the possession of the prime recipient or subrecipient(s). Recipients may also be required to provide compensation to the awarding agency when acquired equipment is sold or retained for use on activities not sponsored by the federal government. Any equipment with an acquisition cost above \$10,000 must be included in the inventory.

If disposition occurs at any time other than award closeout (i.e., at any time throughout the life of the project or after project completion and closeout as long as the federal government retains an interest in the item), the prime recipient must complete an SF-428 and SF-428C, available at [Post-Award Reporting Forms | Grants.gov](#)

If disposition instructions are requested at the time of award closeout, the prime recipient must submit the SF-428 and SF-428B (see **III. Closeout Reporting**).

Please note that the SF-428 family of documents is in the process of being updated to increase the threshold to \$10,000 per the [2024 updates to 2CFR](#) effective October 1, 2024.



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Only the DOE Grants Officer has authority to approve disposition requests and issue disposition instructions.

## F. Uniform Commercial Code (UCC) Financing Statements

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Within five (5) calendar days after the event, or as specified.

If a for-profit recipient or subrecipient desires to purchase a piece of equipment for their project, and the per-unit dollar value of said equipment is \$10,000 or more, and the federal share of the financial assistance agreement is more than \$1M, the recipient or subrecipient must file a UCC financing statement.

A UCC financing statement provides public notice that the federal government has an undivided reversionary interest in the equipment, and as such the equipment cannot be sold or used as collateral for a loan (encumbered).

The for-profit recipient or subrecipient must file the UCC financing statement(s) with the Secretary of State where the equipment will be physically located and must pay any associated costs for such filings.

The initial UCC financing statement may also be referred to as a UCC1. For additional pieces of equipment not specified in the award budget, TBD equipment, or equipment needed in future budget periods, the recipient can file an amendment to the original UCC1 financing statement, by submitting the UCC3 financing statement amendment.

Each UCC financing statement or amendment is to be filed with the appropriate Secretary of State office, where the equipment will be physically located.

Note: All costs associated with filing UCC financing statements, UCC financing statement amendments, and UCC financing statement terminations, are allowable and allocable costs which can be charged to the federal award.

At a minimum, the recipient must have stated in their UCC financing statement in block 4. (collateral) the following:

- "Title to all equipment (not real property) purchased with federal funds under this financial assistance agreement is conditional pursuant to the terms of 2 CFR 910.360, and the federal government retains an undivided reversionary interest in the equipment at the federal cost-share proportion specified in the award terms and conditions."
- Federal Award Identification Number (e.g., DE-EE000XXXX)



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## G. Federal Subaward Reporting System (FSRS)

Submit to:	<a href="https://www.fsrs.gov/">https://www.fsrs.gov/</a>
Submission deadline:	The prime recipient is required to file a FFATA sub-award report by the end of the month following the month in which the prime recipient awards any sub-grant greater than or equal to \$30,000. The recipient must also report a subaward if a modification increases the Federal funding to an amount that equals or exceeds \$30,000

The Federal Subaward Reporting System (FSRS) is the reporting tool prime recipients use to capture and report subaward and executive compensation data regarding their first-tier subrecipients to meet the FFATA reporting requirements. Prime recipients will report against subrecipients' awards. The subrecipient information entered in FSRS will then be displayed on [USASpending.gov](https://USASpending.gov) associated with the prime recipient's award furthering federal spending transparency.

The prime recipient is required to file a FFATA sub-award report by the end of the month following the month in which the prime recipient awards any sub-award greater than or equal to \$30,000. The recipient must also report a subaward if a modification increases the Federal funding to an amount that equals or exceeds \$30,000

## H. Annual Incurred Cost Proposals

Submit to:	<p>If DOE is the Cognizant Federal Agency, send the Annual Incurred Cost Proposal to one of the following offices:</p> <ul style="list-style-type: none"> <li>• <a href="mailto:CostPrice@ee.doe.gov">CostPrice@ee.doe.gov</a> (if the Golden Field Office is Cognizant);</li> <li>OR</li> <li>• <a href="mailto:IndirectRates@hq.doe.gov">IndirectRates@hq.doe.gov</a> (if OCED is Cognizant)</li> <li>OR</li> <li>• <a href="mailto:FITS@netl.doe.gov">FITS@netl.doe.gov</a> and <a href="mailto:PricingGroup@netl.doe.gov">PricingGroup@netl.doe.gov</a> (if NETL is Cognizant)</li> </ul> <p>Otherwise, submit the proposal to the Recipient's appropriate Cognizant Federal Agency office.</p>
Submission deadline:	<p>Within 180 calendar days after the close of the recipient's fiscal year*</p> <p>*The end of the period of the performance, or closure of an award, does not dismiss this reporting requirement.</p>

Prime recipients must submit a certified annual Incurred Cost Proposal (ICP), reconciled to its financial records, in order to finalize and reconcile billing rates incurred and billed to the Government.

An ICP submission is required unless one of the following conditions apply to the DOE award:

- Recipient elected to apply the de minimis rate of up to 15% as allowed under 2 CFR 200.414(f);
- or
- Recipient has a pre-determined Negotiated Indirect Cost Rate Agreement (NICRA).



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## I. DOE For-Profit Compliance Audit

Submit to:	Email a copy of the annual DOE For-Profit Compliance Audit to: <ul style="list-style-type: none"> <li>• <a href="mailto:DOE-Audit-Submission@hq.doe.gov">DOE-Audit-Submission@hq.doe.gov</a> and</li> <li>• The DOE Grants Officer</li> <li>• For awards administered by OCED, also email a copy to <a href="mailto:RecipientAudits@hq.doe.gov">RecipientAudits@hq.doe.gov</a></li> <li>• For awards administered by the DOE NETL Office, also email a copy to <a href="mailto:PricingGroup@netl.doe.gov">PricingGroup@netl.doe.gov</a> and <a href="mailto:FITS@netl.doe.gov">FITS@netl.doe.gov</a>.</li> </ul>
Submission deadline:	Within the earlier of 30 days after receipt of the auditor’s report(s) or 9 months after the end of the audit period (recipient’s fiscal year-end)* *The end of the period of the performance, or closure of an award, does not dismiss this reporting requirement.

A for-profit recipient which expends \$1 million or more during the recipient’s fiscal year in DOE awards may have a compliance audit conducted for that year in accordance with 2 CFR 910.500 through .521 (subject to any deviation issued pursuant to 2 CFR § 910.133).

The DOE For-Profit Compliance Audit must be conducted in accordance with the regulations at 2 CFR 910.500-521 (subject to any deviation issued pursuant to 2 CFR § 910.133) and must refer to the appropriate regulations used by the auditor in their examination.

The compliance audit report must be submitted, along with audited financial statements, if required and available.

## J. Single Audit: States, Local Government, Tribal Governments, Institution of Higher Education (IHE), or Non-Profit Organization

Submit to:	Federal Audit Clearinghouse - <a href="https://www.fac.gov">https://www.fac.gov</a>
Submission deadline:	Within the earlier of 30 days after receipt of the auditor’s report(s) or 9 months after the end of the audit period (recipient’s fiscal year-end)* *The end of the period of the performance, or closure of an award, does not dismiss this reporting requirement.

As required by 2 CFR 200 Subpart F, recipients that expend \$1 million or more during the recipient’s fiscal year in federal awards must have a single or program-specific audit conducted. The single audit must be conducted in accordance with §200.514 Scope of audit, except when it elects to have a program-specific audit conducted.

For most single audits, the requirement is for annual single audits. However, there are occasions where a single audit is not required annually. Per 2 CFR 200.504 - Frequency of audits, a state, local government, or Indian tribe that is required by constitution or statute





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to undergo its audits less frequently than annually, is permitted to undergo its audits biennially. Also, any nonprofit organization that had biennial audits for all biennial periods ending between July 1, 1992, and January 1, 1995, is permitted to undergo its single audits biennially.

For a program-specific audit, when a recipient expends federal award funds 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. 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.

The single audit report shall include audited financial statements.

## K. Other (see Special Instructions)

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Within five (5) calendar days after the event, or as specified

## III. Closeout Reporting

### A. Final Scientific/Technical Report

Submit to:	DOE Energy Link System (E-Link) available at <a href="http://www.osti.gov/elink-2413">http://www.osti.gov/elink-2413</a>
Submission deadline:	Within 120 calendar days after expiration or termination of the award

The prime recipient must submit a Final Scientific/Technical Report to DOE for all projects.

The scientific/technical report is intended to increase the diffusion of knowledge gained by DOE-funded research, and all requirements shall be interpreted in that light.

Content: Research findings and other significant scientific and technical information (STI) resulting from the DOE-sponsored projects shall be included in the final scientific/technical report, subject to the following provisions:

1. The scientific/technical report is to cover the entire period of performance. For Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) awards, a final scientific/technical report must be submitted after the completion of each phase, e.g., Phase I, Phase II, and sequential Phase II, as described in the Special Instructions.



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2. STI that is publicly accessible need not be duplicated in the report if a citation with a link to where the information may be found is included in the report. For example, articles found in PAGES (i.e., DOE's Public Access Gateway for Energy and Science, <http://www.osti.gov/pages/>) are accessible to the public.
3. Provide identifying information: the DOE award number; sponsoring program office; name of recipient; project title; name of project director/principal investigator; and consortium/team members.
4. Include the DOE acknowledgement and legal disclaimer language as described in the Special Terms and Conditions.
5. Include any limitations on public release of the report, if authorized by the award agreement. If the document being submitted contains patentable material or protected data (i.e., data first produced in the performance of the award that is protected from public release for a period of time by terms of the award agreement) as set forth in the award agreement, then (1) prominently display on the cover of the report any authorized distribution limitation notices, such as patentable material or protected data and (2) clearly identify patentable or protected data on each page of the report. Reports delivered without such notices or with restrictive notices not authorized by the award agreement may be deemed to have been furnished with unlimited rights, and the Government assumes no liability for the disclosure, use or reproduction of such reports. Any restrictive markings must also be noted in the distribution limitation section of the Announcement Notice (AN) 241.3. No protected PII should be included.
6. Provide an abstract or executive summary, which should be a minimum of one paragraph and written in terms understandable by an educated layperson. (Refer to <http://www.osti.gov/stip/standards> for ANSI/NISO guidance as needed.) The abstract included in an application may serve as a model for this.
7. Summarize project activities for the entire period of funding, including original hypotheses, approaches used, and findings. Include, if applicable, facts, figures, analyses, and assumptions used during the life of the project to support the results in a manner that conveys to the scientific community the STI created during the project. To minimize duplication, the report may reference STI, including journal articles, that is publicly accessible. See also #2.
8. For guidance offered by the National Information Standards Organization on typical attributes and content of a technical report, if needed, refer to ANSI/NISO Z39.18-2005 (R2010), Scientific and Technical Reports – Preparation, Presentation, and Preservation (see <http://www.osti.gov/stip/standards>).



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Electronic Submission Process: The final scientific/technical report must be submitted via the DOE Energy Link System (E-Link) with a completed electronic version of DOE Announcement Notice (AN) 241.3, "U.S. Department of Energy (DOE), Announcement of Scientific and Technical Information (STI)." The recipient can complete, upload, and submit the DOE AN 241.3 online via E-Link (<https://www.osti.gov/mlink-2413>).

The recipient must mark the appropriate block in the "Intellectual Property/Distribution Limitations" Section of the DOE AN 241.3. Reports that are electronically uploaded must not contain any limited rights data (proprietary data), classified information, protected PII, information subject to export control classification, or other information not subject to release. During the upload process, the recipient must self-certify that no content of this nature is being submitted. For assistance with reports containing such content, contact your cognizant Grants Officer.



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## B. Invention Certification (DOE F 2050.11)

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Within 120 calendar days after expiration or termination of the award

The prime recipient is required to submit an Invention Certification DOE F 2050.11. The Invention Certification form is available at <http://energy.gov/eere/funding/eere-funding-application-and-management-forms>.

The Invention Certification must include a list of all subcontracts at any tier containing a patent rights clause (or state that there were none).

## C. Tangible Personal Property Report – Final Report (SF-428 & SF-428B)

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Within 120 calendar days after expiration or termination of the award

The prime recipient must submit a final inventory of and request disposition instructions for any federally-owned property and/or property or equipment acquired with project funds with an acquisition cost above \$10,000, whether the property is/was in the possession of the prime recipient or subrecipients.

The prime recipient must complete an SF-428 and SF-428B, available at [Post-Award Reporting Forms | Grants.gov](#).

If disposition occurs at any time other than award closeout, the prime recipient must complete an SF-428 and SF-428C (see IV. Other Reporting H. Property Disposition Request/Report).

Please note that the SF-428 family of documents is in the process of being updated to increase the threshold to \$10,000 per the [2024 updates to 2 CFR](#) effective October 1, 2024.

Only the DOE Grants Officer has authority to approve disposition requests and issue disposition instructions.



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## D. Verification of Receipt of Accepted Manuscripts

Recipients are required to submit Accepted Manuscripts of Journal Articles resulting in whole or in part from a DOE-funded project to E-Link (See section 1.C.1. Accepted Manuscript of Journal Article).

As part of the closeout process, DOE will verify that all accepted manuscripts have been submitted. Recipients are required to submit all missing accepted manuscript before closeout is finalized.

## E. Other (see Special Instructions)

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Within 120 calendar days after expiration or termination of the award

## IV. Post-Project Reporting

### A. Scientific and Technical Reporting

Scientific and Technical Reporting requirements as outlined in **I.C. Scientific and Technical Reporting** remain applicable after the award ends. If the recipient has created Scientific and Technical Information (STI) such as publications, conference products, technical reports, book chapters, etc. which include information/data produced under the award, they are required to submit this document to <https://www.osti.gov/elink/forms.jsp>. Recipients must continue to include proper DOE Acknowledgement and Legal Disclaimer language in all STI. Please see section **I.C. Scientific and Technical Reporting** for additional information on submissions.

Note that after the project ends, recipients are no longer required to submit notification of STI directly to DOE.

### B. Intellectual Property Reporting

Intellectual Property Reporting requirements as outlined in **I.D. Intellectual Property Reporting** remain applicable after the award ends.

Recipients are required to continue submitting intellectual property reports, as applicable, to iEdison <https://public.era.nih.gov/iedison>.

Note that after the project ends, recipients are no longer required to submit notification of intellectual property directly to DOE.



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## V. Bipartisan Infrastructure Law/Inflation Reduction Act Reporting

### A. Community Benefits Report

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	<b>As Specified</b> , within 30 calendar days after the end of the first quarterly reporting period; <b>Yearly</b> ; within 90 calendar days after the end of the federal fiscal year and <b>Final</b> ; within 120 calendar days after expiration or termination of the award.

The Recipient must meet the stated objectives and milestones set forth in its Community Benefits Outcomes and Objectives, which is incorporated into the Award. A report on the Recipient’s progress towards meeting the objectives and milestones must be reported annually. A Community Benefits Reporting Template is available at <https://www.energy.gov/infrastructure/reporting-checklists> with the intent to reduce the administrative burden by promoting the use of common formats.

### B. Boosting Domestic Manufacturing

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	<b>As Specified</b> , within 30 calendar days after the end of the first quarterly reporting period; <b>Yearly</b> ; within 90 calendar days after the end of the federal fiscal year and <b>Final</b> ; within 120 calendar days after expiration or termination of the award.

There are three tabs of the Boosting Domestic Manufacturing Report. The information contained in all three tabs is required for reporting. A Boosting Domestic Manufacturing Reporting Template is available at <https://www.energy.gov/infrastructure/reporting-checklists> the intent to reduce the administrative burden by promoting the use of common formats.

#### 1. Domestic Manufacturing & Critical Materials and Rare Earth Element Mining, Processing, Production & Recycling Capacity

This report applies to projects that support (i.e., construct, establish, retool, re-equip, or retrofit) manufacturing capacity as well as projects that support the mining, processing, production, or recycling of critical minerals or rare earth materials and elements. Recipients of such projects are required to report on direct domestic manufacturing capacity as well as critical materials and rare earth element mining, processing, production, or recycling capacity.

#### 2. GHG Emissions & Air Pollutants

This report documents the increases and decreases in pollutants across the effective useful life of the project as well as GHG emissions created through mining, processing, production, or recycling operations projects and indirect changes in GHG emissions resulting from projects.



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### 3. Equipment

Recipients must provide a list of all equipment in mining, processing, production or recycling facilities projects that emit pollutants or GHGs onsite in facilities listed in the mining processing & production or recycling tab.

## C. Quality Job Creation

### 1. Direct Jobs

Submit to:	<a href="http://www.lcptracker.com">www.lcptracker.com</a>
Submission deadline:	Weekly

This award is funded under Division D of the Bipartisan Infrastructure Law (BIL). All laborers and mechanics employed by the recipient, subrecipients, contractors or subcontractors in the performance of construction, alteration, or repair work in excess of \$2000 on an award funded directly by or assisted in whole or in part by funds made available under this award 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).

The Recipient must ensure the timely electronic submission of weekly certified payrolls to [LCPtracker](http://LCPtracker) unless a waiver is granted to a particular contractor or subcontractor because they are unable or limited in their ability to use or access the software.

### 2. Training Outcomes

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	<b>As Specified</b> , within 30 calendar days after the end of the first quarterly reporting period; <b>Yearly</b> ; within 90 calendar days after the end of the federal fiscal year and <b>Final</b> ; within 120 calendar days after expiration or termination of the award.

This report on training and training outcomes is required for all projects requiring DBA compliance, those that discuss workforce development or training in statute, as well as any projects where recipients utilize a portion of their BIL funding on workforce development. Only career-track training that focuses on skill development or pathways into career-track training such as pre-apprenticeship should be tracked for this metric. Career-track training leads to an appropriate industry-recognized credential, professional qualification, or license. It teaches broad occupational knowledge and skills that can be applied across a range of technologies, leading to several different career paths. Continuing education allowing incumbent workers to keep up with the latest technology and practices, and to advance in their careers, is another important element of career-track training. This report will also track the number of workforce partnerships involving employers, community-based organizations (CBOs), or labor unions, including partnerships specified in community benefits agreements and project labor agreements, or similar.



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A Training Outcomes reporting template is available at <https://www.energy.gov/infrastructure/reporting-checklists> with the intent to reduce the administrative burden by promoting the use of common formats.

### 3. Good Jobs Outcomes

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	<b>As Specified</b> , within 30 calendar days after the end of the first quarterly reporting period; <b>Yearly</b> ; within 90 calendar days after the end of the federal fiscal year and <b>Final</b> ; within 120 calendar days after expiration or termination of the award.

This report is required of all recipients of BIL funding. To assess activities contributing to growing American jobs, improving the quality of energy jobs, and facilitating equitable access to good jobs and training opportunities, all BIL recipients must report annually on good jobs outcomes.

A Good Jobs Outcomes reporting template is available at <https://www.energy.gov/infrastructure/reporting-checklists> with the intent to reduce the administrative burden by promoting the use of common formats.

### 4. Permanent Jobs

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Quarterly; within 30 calendar days after the end of the federal fiscal year quarter

All BIL funding recipients who are creating ongoing operations, maintenance, and production jobs must report the number of hires for each reporting period and associated demographic information.

A Permanent Jobs reporting template is available at <https://www.energy.gov/infrastructure/reporting-checklists> with the intent to reduce the administrative burden by promoting the use of common formats.

## D. Equity and Justice

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	Quarterly; within 30 calendar days after the end of the federal fiscal year quarter

There are three reports associated with Equity and Justice. All three reports are included on the same form provided by the DOE Project Team. While the reports are included on the same form, some recipients may not need to complete all three. Refer to the checklist at the beginning of this document for applicability.

An Equity and Justice reporting template is available at <https://www.energy.gov/infrastructure/reporting-checklists> with the intent to reduce the administrative burden by promoting the use of common formats.

### 1. Community Engagement Process





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This report applies to all projects that include building, expanding, or retrofitting a facility. Recipients should report on engagement activities such as participatory research, citizen advisory committees, open planning forums, etc. and the outputs of those activities such as negotiated community or workforce agreements, memorandums of understanding, letters of support, etc. Information in this tab should reflect the objectives outlined in the Community Benefits Plan.

## 2. Engagement Events and Technical Assistance

This report applies to all projects that hold stakeholder engagement events as outlined in their Community Benefits Plan. Recipients are required to report on stakeholders engaged and from what, if any, communities of interest.

## 3. Community Ownership

This report applies to all projects that build or install new clean energy or climate assets. Recipients should report whether any or all their project will be community owned, as well as the compensation the community will receive.

### E. Pathways to Net Zero

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a>
Submission deadline:	<b>As Specified</b> , within 30 calendar days after the end of the first quarterly reporting period; <b>Yearly</b> ; within 90 calendar days after the end of the federal fiscal year and <b>Final</b> ; within 120 calendar days after expiration or termination of the award.

There are four reports associated with Pathways to Net Zero. While all four reports are included on the same form, all four reports are not applicable to each project. Refer to the checklist at the beginning of this document for applicability. All four reports are also required to complete the Infrastructure Identifier tab. The purpose of this tab is to record the infrastructure, facility, or operating site. The metrics associated with each site will be reported in the individual reports (Infrastructure Supported, Hydrogen Production, Carbon Capture, Removal, Storage, and Energy Saved) as applicable.

A Pathways to Net Zero reporting template is available at <https://www.energy.gov/infrastructure/reporting-checklists> with the intent to reduce the administrative burden by promoting the use of common formats.

### 1. Infrastructure Supported

This report applies to projects that build, retrofit, retool, repurpose, or otherwise support the construction or continued operation of energy generation, energy storage, or other clean energy infrastructure. Projects that fund infrastructure planning should also report.

Recipients are required to report on planned values, annual actual values for the life of project, and values at closeout. This report is structured by technology type, recipients



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need only complete the technology type applicable to their project as indicated by the DOE project team.

## 2. Hydrogen Production

This report applies to projects that build, retrofit, retool, repurpose, or otherwise support the construction or continued operation of hydrogen fuel production. Hydrogen can be utilized across sectors to generate electricity, replace existing feedstock or fuel in the industrial sector, provide residential and commercial heating, or fuel transportation

Recipients are required to report on planned values, annual actual values for the life of project, and values at closeout.

## 3. Carbon Capture, Removal, Storage

This report applies to projects that build, or otherwise support the construction or continued operation of carbon capture, carbon removal, carbon storage, or carbon dioxide transport.

Recipients are required to report on planned values, annual actual values for the life of project, and values at closeout. This report is structured by technology type, recipients need only complete the technology type applicable to their project as indicated by the DOE project team.

## 4. Energy Saved

This report applies to all projects that include energy efficiency upgrades or fuel switching, water conservation upgrades that save energy, or distributed energy resources. Recipients are required to report on interventions completed as well as planned and actual energy savings.

## F. Davis Bacon Act Semi-Annual Labor Compliance Report

Submit to:	<a href="https://page.energy.gov">https://page.energy.gov</a> and email <a href="mailto:DBAenforcementreports@hq.doe.gov">DBAenforcementreports@hq.doe.gov</a>
Submission deadline:	<b>As Specified</b> , April 21 and October 21

This award is funded under Division D of the Bipartisan Infrastructure Law (BIL). All laborers and mechanics employed by the recipient, subrecipients, contractors or subcontractors in the performance of construction, alteration, or repair work in excess of \$2,000 on an award funded directly by or assisted in whole or in part by funds made available under this award 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).

Calendar year semi-annual reports are required on compliance with, and enforcement of, the labor standards provisions of the Davis-Bacon Act and its related acts covering the periods of October 1st through March 31st, and April 1st through September 30th,



# Federal Assistance Reporting Checklist

Attachment 2

respectively. Please submit your semi-annual report to DOE three weeks after the end of semi-annual reporting period by April 21st and October 21st for the applicable performance period. The Davis Bacon Act Semi-Annual Labor Compliance Report may be accessed at <https://www.energy.gov/infrastructure/davis-bacon-act>.

## G. Location(s) of Work

Submit to:	<a href="#">Applicable only to OCED/FECM. Program Offices to complete</a>
Submission deadline:	<b>As Specified</b> , quarterly only when there are changes to report.

Prior to award, the Recipient was required to identify each known location being served directly as a primary project site work location or a location impacted by the project. This includes the location(s) of construction or alteration activity as well as any communities geographically near the proposed project site and/or communities that may be a part of the proposed project's supply or waste life cycle (e.g., where raw materials come from, where waste is being sent). The Location(s) of Work report is required to be validated by the project team on a quarterly basis. If there are any changes to the Location(s) of Work, the recipient must submit the updated information to DOE.

## VI. Appendix A: Notice To Recipients (Prime Recipients And Subrecipients) Regarding Protected Data, Limited Rights Data And Protected Personally Identifiable Information

### I. PROTECTED DATA AND LIMITED RIGHTS DATA

The recipient is required to mark protected data and limited rights data in accordance with the IP clause set of the award agreement. Failure to properly mark data may result in its public disclosure under the Freedom of Information Act (FOIA, 5 U.S.C. § 552) or otherwise.

#### A. Protected Data - Technical Data or Commercial or Financial Data First Produced in the Performance of the Award

The U.S. Government normally retains unlimited rights in any technical data or commercial or financial data produced in performance of Government financial assistance awards, including the right to distribute to the public.

However, under certain DOE awards, the recipient may mark certain categories of data produced under the award as protected from public disclosure for a period of time ("Protected Data"). If the award agreement provides for protected data and the recipient wants the data to be protected, the recipient must properly mark any documents containing Protected Data. The recipient should review the IP clause set of the award agreement to determine the applicability of protected data, the maximum length of period of time for data protection and the required markings that must be used to invoke data protection for the award.



# Federal Assistance Reporting Checklist

Attachment 2

## **B. Limited Rights Data - Data Produced Outside of the Award at Private Expense**

Limited Rights Data is data (other than computer software) developed at private expense outside any Government financial assistance award or contract that embody trade secrets or are commercial or financial and confidential or privileged. Prior to including any Limited Rights Data in any documents to DOE, the recipient should review the award agreement. In most DOE awards, the recipient should not deliver any limited rights data to DOE if the recipient wants to protect the Limited Rights Data. If the DOE award does allow and require the delivery of limited rights data, then the recipient must properly mark any documents containing Limited Rights Data as set forth in the IP clause of the award agreement.



# Federal Assistance Reporting Checklist

Attachment 2

## II. PROTECTED PERSONALLY IDENTIFIABLE INFORMATION

The recipient should not include any Protected Personally Identifiable Information (Protected PII) in their submissions to DOE. Protected PII is defined as any data that, if compromised, could cause harm to an individual such as identify theft. Protected PII includes, but is not limited to:

- 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;
- Ratings;
- Disciplinary actions;
- Passport number;
- Educational transcripts;
- Financial information associated with an individual;
- Credit card numbers; and
- Security clearance history or related information (not including actual clearances held).



# ADMINISTRATIVE AND LEGAL REQUIREMENTS DOCUMENT (ALRD)

U.S. Department of Energy  
State and Community Energy Program  
Golden Field Office

State and Community Energy Programs (SCEP)  
Inflation Reduction Act of 2022 Home Energy Rebates:  
Home Efficiency Rebates & Home Electrification and Appliance  
Rebates

CFDA Number: 81.041

## VERSION 2.1

Modifications to this document are as follows and will be highlighted in the text in **yellow**:

Version No.	Item No.	Description of Modification	Location
2.1	1	Streamlines the tranche approach	p.4-7, 14
2.1	2	Adds footnote 2	p. 5

Issue Date: 7/27/2023

VERSION 1.1 Issue Date: 10/13/2023

VERSION 2 Issue Date: 6/13/2024

**VERSION 2.1 Issue Date: 12/16/2024**

Applications will be reviewed on a rolling basis and remain open until January 31, 2025. To ensure timely processing of awards, Grantees must submit complete Applications by the above deadline.



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## Registration/Submission Requirements

### **Registration Requirements: Allow at least 21 days to complete registrations.**

If you have not already registered, there are several one-time actions you must complete to receive an award:

1. Obtain a Unique Entity Identifier (UEI) number from the **System for Award Management (SAM.gov)** website. Subawardees at all tiers must obtain UEI numbers and provide the UEI to the prime awardee before the subaward can be issued. For questions, consult additional training resources [here](#) (prepared by the Weatherization Assistance Program).
2. Register in the System for Award Management (SAM) at <https://sam.gov>. Applicants who are not registered with SAM should allow several weeks to complete this requirement. It is suggested that the process be started as soon as possible. **Prime awardees must update their SAM registration annually.** Please note, there are new requirements for registering in SAM. Entities registering in SAM must submit a notarized letter appointing their authorized Entity Administrator. Please see SAM website for updates, alerts, and FAQs. For questions, call 866- 606-8220 or 334-206-7828.

**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 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.](#)**

3. 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/FedConnectReadySetGo.pdf> For additional questions, email [support@fedconnect.net](mailto:support@fedconnect.net) or call 1-800-899-6665.

4. Have a Login for the Performance and Accountability for Grants in Energy (PAGE) System at <https://www.page.energy.gov/> to submit your application. State Energy Office designated points of contact will receive follow-up information regarding the application process from DOE via email.

States should contact their respective DOE Project Officer on state-specific questions. A list of Project Officers with contact information will be made available at <https://www.energy.gov/scep/home-energy-rebate-programs-guidance>.

**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.

## Part I Authority

Sections 50121 and 50122 of the Inflation Reduction Act (IRA) authorize the Department of Energy to administer the Home Energy Rebates. Sections 50121 and 50122 provide that a portion of the federal financial assistance made available to a state under the Home Energy Rebates may be used for planning, administration, or technical assistance related to the state's home energy rebate programs. Sections 50121(c)(4) and 50122(c)(9) of the IRA provide that the grantee may not use more than 20% of the grant amount for planning, administration, or technical assistance.<sup>1</sup> The remainder of the funds must be used for rebates, statutorily required incentives, and costs directly attributable to delivery of the rebate to eligible recipients. All Grant awards made under the Home Energy Rebates must comply with DOE and other federal regulations and procedures governing financial awards as outlined in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, **2 CFR Part 200** as amended by **2 CFR Part 910** and other procedures applicable to this regulation as DOE may, from time-to-time, prescribe for the administration of financial assistance.

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<sup>1</sup> 42 U.S.C. 18795(c)(4); 42 U.S.C. 18795a(c)(9).



## Part II Award Information

### A. TYPE OF AWARD INSTRUMENT

DOE will award formula grants for this funding.

### B. ESTIMATED FUNDING

**Funding Level:** A state may request up to 100% of total allocated funding from each section, less any funds received under the Early Administration Funds ALRD. If a state received funds under the Early Administration Funds ALRD, additional funds granted under this ALRD will be added to the existing grant.

A state may apply for funds for Home Efficiency Rebates (Section 50121), Home Electrification and Appliance Rebates (Section 50122), or both. A separate application is required for each section. Funds for Home Efficiency Rebates (Section 50121) must be tracked and managed separately from funds for Home Electrification and Appliance Rebates (Section 50122).

A state may apply for a portion of funds (for either program or both) to develop a “Quick Start” program. All requirements continue to apply. DOE will prioritize processing of applications identified for a “Quick Start” where the state plan indicates an intent to achieve a program launch in 2023. A state may request additional funding for its approved program prior to January 31, 2025, or may submit an application to administer a program operating under a different plan. As such, states may use a “Quick Start” application to pilot a rebate program.

The Grantee shall administer DOE funds received under these grants in accordance with Federal rules and regulations and state policies and procedures. The Grantee is to manage Federal Funds in a prudent, effective, and efficient manner to accomplish program objectives. Grantees shall take the necessary steps to ensure that funds are expended within the grant project period.

Pre-award costs will not be allowed.

### C. PERIOD OF PERFORMANCE

DOE anticipates making awards that will run a maximum of 8 years in length, comprised of one budget period ending not later than September 30, 2031. DOE will periodically evaluate project performance, project schedule adherence, the extent progress tranche objectives are met, compliance with reporting requirements, and overall contribution to the program goals and objectives. DOE will monitor recipient progress via the Progress Tranche Summary Report and other reporting requirements delineated in the Award's Attachment #2, Federal Assistance Reporting Checklist (FARC). The awardee is required to submit a Progress Tranche Summary Report to DOE at least ninety (90) calendar days prior to the recipient achieving their current progress tranche objectives and prior to moving forward to the next progress tranche. If after conducting the periodic review of the progress tranche summary report, DOE determines that the state has not fully and satisfactorily completed the work described in this ALRD, Program Requirements & Application Instructions, Award Attachments, the Award's Special Terms and Conditions, as well as DOE approved plans for this award, DOE will work with the state to develop

a progress tranche improvement plan that clearly lays out the additional steps the state<sup>2</sup> must take to fully and satisfactorily meet such requirements and plans. In the event of continued failure to make progress and achieve the program goals, DOE may take steps to halt or potentially discontinue funding.

In addition, if routine data reviews demonstrate the state is not meeting award terms, DOE reserves the right to put a hold on the funds the Grantee can draw down under the Automated Standard Application for Payments (ASAP) System.

Tranche #	Performance Metrics	LI Target*	LI Minimum	LI MF Target*	LI MF Minimum
1	Negotiated and approved state grant application				
2	Approved Program Launch Approved State Implementation Blueprint	10-15%	5%		
3	Approved Market Transformation Plan	50-60%	35%	25%	5%
4	Approved independent privacy and security review Approved review of QA Plan Completed review of incentive implementation	80%	60%	70%	25%

\* Targets indicate DOE’s expected performance towards expending low-income (LI) and low-income multifamily (LI MF) allocations. Applicants should strive to achieve targets.

## Part III Eligibility Information

### A. ELIGIBLE APPLICANTS

In accordance with the IRA Section 50121, funding is only available to states, U.S. Territories, and the District of Columbia (referred to throughout this ALRD as “states”). No other entity types may be considered for this funding.

In accordance with the IRA Section 50122(1)(A), certain funding is only available to states, U.S. Territories, and the District of Columbia. No other entity types may be considered for this funding.

<sup>2</sup> In this document “states” means “states and U.S. territories” unless otherwise indicated.

Note that DOE will be issuing a separate solicitation for Tribes pursuant to the IRA Section 50122(1)(B) after completing Tribal Consultations.

## **B. COST MATCHING**

Cost match is not required for these awards.

## **Part IV Application and Submission Information**

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

The application must be submitted via the PAGE online system at <https://www.page.energy.gov/default.aspx>. It is the responsibility of the Grantee to verify successful transmission. DOE reserves the right to request additional or clarifying information for any reason deemed necessary. Applications will be reviewed for consistency with the SCEP program objectives. Please note that State Plans shall be submitted as PDF attachments to the SF-424 Application. See Part VIII for application requirements.

### **B. NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) COMPLIANCE**

DOE'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.

## **Part V Award Administration Information**

### **A. AWARD DOCUMENTS**

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 package as approved by DOE (Budget Information, Planned Activities, etc.); (3) DOE 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) Intellectual Property Provisions; and (6) Federal Assistance Reporting Checklist, which identifies the Reporting Requirements; and. These documents are sent to the Recipient via FedConnect.

### **B. FUNDING RESTRICTIONS**

Costs must be allowable, allocable, and reasonable in accordance with the applicable Federal cost principles referenced in 2 CFR 200. The cost principles for commercial organizations are in Federal Acquisition Regulation (FAR) Part 31. (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**.)

Rebates issued under these awards are not federal public benefits.

### **C. MONITORING AND REPORTING**

States must comply with DOE and other federal regulations and procedures governing financial awards as outlined in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 CFR Part 200 as amended by 2 CFR Part 910. Federal regulations require DOE to monitor each grant recipient and grantees for each project, program, sub-recipient, function, or initiative supported by federal funds to ensure compliance with all federal regulations.

The goal of grant monitoring is to maximize the effectiveness of awards, to confirm compliance with applicable federal and state regulations and to ensure awards are on schedule and on budget. Monitoring also provides an opportunity for DOE to communicate with states and states with sub-recipients to provide assistance to help achieve our mutual energy goals. DOE will issue grant monitoring procedures in the near future.

Reporting requirements are identified on the [Award's Attachment #2, FARC.](#)

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

### **1. Administrative Requirements**

- The administrative requirements for DOE grant awards are contained in:
  - [2 CFR Part 200](#) as amended by [2 CFR Part 910](#)
  - [2 CFR Part 25](#) - Universal Identifier and Central Contractor Registration
  - [2 CFR Part 170](#) - Reporting Subaward and Executive Compensation Information to comply with the Federal Funding and Transparency Act of 2006 (FFATA). Additional information regarding FFATA is found at <https://www.fsrs.gov>.
- 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 <https://www.energy.gov/management/financial-assistance-forms-and-information-applicants-and-recipients>.

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>.

## **Part VI Questions/Agency Contacts**

### **A. QUESTIONS**

Questions and comments concerning this document shall be submitted not later than 10 calendar days prior to the application due date. Questions submitted after that date may not allow sufficient time to respond. All questions regarding this announcement must be submitted either

to 1) the IRA Home Rebates Programs [website](#), or 2) the Home Rebates email [irahomerebates@hq.doe.gov](mailto:irahomerebates@hq.doe.gov). Submitting questions through the Home Rebates website is preferred. All questions will be responded to in a timely manner, and will be publicly posted on the IRA Home Rebates [website](#). Any responses received from sources other than what is publicly posted by DOE are not binding.

For questions regarding DOE Project Officer Assignments, please contact Mary Hubbard at the email address below.

## **B. AGENCY CONTACT**

Name: Mary Hubbard, DOE Monitoring and Delivery Supervisor

E-Mail: [mary.hubbard@hq.doe.gov](mailto:mary.hubbard@hq.doe.gov)

## **Part VII 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 Administrative and Legal Requirements Document will be processed and disseminated via email and posting on <https://www.energy.gov/scep/home-energy-rebate-programs-guidance>.

## **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:

Notice of Restriction on Disclosure and Use of Data: Pages [list applicable pages] of this document may contain trade secrets or commercial or financial information that is privileged or confidential, and is exempt from public disclosure. Such information shall be used or disclosed only for evaluation purposes or in accordance with a financial assistance or loan agreement between the submitter and the Government. The Government may use or disclose any information that is not appropriately marked or otherwise restricted, regardless of source.  
[End of Notice]

The header and footer of every page that contains trade secrets or commercial or financial information that is privileged must be marked as follows: "May contain trade secrets or commercial or financial information that is privileged or confidential and exempt from public disclosure."

In addition, each line or paragraph containing trade secrets or commercial or financial information that is privileged or confidential must be enclosed in brackets.

The above markings enable DOE to follow the provisions of **10 CFR 1004.11(d)** in the event a Freedom of Information Act (FOIA) request is received for information submitted with an

application. Failure to comply with these marking requirements may result in the disclosure of the unmarked information under a FOIA request 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.

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 § 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 VIII Submitting an Application

### A. ALRD RESPONSE

States interested in applying for the state allocation of Section 50121 and/or Section 50122 funds are required to submit an application in PAGE as described in Part IV of this document. For any issues with the PAGE system at the time of submission, please contact the assigned Project Offer for further instruction.

### B. APPLICATION OVERVIEW

Each application package will consist of:

- Completed SF424
- Completed SF424A
- Completed Planned Activities
- Completed narrative document (template available) addressing the application requirements found in the Program Requirements and Application Instructions document,



- Completed budget justification workbook (template available) detailing how requested funds will be spent
- Completed application checklist
- Completed pre-award information sheet
- Any additional required documents as stated in ALRD or Program Requirements

**States are allowed to request up to the total funding from each formula allocation of Sections 50121 and 50122 under this ALRD.**

### C. STANDARD FORM 424

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.

- Section 2 of this Form asks for states to select the type of application. All states should mark "New".
- Section 18 of this form should reflect only the new funds being requested.
- Please verify compliance with [Intergovernmental Review \(SPOC List\) \(whitehouse.gov\)](#).

The list of certifications and assurances referenced in Field 21 may be found [here](#).

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. **These must be re-validated every year.**

### D. STANDARD FORM 424A

Standard Form 424A should match the Budget Justification Workbook. Each of these forms should be completed following the guidelines set out below.

- D.1. Standard Form 424A: Applications must include a budget for the federal funds requested. It should be completed as follows:
  - Section A: Budget Summary Lines 1-4, Columns (a) through (g). On line 1, enter the amount of DOE funds requested. Only columns a, b, e, and g should have data. There should be no other entries listed.
  - Section B: Budget Categories. There should only be one column for the federal funding source. The total in column g, Section A, must equal the total of all columns in Section B.
- D.2. Budget Justification: The Budget Justification consists of an explanation of the object class categories listed in line 6, Section B, of Standard Form 424A. In preparing the

Budget Justification, states should only address the following as requested for each budget category.

- Grantee Administrative, which is a total of:
  - Planning: Identify all activities related to the planning and preparation of the Home Energy Rebate state programs by activity title and estimated costs. Administration: Identify all positions to be supported by title and the amounts of time (e.g., % of time) to be expended on development of the Home Energy Rebate state programs, the base pay rate, and the total direct personnel compensation. 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.
  - Technical Assistance: Identify all activities related to technical assistance to develop the Home Energy Rebate state programs. Provide a brief description of the TA and the estimated cost of the activity.
  - 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). If there is an established computation methodology approved for state-wide use, provide a copy with the SF424 Application.
- Subgrantee Administrative: Any sub-recipients, vendors, contractors and consultants and their estimated costs should be identified as they are expected to support planning, administration and/or technical assistance tasks. 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 market title the work or service falls under. Include the basis of cost for each item listed (competitive, historical, quote, catalog, etc.).
- Grantee Rebate Funds: The total rebate budget planned to be executed by the prime grantee.
- Subgrantee Rebate Funds: Any sub-recipients, vendors, contractors and consultants and their estimated costs should be identified as they are expected to execute the rebates program on behalf of the prime grantee. 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 market title the work or service falls under. Include the basis of cost for each item listed (competitive, historical, quote, catalog, etc.).

Funds for Home Efficiency Rebates state program (Section 50121) must be tracked and managed separately from funds for Home Electrification and Appliance Rebates state program (Section 50122). This will apply to administrative funds as well as rebate funds when funds are released.

#### **E. PLANNED ACTIVITIES**

The Planned Activities tab in PAGE must be completed as part of the application. Applicants are required to project, to the best of their ability, key metrics they plan to achieve as part of their funding. As the award progresses, this section will be updated to reflect additional planned targets the grantee expects to achieve **in a given time period.**

#### **F. NARRATIVE DOCUMENT**

A completed narrative document is required. A template is available with guidance on how to complete the document in order to meet all application requirements as outlined in the Requirements Document. Guidance will also be provided as to how to complete the template for Quick Start applications.

#### **G. BUDGET JUSTIFICATION WORKBOOK**

A completed budget justification workbook is required. A template is available with instructions for how to complete the document. These budgets should match the Standard Form 424A and Standard Form 424.

Applicants must complete each tab of the Budget Justification Workbook for the project, including all work to be performed by the prime recipient and its subrecipients and contractors. Applicants should include costs associated with implementing the program requirements and with required annual audits and incurred cost proposals in their proposed budget documents. Such costs may be reimbursed as a direct or indirect cost. All costs associated with the Community Benefits Plan must be clearly identified in the budget justification. The "Instructions and Summary" included with the Budget Justification Workbook will auto-populate as the applicant enters information into the Workbook. Applicants must carefully read the "Instructions and Summary" tab provided within the Budget Justification Workbook.

Applicants must also provide a separate budget justification workbook for each subgrantee that is expected to perform work estimated to be more than \$250,000 or 25% of the total work effort, whichever is less. The budget justification must include the same justification information described above including costs associated with the Community Benefits Plan. The Community Benefit Plan costs must be clearly identified in the budget justification.

#### **H. OTHER FORMS AS APPLICABLE**

Please refer to the Requirements document for any additional forms including Application Checklist, Pre-Award Information Sheet, etc. that may be required as part of the application package.

## Part IX Reference Material

Related program documents and technical resources can be found at <https://www.energy.gov/scep/home-energy-rebate-programs-guidance>.



# INFLATION REDUCTION ACT HOME ENERGY REBATES

Home Efficiency Rebates Program (Sec. 50121)

Home Electrification and Appliance Rebates Program (Sec. 50122)

## PROGRAM REQUIREMENTS & APPLICATION INSTRUCTIONS

Applications Due by January 31, 2025

**VERSION 2.1**

U.S. Department of Energy  
Office of State and Community Energy Programs  
1000 Independence Avenue, SW Washington, DC 20585

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Modifications to this document are as follows and are highlighted in the text in **yellow**:

No.	Description of Modification	Location(s)
1	Inserts new language into footnote 16 and adds footnote 20.	pp. 12, 13
2	Adds requirements for states that request DOE approval for low-income multifamily whole-building partial completion payments.	pp.18-20

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## 1.0 Overview

The Inflation Reduction Act (IRA), Pub. L. 117-169 (August 16, 2022), authorized the U.S. Department of Energy (DOE) to carry out two Home Energy Rebate programs. Specifically, IRA Section 50121 established the Home Efficiency Rebates, and IRA Section 50122 established the IRA Home Electrification and Appliance Rebates (collectively, the [Home Energy Rebates](#)). The Home Energy Rebates together authorize \$8.8 billion in funds for the benefit of U.S. households and home upgrades, to be distributed to households by State Energy Offices and Indian Tribes.<sup>1</sup>

Table 1. Home Energy Rebate Programs

IRA Provision Number	Home Energy Rebates	Authorized Funds	Authorized Recipients
<a href="#">Section 50121</a>	Home Efficiency Rebates	\$4,300,000,000.00	State Energy Offices
<a href="#">Section 50122</a>	Home Electrification and Appliance Rebates	\$4,275,000,000.00	State Energy Offices
<a href="#">Section 50122</a>	Home Electrification and Appliance Rebates	\$225,000,000.00	Indian Tribes

These funds will be made available to the authorized recipients through formula grants. DOE is responsible for providing oversight and guidance, and the states<sup>2</sup> are responsible for the administration of rebate programs at the state level.

This document provides the **program requirements, application requirements, and application instructions** for both Home Energy Rebate programs available to State Energy Offices. To participate, states must submit applications describing state plans for their proposed rebate programs. States must follow the [Administrative and Legal Requirements Document \(ALRD\)](#) for their application submission. Each application requirements section is designed to assist applicants in ensuring that their applications fully address components required to demonstrate compliance with corresponding programmatic requirements. State applications will be reviewed and approved by the DOE based on compliance with these programmatic requirements.

State and territory funding allocations can be found in Appendix A of this document. Funding allocations for Indian Tribes is available through a separate ALRD with program requirements and application instructions based on feedback from consultations with the Tribes.

A state that chooses not to apply for this program and therefore refuses its allocated formula funding under IRA Section 50121 and/or Section 50122 must sign and send a letter for declining

<sup>1</sup> DOE issued separate application instructions for eligible Indian Tribes when applying for formula grant financial assistance with appropriations provided by the IRA under Section 50122(a)(1)(B).

<sup>2</sup> In this document "states" means "states and U.S. territories" unless otherwise indicated.

funds to its respective Project Officer indicating this decision to the DOE by the application due date of August 16, 2024. By signing this document, the State Energy Office signifies its understanding that its allocation will be redistributed to other State Energy Offices that applied for allocated funds. If the state does not sign the document or convey to the DOE Project Officer that it plans to submit an application by August 16, 2024,<sup>3</sup> the state's funding will be reallocated to other states.

## 1.1 Introduction

The DOE is establishing grant application instructions and management information for the Home Energy Rebates, including (1) [ALRD](#), (2) Formula Allocations to States and Territories,<sup>4</sup> (3) Application Checklist, (4) Home Energy Rebates Pre-Award Information Sheet, and (5) Home Energy Rebates Application Templates. Items 3, 4, and 5 can be found at the [Home Energy Rebates Guidance Home Page](#).

The Home Energy Rebates will help American households save money on energy bills, upgrade to clean energy equipment, improve energy efficiency, improve their comfort, support a stable power grid, and reduce indoor and outdoor air pollution. Additionally, these rebates provide specific opportunities to increase the installations of efficient, clean energy equipment in underserved and underrepresented communities.

DOE has identified the following overarching outcomes for the Home Energy Rebate programs:

- Well-established exemplary and innovative efficiency and electrification programs.
- Widespread access and uptake for disadvantaged communities.
- Proven value streams and roles for sustained investments to continue market transformation.
- Reduced pollution from buildings in support of the clean energy economy.

These stated outcomes describe the overall intent of the Home Energy Rebates. States may take various approaches in developing their implementation plans to emphasize these outcomes.

In the development, submission, and review of grant applications, the provisions of [Executive Order 12372](#) (Intergovernmental Review of Federal Programs) and the DOE Implementing Order ([10 CFR 1005](#)) remain unchanged.

Applications must be submitted through the **Performance and Accountability for Grants in Energy (PAGE)** online system to be considered for an award through IRA Section 50121 and Section 50122. If you have questions regarding the Application Instructions in PAGE, please refer to the Help Menu or contact the PAGE hotline at [PAGE-Hotline@ee.doe.gov](mailto:PAGE-Hotline@ee.doe.gov) or 1-866-492-4546. As allowable, states may use funds made available through the Home Energy Rebate Programs Early Administrative Funds ALRD to support application completion for this ALRD.

## 1.2 Document Contents and Structure

This document provides the program requirements as determined by the DOE to meet the statutory requirements of IRA Section 50121 and Section 50122. States must develop programs that comply with the programmatic requirements presented in this document.

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<sup>3</sup> Section 50121(a)(2)(B) and Section 50122 (a)(2)(C).

<sup>4</sup> Located in Appendix A.

States must address the application requirements specified in this document. All requirements must be addressed to receive federal funding and to launch state programs. However, DOE recognizes that the state may not be equipped to adequately respond to all requirements and plans within this document without program funds and support from program implementers and experts.

States are required to submit their responses to DOE through two documents:

1. State Application. States may submit a single package of responses for all application requirements.
2. State Implementation Blueprint. For specific requirements identified by DOE within this document, states may elect to defer submission of those responses to their State Implementation Blueprint.

A State Implementation Blueprint must be submitted after receipt of the award and a minimum of **60 days** prior to planned program launch. DOE will provide the state feedback and approval to proceed. States must receive DOE approval on the State Implementation Blueprint before launching their program. In addition to specified requirements, a State Implementation Blueprint must include:

- a. Community Benefits Plan
- b. Education and Outreach Strategy
- c. Consumer Protection Plan
- d. Utility Data Access Plan (for Home Efficiency Rebates **only**)
- e. Privacy and Security Risk Assessment for State Systems
- f. Market Transformation Plan<sup>5</sup>

Requirements that can be deferred to the State Implementation Blueprint are marked with an “X” within the application requirements tables.

States may rely on existing programs and infrastructure that meet these programmatic requirements and may outline how challenges or modifications to existing programs will comply with these requirements. Accordingly, states may reference existing program materials in their applications to simplify their plan development. This document should be reviewed in conjunction with the [ALRD](#) for the Home Energy Rebates Funds and the [Data & Tools Requirements Guide](#). The Data & Tools Requirements Guide provides detailed information regarding data collection and reporting requirements and the tools DOE will make available to states to facilitate various aspects of the Home Energy Rebate programs.

Section 1 of this document provides a brief overview of the appropriations and legal authorities. Section 2 provides definitions and acronyms that will be used throughout the document. Section 3 provides the requirements specific to the Home Efficiency Rebates state program (Section 50121). Section 4 provides the requirements specific to the Home Electrification and Appliance Rebate state program (Section 50122). **Each state rebate program will require a separate application.** If a state cannot comply with a requirement because of a conflict with state law, contact the state’s Project Officer who will work with the cognizant contracting officer and the DOE legal team to address the issue.

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<sup>5</sup> Market Transformation Plan can be submitted up to one year after award date.

The design and implementation of these rebate programs will be complex. To support states, DOE will provide the following resources and support:

- Technical assistance to states in designing programs that fulfill these requirements.
- Templates that states can tailor to effectively describe their approach to each of the requirements.
- For rebate processing and tracking, a centralized system that states can use to facilitate these processes as well as reporting.
- Sample frameworks that states can provide to program implementers who can then tailor the information to reflect individual state programs and priorities.

Technical information, best practices, and implementation recommendations will be made available at <https://www.energy.gov/scep/recommendations-program-administrators>.

### 1.3 Scope

The application instructions are to be used by all states and territories when applying for formula grant financial assistance under DOE's IRA Home Energy Rebates with appropriations provided by the IRA under Section 50121 and Section 50122. For the purposes of the Home Efficiency Rebates and the Home Electrification and Appliance Rebates, 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. As stated, the funding for Indian Tribes will be made available through a separate ALRD with programmatic and application requirements designed based on feedback from consultations with the Tribes.

### 1.4 Legal Authority

The Home Efficiency Rebates are authorized under Section 50121 of the IRA, as signed into Public Law (PL 117-169) on August 16, 2022.<sup>6</sup> The Home Electrification and Appliance Rebates are authorized under Section 50122 of the IRA.<sup>7</sup> Together, both provisions provide home energy savings across a variety of households and income levels, and specifically enable energy improvements within underserved and underrepresented communities.

Grantees must comply with all 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 other regulations and procedures applicable to these funds, as DOE may, from time to time, prescribe for the administration of financial assistance. Any potential discrepancies between information contained in this document and DOE regulations shall be resolved in favor of DOE regulations.

### 1.5 Overarching Goals

The IRA Home Energy Rebates provide a once-in-a-generation opportunity to deliver innovative efficiency and electrification programs to households across the United States. The overarching goal of the Home Energy Rebate programs is to accelerate the transition to more affordable, efficient, resilient, and low carbon homes through the following long-term outcomes:

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<sup>6</sup> 42 U.S.C. 18795.

<sup>7</sup> 42 U.S.C. 18795a.

- **Well-established exemplary and innovative efficiency and electrification programs.** The program will achieve this through increased awareness and effective marketing to homeowners, adoption of innovative tools that streamline program experience, an expanded and sustained workforce that meets consumer demand, and effective integration of existing programs.
- **Lower energy burden for low-income households and disadvantaged communities.** State programs will evolve and expand to meet the needs of all homes across the United States, with significant use of rebates by low-income households and disadvantaged communities.
- **Proven value streams and roles for sustained investments to continue market transformation.** A successful program will prove the business case and catalyze a sustained increase in supplier participation and consumer demand for energy efficient and efficient electrification upgrades, including ongoing access to upgrades for low-income households and disadvantaged communities, while showcasing how a combination of federal, utility, private, and public funds provide value to households and local communities during the transition to a clean energy economy.
- **Reduced pollution from buildings and support for the clean energy economy.** The program will reduce pollution from building energy use, including harmful indoor air pollution, and support the clean energy economy through energy efficiency.

States are encouraged to develop their own additional goals, outcomes, and objectives for their programs based on each state's priorities, climate zone, utility costs, etc.

## 2.0 Definitions and Acronyms

### 2.1 Definitions

- **80% and 150% Area Median Income (AMI).** Values calculated by household size of the median income of the area in which the individual or family resides, as reported by the Department of Housing and Urban Development.<sup>8</sup>
- **Administrative costs.** Costs related to planning, administration, and technical assistance of Home Energy Rebate programs. Allowable costs include the following types of activities:
  - Program planning and design
  - State program staff
  - Development of tools and systems, including websites, applications, rebate processing, and reporting
  - Program evaluation and consumer satisfaction surveys
  - Program monitoring and audits
  - Consumer protection functions including resolution procedures, data review, contractor management, installation standards, continuous improvement
  - Marketing, education, and outreach, including the funding of local governments and place-based organizations to assist with these activities
  - Implementation contract costs not including rebates and costs for activities directly related to delivery of rebates
  - Contractor training
  - Activities to improve access to rebates, facilitating leverage of private funds and financing mechanisms (e.g., loan loss reserves, interest rate reductions) where beneficial to efficiency and/or electrification projects
  - Technical assistance
- **Aggregator.** An entity that engages with multiple single-family homes and/or multifamily buildings for the purpose of combining or streamlining projects as allowed by the state.
- **Baseline energy consumption.** The whole-home energy usage in a kWh or kWh equivalent prior to the upgrade.
- **BPI-2400.** BPI-2400-S-2015 (or a subsequent version approved by DOE for use in 50121) is the standard of Building Performance Institute (BPI) that specifies the requirements and process for the calculation of standardized predicted energy savings for a building.<sup>9</sup>
- **Building.** The structure where the rebated improvements will be made including single and multifamily buildings. For multifamily buildings, building refers to the entire building and not an individual dwelling unit within that building.

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<sup>8</sup> HUD publishes income limit information annually at [https://www.huduser.gov/portal/datasets/il.html#2023\\_faq](https://www.huduser.gov/portal/datasets/il.html#2023_faq). DOE intends to make the data table available electronically for state reference via an application programming interface (API).

<sup>9</sup> BPI 2400 Standard: [Standard Practice for Standardized Qualification of Whole-House Energy Savings Predictions by Calibration to Energy Use History](#).

- **Categorical eligibility.** The determination that a household meets income requirements by verifying household participation in another state or federal program that (1) includes income qualification thresholds at least as stringent as the relevant Home Energy Rebates threshold and (2) updates participant lists through income verification at least every two years.
- **Claimant.** The entity requesting a Home Energy Rebate for a home upgrade.
- **Contractor.** An entity hired to perform assessments and install upgrades as allowed by the state.
- **Disadvantaged community.** A group of households characterized by the state. By default, the definition of a disadvantaged community for the Home Energy Rebates is a low-income household located within an area identified by the Climate and Economic Justice Screening Tool (CEJST).<sup>10</sup>
- **Dwelling unit.** A building structure wherein a single household resides. Examples of a dwelling unit may include a single-family home, an apartment, or condominium unit in a multifamily building.
- **Eligible entity.** For 50122, a low-income household (less than 80% AMI), a moderate-income household (80%-150% AMI), or an individual or entity that owns a multifamily building not less than 50% of the residents of which are low- or moderate-income (LMI).
- **Eligible entity representative.** A governmental, commercial, or nonprofit entity carrying out a qualified electrification project on behalf of an eligible entity for 50122.
- **Eligible rebate recipient.**
  1. **50121:** Homeowner, aggregator, or multifamily building owner.
  2. **50122:** For each dwelling unit or multifamily building, either an eligible entity or an eligible entity representative.
- **Energy savings.** Post-retrofit energy consumption subtracted from the baseline energy consumption.
- **Generation technologies.** Onsite solar photovoltaic, combined heat and power, or other renewable energy system.
- **Household.** The occupant(s) living in a dwelling unit.
- **Implementer.** A state-selected entity that works on behalf of the state to provide efficiency and/or electrification programs.
- **KWh equivalent.** A metric that reflects the energy savings of all fuels in the project using the energy conversion of non-electric fuels to kWh on a BTU-equivalent basis as defined in Section 4.3.2 of BPI 2400-2015.
- **Low-income household.** A household below 80% AMI.<sup>11</sup>

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<sup>10</sup> Available at <https://screeningtool.geoplatform.gov/en/#3/33.47/-97.5>.

<sup>11</sup> Section 50121 of the IRA defines “low- or moderate-income household” to mean an individual or family the total annual income of which is less than 80% of the AMI. 42 U.S.C. 18795(d)(3). Section 50122 of the IRA defines “low- or moderate-income household” to mean an individual or family the total annual income of which is less than 150% of the AMI. 42 U.S.C. 18795a(d)(4). For clarity and consistency, DOE is using the terminology and definitions provided in Section 2.1 throughout the document.



- **Moderate-income household.** A household between 80% and 150% AMI.
- **Low-income multifamily building.** A building with at least 50% of households with incomes less than 80% AMI (<80%).
- **Major upgrade.** Energy usage, equipment, technologies, and services related to heating and cooling, envelope, and water heating end uses.
- **Moderate-income multifamily building.** A building with at least 50% of households with incomes less than 150% AMI (<150%).
- **Multifamily building.** A single building containing at least two dwelling units used for residential purposes. Commercial uses that are not eligible include but are not limited to hotels/motels, dormitories, assisted living facilities that include hospital amenities, and correctional facilities. For mixed-use buildings, a state may elect to treat the residential portion of the building as a multifamily building.
- **Open-Source.** A source code that is made freely available for possible modification and redistribution, for use by the community at large.
- **Payment rate.** For the Section 50121 measured path, the method for calculating the amount of rebate as described in Section 3.1.2.
- **Point of sale.** The provision of a Section 50122 rebate as an instant discount when the recipient of the rebate pays (or authorizes an entity to access a rebate on their behalf) for the qualified upgrade, improvement, and/or service (e.g., when purchasing in-store, through a distributor, at wholesale onsite, or online, or when invoiced by a contractor for services rendered).
- **Post-retrofit energy consumption.** The whole-home energy usage in a kWh or kWh equivalent after the upgrade is complete.
- **Portfolio of Homes.** A group of two or more homes considered collectively for purposes of the 50121 measured program path.
- **Program participants.** Aggregators, claimants, contractors, eligible rebate recipients, and implementers.
- **Qualified electrification project.** A project funded by an IRA Section 50122 rebate that meets the requirements of Section 4.2.2 of this document.
- **Rebate funds.** Federal dollars used for:
  1. Reimbursement or providing a cost discount for eligible upgrades based on a) energy savings, b) pre-determined qualified upgrade amounts, or c) total project costs.
  2. Activities directly related to delivery of rebates to eligible rebate recipients including:
    - Equipment, tools, models, and procedures used to assess a home and estimate energy savings
    - Equipment, tools, models, and procedures used to verify installations and perform quality control (QC) including inspections and reporting
    - Customer service support
    - Consumer protection functions including consumer feedback, project verification and inspections

- Income eligibility
  - Disadvantage community delivery, including targeted marketing and outreach
  - Disadvantaged community incentives (see Sections 3.1.4 and 4.1.4)
  - Integration with existing programs, home energy assessments, and project scoping.
- **Rebate program launch.** The point at which the state begins accepting rebate claims.
  - **Single-family home.** A detached one-family dwelling or multiple single-family dwellings (townhouses) that have independent mechanical systems (e.g., heating, cooling, water heating, and ventilation) for each dwelling unit. Buildings with two or more units are considered multifamily. States may request DOE approval to apply different designations if the state’s jurisdiction has a significant number of buildings with unique characteristics.
  - **State.** For the purposes of this document, means, collectively or individually, the 50 states, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands.
  - **Tenant.** Individual or household residing in a rental unit.
  - **Third party.** An organization conducting work on behalf of a State’s Home Energy Rebates program that has no financial or professional conflict of interest.
  - **Total grant funding.** The total amount of funds allocated to a state over the duration of the program.
  - **Total project cost.** The total cost of all upgrades within a completed project invoice inclusive of any rebated amount.
  - **Upgrade.** A single energy improvement to a dwelling unit or multifamily building that is a distinct and separable part of the overall scope of work of a home efficiency or electrification project.

## 2.2 Acronyms

- **ALRD.** Administrative and Legal Requirements Document
- **AMI.** Area Median Income
- **CFR.** Code of Federal Regulations
- **CEJST.** Climate and Economic Justice Screening Tool
- **DOE.** U.S. Department of Energy
- **FARC.** Financial Assistance Reporting Checklist
- **FERC.** Federal Energy Regulatory Commission
- **FPL.** Federal Poverty Level
- **GHG.** Greenhouse Gas
- **HUD.** U.S. Department of Housing and Urban Development
- **IRA.** Inflation Reduction Act
- **IRS.** U.S. Internal Revenue Service
- **LIHEAP.** Low Income Home Energy Assistance Program

- **LIHTC.** Low-Income Housing Tax Credit
- **LMI.** Low- or Moderate-Income
- **M&V.** Measurement and Verification
- **OMB.** U.S. Office of Management and Budget
- **PAGE.** Performance and Accountability for Grants in Energy
- **QA.** Quality Assurance
- **QC.** Quality Control
- **QEP.** Qualified Electrification Project
- **QPL.** Qualified Products List
- **RFI.** Request for Information
- **SMI.** State Median Income
- **SNAP.** Supplemental Nutrition Assistance Program

## 3.0 Home Efficiency Rebate Programs (50121)

This section of the document provides program requirements for the Home Efficiency Rebates (IRA Section 50121).

### 3.1 Use of Funds and Rebate Eligibility

#### 3.1.1 Program Requirements: Use of Funds

Administrative funds<sup>12</sup> as defined in Section 2.1 must not exceed 20% of the total grant funding over the total duration of the program, which will end when all funds are expended by the state or September 30, 2031, whichever occurs sooner.<sup>13</sup>

Administering and implementing whole-home efficiency projects is complex, high-touch, and often involves overhead costs greater than 20% of a program budget. These are costs directly related to a project that are 1) not generally recognized as administrative and 2) also not included in the rebate to recipients. For example, these could include costs for home assessments and energy audits, modeling, verifying income eligibility, project quality assurance (QA), and project-related reporting conducted by the contractor.<sup>14</sup>

States may request to use a portion of rebate funds for these project-related costs; however, additional funds for project-related costs should only be requested after all other opportunities to reduce costs or apply alternative funding sources have been applied; DOE cannot approve use of funds for administrative costs above the 20% statutory cap. For example, utilities, third-party organizations, or agencies may provide funding for home energy audits. DOE will provide assistance to states specifically in support of identifying program implementation cost reductions.

States must provide an additional detailed description and justification for these costs within the budget justification workbook, including how states have worked to minimize this amount. This will be evaluated by DOE and a determination of allowability will be given as part of the award.

States must budget for, track, and report quarterly to DOE on expenditures across administrative and rebate funds as part of award monitoring. See [ALRD](#), Part V.

#### 3.1.2 Program Requirements: Rebate Conditions and Levels

In general, Home Efficiency Rebates state programs must:

- Provide rebates only for projects that:
  - are initiated on or after August 16, 2022,<sup>15</sup>
  - meet all DOE requirements within this document, and
  - meet any additional requirements determined by the state for their program.

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<sup>12</sup> Includes awarded administrative funds through Home Energy Rebate Programs Early Administrative Funds ALRD, as applicable.

<sup>13</sup> Section 50121 states that a “State energy office that receives a grant pursuant to this section may use not more than 20 percent of the grant amount for planning, administration, or technical assistance” related to the Home Efficiency Rebates. 42 U.S.C. 18795(c)(4).

<sup>14</sup> See definition of Rebate Funds in Section 2.1.

<sup>15</sup> As stated in IRA Section 50121(c)(1), “[a] HOMES rebate program carried out by a State energy office receiving a grant pursuant to this section shall provide rebates to homeowners and aggregators for whole-house energy saving retrofits begun on or after the date of enactment of this Act and completed by not later than September 30, 2031.”

- Provide rebates only for completed projects.<sup>16</sup>
- Provide rebates for heating, cooling, and water heating products only if they are certified as meeting the ENERGY STAR product criteria in effect on the date of installation. However, where there is no ENERGY STAR certification for central heating and cooling systems or central water heating systems suitable for multifamily buildings, states may propose to use available systems subject to an alternative equipment efficiency standard for DOE review and approval.
- Make increased rebate levels available to low-income households at less than 80% AMI.<sup>17</sup>
- Provide and enforce use of an acceptable method to verify that (a) a participating single-family household's income is less than 80% AMI,<sup>18</sup> and (b) a participating multifamily building has at least 50% of households with incomes less than 80% AMI.<sup>19</sup>
- Determine whether the multifamily building qualifies as a low-income building (i.e., the building has at least 50% of households with incomes less than 80% AMI). If the building is a low-income building, a state may calculate the "per dwelling unit" value at the less than 80% AMI amount for all units. Alternatively, a state may calculate the "per dwelling unit" value at the less than 80% AMI amount in proportion to the ratio of LMI to non-LMI units.
- Allow categorical eligibility determinations based on other federal programs that meet the income thresholds, as listed in the supplemental document [Federal Programs Approved for Categorical Eligibility](#).
- Maintain a list of state or other programs that meet the income thresholds and provide reliable income verification that the state uses for categorical eligibility.
- Retain a copy of the invoice for work performed at the eligible address. The invoice must show the specific work performed, the address where the work was performed, the name and contact information for the contractor(s) performing the work, the dates on which the work was performed, the total project cost prior to the rebate, and the rebate amount. Additional requirements apply if the work is being funded by rebates from more than one source. See Section 3.3.2.
- Ensure the rebate does not exceed the total project cost when combined with other permissible/eligible program rebates accepted by the eligible rebate recipient (i.e., total rebate funding must not exceed the total project cost).

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<sup>16</sup> Point of sale rebates is not a requirement of 50121; however, DOE is providing and recommending workflows that would apply rebates that result in a purchase price reduction. Additionally, programs can be structured so that an aggregator, implementer, or contractor may carry the rebate until savings are modeled or measured and the state is able to provide a rebate on the completed project amount. For 50121 modeled energy savings projects in low-income multifamily buildings, states may request approval from DOE to pay rebates in stages that align with completion of portions of the project. See Section 3.1.3 Program Requirements: Low Income Homes for additional details.

<sup>17</sup> 42 U.S.C. 18795(c)(2)(C) and (d)(3).

<sup>18</sup> HUD calculates median family income levels for areas across the United States. HUD has a website available [here](#) where users can view these calculations. Information about HUD's methods for calculating AMI statistics is available [here](#). HUD typically updates these values in March or April of each year; however, due to impacts of the COVID-19 pandemic on data collection, HUD released its 2023 income limits in May 2023.

<sup>19</sup> If requested, DOE will work closely with states to develop methods. Additional information can be found in the [Technical Information, Best Practices, and Implementation Recommendations](#).

- Ensure that rebates are not applied to specific energy efficiency upgrades funded with other federal grants or rebates.
- Communicate with retailers and distributors to ensure they provide a process for handling returns of rebated appliances as applicable. This process must be included in the participation agreement referenced in the Consumer Protection Plan.
- Ensure that upgrades benefit only the residential portion of a mixed-use building where the state has defined the residential portion of the building as a multifamily building. Upgrades that benefit any portion of the commercial space are not eligible for rebate.
- Ensure that a single address cannot receive both a measured and a modeled rebate under 50121.
- Ensure that a single address cannot receive a rebate from both HOMES (50121) and Electrification (50122) for the same measure. To implement this, the DOE database will not allow the following:
  - No electrification rebates will be made for addresses that are in the process of receiving a rebate for measured savings (and vice versa), with the exception of rebates for electric load service centers or electric wiring.
  - No electrification rebates will be made for addresses where a modeled rebate has already been given for that upgrade.

### 3.1.2.1 Modeled Home Efficiency Rebates

Modeled Home Efficiency Rebates is a program path within Section 50121, using calibrated home energy models consistent with the BPI-2400 standard to estimate energy savings prior to the upgrades, providing rebates for homes predicted to achieve a minimum of 20% energy savings. When a state allows rebates using a modeled savings approach, the state must calculate rebate amounts consistent with Table 2 and based on (1) estimated energy savings calculated reflecting only completed energy improvements<sup>20</sup>, (2) household income level, (3) total project cost reflected in final invoice, and (4) home type consistent with the definitions in Section 2.1.

Table 2. Modeled Savings Rebate Levels

Single-Family		
Modeled Energy Savings	Income Level	Rebate Amount
20%-34%	Less than 80% AMI*	Lesser of \$4,000 or 80% of project cost
	80% AMI and greater	Lesser of \$2,000 or 50% of project cost
35% or greater	Less than 80% AMI*	Lesser of \$8,000 or 80% of project cost
	80% AMI and greater	Lesser of \$4,000 or 50% of project cost

<sup>20</sup> For 50121 modeled energy savings projects in low-income multifamily buildings, states may request approval from DOE to pay rebates in stages that align with completion of portions of the project. See Section 3.1.3 Program Requirements: Low Income Homes for additional details.

Multifamily		
Modeled Energy Savings	Income Level	Rebate Amount
20%-34%	A building with at least 50% of households with incomes less than 80% AMI*	Lesser of \$4,000 per dwelling unit or 80% of project cost
	A building with at least 50% of households with incomes 80% AMI and greater	\$2,000 per dwelling unit up to \$200,000 per building
35% or greater	A building with at least 50% of households with incomes less than 80% AMI *	Lesser of \$8,000 per dwelling unit or 80% of project cost
	A building with at least 50% of households with incomes 80% AMI and greater	\$4,000 per dwelling unit up to \$400,000 per building

\*States may increase the maximum amount available for low-income households upon approval from DOE.<sup>21</sup> See Section 3.1.3 for details.

### 3.1.2.2 Measured Home Efficiency Rebates

Measured Home Efficiency Rebates is a program path within Section 50121, using a DOE-approved open-source measurement and verification (M&V) methodology to measure home energy savings post-installation of the upgrades, providing rebates for homes or a portfolio of homes that achieve measured energy savings of at least 15%. When a state allows rebates using a measured savings approach, the state must calculate rebates consistent with Table 3 and based on (1) the reported energy savings measured through a DOE-approved open-source advanced M&V software, (2) household income level, (3) total project cost reflected in the final invoice or a payment rate as defined in Table 3, and (4) home type consistent with the definitions in Section 2.1.

Table 3. Measured Savings Rebate Levels

Single-Family		
Measured Energy Savings	Income Level	Rebate Amount
15% or greater	Less than 80% AMI	kWh, or kWh equivalent, payment rate equal to \$4,000 for a 20% reduction of energy use for the average home in the state or 80% of project cost <sup>*†</sup>

<sup>21</sup> 42 U.S.C. 18795(c)(3).

	80% AMI and greater	kWh, or kWh equivalent, payment rate equal to \$2,000 for a 20% reduction of energy use for the average home in the state or 50% of project cost*
<b>Multifamily</b>		
<b>Measured Energy Savings</b>	<b>Income Level</b>	<b>Rebate Amount</b>
15% or greater	A building with at least 50% of households with incomes less than 80% AMI	kWh, or kWh equivalent, payment rate equal to \$4,000 for a 20% reduction of energy use per dwelling for the average multifamily building in the state or 80% of project cost <sup>†</sup>
	A building with at least 50% of households with incomes 80% AMI and greater	kWh, or kWh equivalent, payment rate equal to \$2,000 for a 20% reduction of energy use per dwelling for the average multifamily building in the state or 50% of project cost

\* Per statute, the measured energy saving of the home or portfolio of homes must achieve 15% savings, but the calculation of the rebate is based on a 20% reduction of average home energy use of an in the state.

<sup>†</sup> States may increase the maximum amount available for low-income households upon approval from DOE.<sup>22</sup> See Section 3.1.3 for details.

### 3.1.3 Program Requirements: Low-Income Homes

Low-income households are important populations for the Home Efficiency Rebates. IRA Section 50121 provides larger rebates for single-family homes occupied by low-income households (below 80% AMI)<sup>23</sup> and allows states to request authority to provide even larger rebates - up to 100% of project costs - to allow meaningful retrofits of low-income homes.<sup>24</sup> In addition, Section 50121 provides incentives to encourage contractors and aggregators to serve disadvantaged communities.<sup>25</sup> The inclusion of these statutory components demonstrates the importance of ensuring low-income households and communities have access to rebates as an integral part of a Section 50121 program's design.

Nonetheless, structural barriers can - and do - prevent low-income households from benefitting from rebate programs. Previous evaluations have shown that existing energy efficiency programs have not served low-income households equitably without reserved funding, with only 13% of residential energy efficiency program funds going to low-income households, well below the presence of low-income households in the markets for these programs.<sup>26</sup>

<sup>22</sup> 42 U.S.C. 18795(c)(3).

<sup>23</sup> Compare 42 U.S.C. 18795(c)(2)(C) with 42 U.S.C. 18795(c)(2)(A).

<sup>24</sup> 42 U.S.C. 18795(c)(3).

<sup>25</sup> 42 U.S.C. 18795(b)(5).

<sup>26</sup> "Meeting the Challenge: A review of Energy Efficiency Program Offerings for Low-Income Households" by the American Council for an Energy-Efficient Economy. Available at <https://www.aceee.org/research-report/u2205>.



Similarly, multifamily buildings provide housing for over 19 million low-income households nationally, or over 15% of all U.S. households.<sup>27</sup> In addition to low-income single-family homes receiving distinct treatment in the statute, Section 50121 identifies low-income multifamily buildings for specific rebate thresholds.<sup>28</sup> Delivering upgrades for low-income multifamily buildings alongside critical periods of recapitalization or refinance requires a significantly longer planning, design, and construction process than energy upgrades for single-family homes.<sup>29</sup> Building owners may also be less incentivized to make whole-building modifications where the cost savings accrues to the tenants with little monetary benefit to the owner (the “split incentive” problem).<sup>30</sup> Historically, the multifamily sector has been significantly underrepresented in energy efficiency program accomplishments.<sup>31</sup>

To ensure low-income single-family and multifamily homes – two building categories specifically called out in the statute – are successfully served through the Home Efficiency Rebates, states must reserve a portion of their rebate funding to serve these households. Specifically, **at a minimum**, each state must:

- Allocate a percentage of its rebate funding for each of the rebate programs in line with its percentage of low-income households. Nationally, approximately 40.3% of U.S. households are eligible for rebates as low-income households. Appendix A contains information on the percentage of low-income households for each state and the associated minimum dollar amount that must be allocated to serve low-income households in each state.<sup>32</sup>
- Allocate at least 10% of its rebate funding to serve low-income multifamily buildings. This allocation must be additional to and separate from the allocation for low-income households. The table in Appendix A contains the dollar amount of the 10% minimum allocation of rebate funding that must be reserved to serve low-income multifamily buildings in each state.
- Design each rebate program to be capable of delivering the rebate allocations to low-income single-family and multifamily households. States must ensure that their program implementers make a focused effort to deliver the volume of projects to low-income households needed to spend this rebate allocation.
- If a state has failed to disburse the rebate funds allocated to low-income households within five years of receipt of its total formula funding allocation, it may request that DOE authorize the state to reallocate those funds to households at other income levels. DOE

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<sup>27</sup> Analysis of ACS 2020 data from the LEAD tool. Data available at <https://www.energy.gov/scep/slsc/lead-tool>.

<sup>28</sup> Compare 42 U.S.C. 18795(c)(2)(C) with 42 U.S.C. 18795(c)(2)(B).

<sup>29</sup> “Capturing the Value of Energy Upgrades in Affordable Multifamily Homes: How Policy Makers Can Pave the Way to Efficiency” by the Natural Resources Defense Council. Available at <https://www.nrdc.org/sites/default/files/energy-upgrades-affordable-multifamily-homes-policymakers.pdf>.

<sup>30</sup> “Building Decarbonization Solutions for the Affordable Housing Sector” by the American Council for an Energy-Efficient Economy. Available at <https://www.aceee.org/sites/default/files/pdfs/u2204.pdf>.

<sup>31</sup> “More Savings for More Residents: Progress in Multifamily Housing Energy Efficiency” by the American Council for an Energy Efficient Economy. Available at <https://www.aceee.org/sites/default/files/publications/researchreports/u1702.pdf>.

<sup>32</sup> This minimum allocation of rebates will facilitate direct benefits to low-income households in relative proportion to their representation in the state. States are encouraged to go above and beyond this minimum allocation to target rebate recipients more selectively or to increase the amount of rebates reserved for low-income households and disadvantage communities.

will reallocate the funds upon a demonstration of the state's good faith efforts at distributing its low-income rebate allocation.

- Not prior to 2029, if a state has failed to disburse the rebate funds allocated to low-income households and has less than 10% of unallocated rebate funds remaining, it may request that DOE authorize the state to reallocate those funds. DOE will reallocate the funds upon a demonstration of the state's good faith efforts at distributing its low-income multifamily rebate allocation.
- Ensure a homeowner or building owner is eligible for low-income rebate levels.
- Verify that (1) a participating single-family household's income is less than 80% AMI,<sup>33</sup> and (2) a participating multifamily building has at least 50% of households with incomes less than 80% AMI. Income must be verified at the household level (e.g., income cannot be "estimated" based on demographic information).
- Allow categorical co-enrollment based on other federal programs that meet the income thresholds, as listed in the supplemental document [Federal Programs Approved for Categorical Eligibility](#).

As authorized by statute, a state may propose an increase in the maximum rebate amount available for each low-income household.<sup>34</sup> The proposed increase can be up to 100% of the project costs of efficiency upgrades. This proposed increase in the rebate amount must be approved by DOE. See Section 3.1.7 for details on what is needed within a state's application to increase efficiency rebate amounts.

For the purposes of single-family and multifamily rental homes, low-income status is based on the household income of the tenant(s). The income of the building owner is not considered in determining the eligibility of low-income rental households. Building owners of single-family and multifamily rental dwellings may seek access to Home Efficiency Rebates and verify income eligibility of their tenants.

For low-income dwelling units occupied by renters, procedures for rental units shall ensure that:

- If rebates are directly requested by renters, written permission from the building owner (or another entity authorized to act on behalf of the building owner) for the home efficiency project must be obtained before commencing work.

For at least two years following the receipt of the rebates:

- The owner agrees to rent the dwelling unit to a low-income tenant. This is a minimum requirement and affordability requirements should be commensurate with total rebate amount awarded.
- The owner agrees not to evict a tenant to obtain higher rent tenants based upon the improvements.

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<sup>33</sup> HUD calculates median family income levels for areas across the United States. HUD has a website available [here](#) where users can view these calculations. Information about HUD's methods for calculating AMI statistics is available [here](#). HUD typically updates these values in March or April of each year; however, due to impacts of the COVID-19 pandemic on data collection, HUD released its 2023 income limits in May 2023. States must apply (and make available to claimants) up-to-date AMI data listed by DOE through an API or hotlink.

<sup>34</sup> 42 U.S.C. 18795(c)(3).

- The owner agrees not to increase the rent of any tenant of the building as a result of the energy improvements with exception of increases to recover actual increases in property taxes and/or specified operating expenses and maintenance costs.
- The owner agrees that if the property is sold within two years of receipt of the rebates, the aforementioned conditions apply to the new owner and must be part of the purchase agreement.
- In the event the owner does not comply, the owner must refund the rebate.
- A specific and verifiable mechanism (e.g., addendum to the lease) is in place for providing tenants with written notice of their rights and their building owner's obligations.
- Enforcement and penalties are clear and sufficient to act as a deterrent for owner violations and provide for damages and attorney's fees recoverable by tenants.

Income verification is a critical element of program implementation. DOE, in collaboration with the National Association of State Energy Officials (NASEO), will work with the states to assist in developing effective methods for carrying out this requirement and provide examples of acceptable methods. As part of this assistance, DOE will provide sample frameworks to help states work through the various steps of income verification and other processes involved in implementing rebate programs.

As noted in the section on income verification, states are encouraged to allow applicants to establish their eligibility through a variety of means, including categorical eligibility (enrollment in recognized low-income programs), documentation of income, and self-attestation. If self-attestation is allowed, states **must verify all** rebate applications using self-attestation of income eligibility before issuing a rebate; in cases of emergency replacements, states may verify income eligibility after a rebate has been issued.

A multifamily project consisting of a suite of measures may take multiple years to complete, during which time payments typically are made to contractors by a building owner as portions of the overall project are completed. Building owners (or the contractors they hire) may not have the ability to carry the full project costs until rebate funds become available at project completion. The issue of carrying costs is likely to be a greater barrier for projects in low-income multifamily buildings for which significantly higher rebate amounts—and therefore higher project costs—are approved.

States may request approval from DOE to issue partial payments of the total rebate amount for progress made towards the completion of rebate-authorized projects in low-income multifamily buildings using the modeled savings approach only. Once such a request by the state is approved program-wide by DOE, states would not need to seek additional approval from DOE for each rebate application seeking this relief.

Projects eligible for partial payments **must** meet **all** the following requirements:

- The project is in a low-income multifamily building (more than 50% residents with incomes less than 80% AMI).
- The project qualifies for rebates through the 50121 modeled energy savings pathway.
- The project has a contract in place with one or more contractors that (1) identifies total cost of all measures included in the scope of the project, (2) the timeline for partial completion and full work completion, and (3) the terms of payment and schedule for

partial payments. The rebate recipient must work with the state to ensure any changes to the project scope, schedule and/or budget are allowable and meet both DOE and State program requirements.

- A rebate recipient using partial payments may retain the rebate only if the entire scope of the project for which the rebate was approved is fully completed. For example, if changes to the project scope result in the project moving from 35%+ modeled savings to 20-34% modeled savings, the project is only eligible for lower rebate levels appropriate for 20-34% modeled savings. If the project scope changes in such a way that the project does not meet the minimum threshold of 20% energy savings, the rebate recipient **may not** retain any rebate amount for partial completion of the project; in this instance, all partial payments must be returned to the state.
- If the building is sold while the project is in progress, these conditions still apply and must be included as part of the purchase agreement.

Partial payments **must** meet the following requirements:

- Generally, partial payments may only be made after the complete installation of individual measures that are part of the modeled energy savings scope; an exception is made for central systems, for which states may provide partial payments for progress on installation of a central system.
- Partial payments may not be made for milestones such as completion of an energy audit or delivery of materials/equipment on site.
- Partial payments may only be paid to one rebate recipient who assumes responsibility for completion of the full project, for example, a building owner or a general contractor. States may not pay multiple different contractors for the same project directly. If a contractor is the rebate recipient, and the contractor is replaced with a different contractor, the building owner or the new contractor may assume responsibility for project completion and receipt of rebates.
- The final partial payment may not be made until the state verifies that the full scope of the project for the modeled savings has been completed and follows program requirements.

The state **must** submit their approach for partial payments to DOE for approval, which must include:

- The state's plan for comprehensive due diligence on every project to ensure they are set up to successfully reach completion.
- The state's approach to keep accurate documentation and accounting practices for partial payments, so that the state can provide, immediately upon request by DOE, project-level details for projects that are in progress.
- How the state will ensure that individual measures have been completed (or in the case of central systems that progress on installation has been made) before providing partial payments for those measures and how the state will ensure that the full scope of the modeled savings project has been completed before disbursing a final partial payment of the rebate.
- The state's overall approach to ensuring timely completion of projects, including remedies the state will pursue for delayed projects and to recover rebate funds for incomplete projects.

- The state's approach to informing the rebate recipient (e.g. building owner or general contractor) of the requirement that the recipient may keep the rebate ONLY IF the entire scope of measures that is projected to meet the modeled savings threshold (20-34% or 35%+) is completed.

### 3.1.4 Program Requirements: Community Benefits Plan

To support program goals, the Home Efficiency Rebates are expected to (1) support meaningful community and labor engagement; (2) engage and support a skilled and qualified workforce; (3) advance diversity, equity, inclusion, and accessibility (DEIA); and (4) contribute to the Justice40 Initiative with the goal that 40% of the overall benefits of certain federal investments flow to disadvantaged communities.<sup>35</sup>

To ensure these goals are met, states must:

- Create a Community Benefits Plan that describes how their home efficiency rebates program will incorporate the four objectives stated above.
- Include at least one Specific, Measurable, Attainable, Realistic, and Timely (SMART) milestone per calendar year to measure progress on the proposed actions.
- Make the plan, the milestones, and progress toward them accessible on a public website.
- Ensure the Community Benefits Plan is implemented when carrying out projects.

The Community Benefits Plan must address the following:

**1. Engage Community and Labor:** The Community Benefits Plan must describe the grantee's actions to date and plans to engage with community partners, such as local and/or Tribal governments, labor unions, and community-based organizations that support or work with underserved communities, including disadvantaged communities as defined by CEJST. By facilitating community input, social buy-in, and accountability, such engagement can improve and accelerate participation and positive project outcomes.

Community and labor engagement can lay the groundwork for formal partnerships with community and workforce partners to support administration and implementation of the rebate programs. A state must:

- Hold at least one public input session to solicit community input on its proposed deployment plans. Ideally, these meetings will take place after this Home Efficiency Rebates requirements document and the ALRD are released by DOE; however, a state may request waiver of this provision upon a demonstration that the public input sessions elicited meaningful input for the state program design.
- Use the input from these engagement sessions to inform the design of its rebate program, and it must describe how this input was used in its program design.
- Explain how it will solicit and respond to community feedback throughout the duration of its rebate program.

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<sup>35</sup> The Justice40 initiative, established by E.O. 14008, sets a goal that 40% of the overall benefits of certain Federal investments flow to disadvantaged communities. The Justice40 Interim Guidance provides a broad definition of disadvantaged communities (page 2): <https://www.whitehouse.gov/wp-content/uploads/2021/07/M-21-28.pdf>.

- Describe what community engagement and outreach strategies it will utilize to reach contractor and workforce organizations, disadvantaged communities, low-income households, and other marginalized groups.

States are strongly encouraged to establish partnerships with and provide funding to community-based organizations, labor unions, contractor organizations, utilities, existing program implementers, and other organizations that represent or work with underserved households to reach and engage with these communities effectively over the life of the program. Administrative funds allocated to the state may be used to support these actions. Grantees should also provide Community and Labor Partnership Documentation from representative organizations reflecting substantive engagement and feedback on the grantee's approach to community benefits, including engaging and supporting a skilled and qualified workforce; diversity, equity, inclusion, and accessibility; and the Justice40 Initiative detailed below.

**2. Engage and Support a Skilled and Qualified Workforce:** A qualified, skilled, trained, and stable workforce is necessary to meet Home Efficiency Rebates program goals. High-quality jobs are critical to attracting and retaining the qualified workforce required to implement high-quality home upgrades.

The Community Benefits Plan must describe the state's approach to working with responsible contractors who invest in ongoing workforce education and training, and ensuring jobs are of sufficient quality to attract and retain skilled workers in the home energy upgrade industry. If a state is not also applying for a grant from the [IRA Section 50123 Contractor Training Grants ALRD](#), the state must describe how it is supporting education and training of both new and incumbent workers to meet the needs of the Home Efficiency Rebates.

As the 1935 National Labor Relations Act states, employees' ability to organize, bargain collectively, and participate, through labor organizations of their choosing, in decisions that affect them contributes to the effective conduct of business and facilitates amicable settlements of any potential disputes between employees and employers, providing assurances of project efficiency and continuity and multiple public benefits. A state should provide a description of how it plans to affirmatively support workers organizing and collective bargaining. This might include screening eligible contractors based on commitments from home energy upgrade contractors to remain neutral during any union organizing campaigns; investing in workforce and education through joint labor-management training programs; supporting the development of a resilient, skilled, and stable workforce including by utilizing registered apprentices on projects and paying at or above the local prevailing wages; and including other commitments or pledges.

**3. Incorporate Diversity, Equity, Inclusion and Accessibility (DEIA):** The Community Benefits Plan must include a section describing how DEIA objectives will be incorporated into the program. The section should detail how the state will partner with underrepresented businesses and training organizations that serve workers who face barriers to accessing quality jobs and/or other project partners to help address DEIA.

The following is a list of potential DEIA actions that could be included in a plan. This list is offered to provide guidance to states and is not intended to be comprehensive:

- Commit to partnering with Minority Business Enterprises, minority-owned businesses, women-owned businesses, and veteran-owned businesses for delivering home energy upgrades funded by rebates or for home energy upgrade contractor support needs.

- Fill open positions for home energy efficiency jobs utilizing home efficiency rebates, partner with workforce training organizations serving underrepresented communities and those facing systemic barriers to quality employment, such as those with disabilities, women, returning citizens, opportunity youth, and veterans.
- Partner with organizations that can provide workers with comprehensive support services, such as childcare, mentoring, and transportation, to increase representation and access in home energy efficiency and construction jobs.

**4. Address Justice40 Initiative:** A state must provide an overview of benefits to disadvantaged communities that the home efficiency rebates can deliver, supported by measurable milestones. The Justice40 Initiative section of the Community Benefits Plan must include:

**A. A state’s definition of disadvantaged communities.** In accordance with the U.S. Office of Management and Budget (OMB) guidance M-23-09,<sup>36</sup> a disadvantaged community is a disadvantaged area identified by CEJST.<sup>37</sup> With DOE approval, a state may adopt an alternative definition for a disadvantaged community. To receive DOE approval of an alternative disadvantaged community definition, (1) the state definition must incorporate two or more enumerated indicators (see Section 3.1.7) in identifying disadvantaged communities, (2) the state definition must conform to the definition of communities established in [OMB Memorandum M-21-28](#), and (3) the communities meeting the state definition must be mapped or the state must develop its own GIS layer that can identify households that qualify as fitting under its disadvantaged community definition. DOE may request that a state conduct comparative analysis to show how its proposed definition compares with areas identified by CEJST. A state may develop its own web-based tool or work with DOE to integrate this GIS layer into the tools provided by DOE; developing this new tool is an allowable administrative cost.

If a state uses the DOE default definition for a disadvantaged community, contractors and other interested parties can use the CEJST mapping tool or another federally approved web-based tool to determine whether a home is located in a disadvantaged community. If a state uses a state-specific definition for a disadvantaged community, either the DOE tool or a state-provided tool will provide contractors and other interested parties the ability to determine whether a home is located in a disadvantaged community. Note that DOE plans to provide a rebate coupon reservation system that will note whether the address qualifies for an incentive when the reservation is created.

**B. A state’s method of encouraging delivery of home efficiency rebates to disadvantaged communities.** Each state must include system(s) to track contractor or aggregator engagement with households in disadvantaged communities and ensure appropriate incentive payments are delivered.<sup>38</sup> Specifically, the state program must:

- Provide either a contractor or aggregator \$200 for each dwelling unit located in a disadvantaged community upon completion and verification of the installation.

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<sup>36</sup> “Addendum to the Interim Implementation Guidance for the Justice40 Initiative, M-21-28, on using the Climate and Economic Justice Screening Tool (CEJST).” Available at M-23-09 (whitehouse.gov).

<sup>37</sup> The Climate and Environmental Justice Screening Tool (CEJST) is available at <https://screeningtool.geoplatform.gov/en/#3/33.47/-97.5>.

<sup>38</sup> 42 U.S.C. 18795(b)(5).

- Use the identified disadvantaged community definition (either the DOE default or the DOE-approved state definition) to apply the \$200 disadvantaged community incentive.

**C. A description of how states will ensure that applicable benefits flow to disadvantaged communities.** A state must specifically identify how its Home Efficiency Rebates program will deliver direct benefits for low-income households in CEJST-identified areas (or its DOE-approved alternative definition of a disadvantaged community), such as how upgrades will reduce utility bills and improve indoor air quality. A state should also discuss how its Home Efficiency Rebates program will create high-quality jobs for members of disadvantaged communities.

At a minimum, this plan must describe actions a state will take to ensure that disadvantaged communities receive the following benefits of the rebate programs:

- Direct benefits, including the energy upgrade projects completed via rebate investments and the associated energy savings, cost savings, pollution reduction, and other health and safety benefits.
- Economic benefits, including the jobs and quality of jobs supported by rebate investments and the contracts and economic activity enabled by rebates.

In describing the flow of benefits, a state may reference the use of minimum allocations, such as the low-income minimum allocations required within Section 3.1.3. However, a state should be aware that not all low-income households fit the geographic definition of a disadvantaged community.

### 3.1.5 Program Requirements: Processing and Delivering Rebate Funds to Eligible Rebate Recipients

To help ensure appropriate use and processing of Home Efficiency Rebates, states must:

- Create systems and materials to facilitate carrying out the program requirements in Section 3 of this document and in the [Data & Tools Requirements Guide](#).
- Use APIs and/or DOE-provided spreadsheets to link relevant state systems to federally provided infrastructure as described in the [Data & Tools Requirements Guide](#).
- Inform all potential state program participants of the process for accessing rebates, including how to access national system(s) as required by DOE.
- Adhere to all requirements included in the [Data & Tools Requirements Guide](#).
- Provide rebates to the eligible rebate recipient for measured programs within 60 days of submitting invoice to the state.
- Provide rebates to eligible rebate recipient within four weeks of receipt of an eligible rebate application for modeled programs.
- Provide an acceptable method for low-income households to not be required to use personal funds at the point of sale to pay for rebate-covered work.<sup>39</sup>

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<sup>39</sup> See [Data & Tools Requirements Guide](#) for workflows to support states developing acceptable methods.



### 3.1.6 Program Requirements: Data Collection and Evaluation

This section covers a variety of data requirements. Section 3.1.6.1 addresses requirements associated with data protection and standards, including data transmission, security, privacy, retention, and sharing. Section 3.1.6.2 provides general information regarding the types of metrics for which DOE requires reporting. Reporting requirements are identified in the [Data & Tools Requirements Guide](#) and on the Financial Assistance Reporting Checklist (FARC) attached to the award agreement. Section 3.1.6.3 addresses data collection requirements related to program evaluation. DOE also expects state programs to collect information needed to administer their rebate programs and to assist with program monitoring. Finally, DOE recognizes that states will need to collect additional information for program implementation. DOE will collect most data with mandatory APIs; however, states will be required to provide some compiled information by reporting through PAGE and may be required to provide additional information that they have retained but not reported to DOE. All data collection and reporting requirements, including application programming interface (API) requirements, are delineated in the [Data & Tools Requirements Guide](#). Requirements and recommendations pertaining to data access and sharing of utility energy consumption information is provided in the [Utility Data Access Guidelines](#).

#### 3.1.6.1 Data Protection and Data Standards

The following program requirements apply to documents, data, and other information collected by states using federal funds to implement and administer the Home Energy Rebates, regardless of when or how that information may be shared with DOE.

To facilitate program data sharing, program audits, and program evaluations, state programs must collect household information as required in the [Data & Tools Requirements Guide](#). For home energy assessment data required to be submitted to DOE, data for all applicable building types (single-family and small multifamily) must be consistent with the [HPXML Data Dictionary v3](#) or subsequent versions, and program systems must be capable of sharing the data using the [HPXML Transfer Standard \(BPI-2100\)](#) or subsequent versions. Home energy assessment data for large multifamily buildings must be consistent with [BuildingSync](#). All other data must be collected in the format appropriate to be shared with the DOE central database. Data that states must collect but that is not required to be submitted to DOE must be retained and accessible upon request by DOE for purposes of compliance monitoring and evaluation.

Data collection and data sharing must be secure to protect consumer privacy. Each state must comply with its own state legal obligations regarding security and privacy. To ensure states are addressing data security and privacy, at a minimum, implementers must implement risk-based security controls, which must include documentation of a privacy and security risk assessment, rationale for categorizing the system, method for determining the risk impacts, and risks associated with data sharing. A copy of the privacy and risk assessment of state systems must be provided to DOE at least 60 days prior to planned rebate program launch. DOE will review and approve the deliverable prior to providing the state approval for rebate program launch.

Security and privacy controls must be reviewed by an independent third party at least once every three years. Implementers must have documented processes in place to monitor and address issues in a timely fashion. DOE may request copies of risk assessments, documentation from independent reviews, and/or documentation of risk or threat mitigation measures at any time.

Data collected by states in administering their programs may not be sold. Data collected by states in administering their programs may be shared with program implementers and/or evaluators with whom the state has a contractual relationship, provided that prohibitions against data selling and data sharing are included in the contracts with those entities. For all other entities, collected data may not be shared with others except with the explicit written permission of DOE.

Consistent with 2 CFR 200.334 through 200.338, the state recipient is required to retain records relating to this award for a period of three years from the date of submission of the final expenditure report.

### 3.1.6.2 Program Metrics

States must include plans for how required data<sup>40</sup> will be collected throughout the award period so that these metrics may be aggregated and evaluated across programs. DOE understands that different states will optimize program design for different metrics. The plan must include how states will value savings based on time, location, or greenhouse gas emissions. Valuing savings as part of this plan does not replace or count towards the requirements to demonstrate a minimum percentage energy savings for the household on a modeled or measured basis.

DOE requires states to report to DOE certain program-related progress metrics. To reduce burden, DOE will allow some flexibility in how the data are reported and at what level of granularity. See the [Data & Tools Requirements Guide](#) for all data requirements, including a list of metrics that states will be required to submit at least annually to DOE.

States must report metrics to DOE as described in the [Data & Tools Requirements Guide](#) and as required on the Federal Assistance Reporting Checklist (FARC).

### 3.1.6.3 Program Evaluation

DOE plans to conduct process, impact, and market transformation evaluation activities as part of an independent evaluation process. The goals of these evaluations will be consistent with the goals described in Section 1.5 of this document with the objective to understand how effective the programs are at meeting their intended outcomes and how programs can be improved. See the [Data & Tools Requirements Guide](#) for specific data collection, retention, and reporting requirements.

States must participate in DOE-led impact and process evaluations **or** conduct their own process and impact evaluations consistent with requirements of this section.

Regardless of whether states conduct their own impact and process evaluation and/or cooperate with DOE-led evaluations, all state programs must:

- Agree to participate in interviews (as the program administrator) and require their implementers and other program partners to participate in interviews.
- Include as part of rebate terms and conditions that homeowners agree to release billing data from their metered fuel utilities to the state for evaluation purposes and homeowners agree to be willing to participate in monitoring and evaluation activities such as surveys and interviews if selected.
- Securely provide any retained data to DOE on an ad hoc, as-requested basis.

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<sup>40</sup> As described in the [Data & Tools Requirements Guide](#).

- Coordinate with utilities to collect billing data for evaluation purposes.

States that choose to conduct at least one of their own process or impact evaluations will not be required to participate in a DOE-led process or impact evaluation if the state:

- Applies the DOE evaluation recommendations as described in the [Evaluation Recommendations document](#) and collects DOE-requested information to allow for consistent comparison of results.
- Submits the evaluation plan within three months of rebate program launch for DOE approval.
- Provides final evaluation results to DOE within 18 months of evaluation approval, or the agreed-upon timeline in the evaluation plan.

If a state conducts timely impact or process evaluation of its programs, meeting the above requirements, then DOE will exclude the state from relevant evaluation activities. DOE reserves the right to determine consistency with requirements and the evaluation plan.

Due to the nature of broad-based market transformation goals, DOE will conduct a national market transformation evaluation. States are welcome to conduct their own assessment of market effects and market change as well.

### 3.1.7 Application Requirements: Use of Funds and Rebate Eligibility

A state must address the following in its application and corresponding budget, except that a state may defer responses to its State Implementation Blueprint where marked with an “X” (deferral not permitted for Quick Starts). All other requirements are mandatory within the State Application.

Table 4. Application Requirements

Program Requirements Section No.	Application Requirement	Implementation Blueprint Option
3.1.1	Identify the specific types of allowable costs the state proposes within 1) administrative funds and 2) rebate funds. Provide an estimate of the total amount of administrative funds to be expended annually and the estimated annual project-related costs as a portion of the total rebate funds.	
3.1.1	If states are requesting additional funds for project-related activities, describe and justify each activity and associated budget in the budget justification worksheet DOE will review and determine if allowable.	
3.1.1	Describe how the state will manage and ensure that rebate minimums and administrative maximums are adhered to over the duration of the program.	
3.1.1	Confirm that the state will have a process for handling returns of rebated items as applicable in the Consumer Protection Plan.	

Program Requirements Section No.	Application Requirement	Implementation Blueprint Option
3.1.2	Identify the maximum rebate amounts that will be offered within the allowances of the Home Efficiency Rebates requirements.	
3.1.2	Identify the allowable project costs for determining rebate levels when based on project cost.	X
3.1.2	List the documentation requirements related to project costs from homeowners, contractors, and/or aggregators.	X
3.1.2	Describe how homeowners and multifamily building owners will be informed of additional program funding available from non-federal funds and grants.	X
3.1.2	Identify the date after which upgrade projects must be completed for the purposes of being eligible for a rebate under the state program.	X
3.1.2	Identify whether, for low-income multifamily buildings, the state will calculate the “per dwelling unit” rebate amount (a) at the less than 80% AMI amount for all units or (b) based on the ratio of LMI to non-LMI units.	
3.1.2	<p>Describe how the state plans to value energy savings based on time, location, or greenhouse gas emissions. The application must demonstrate a strategy for either prioritizing, or requiring in program rules:</p> <ul style="list-style-type: none"> <li>• Retrofits that will have a disproportionate benefit based on the time or location of energy savings; or</li> <li>• A targeted approach to prioritize reduction in greenhouse gas emissions.</li> </ul> <p>Valuing savings as part of this plan does not replace or count towards the requirements to demonstrate a minimum percentage energy savings for the household on a modeled or measured basis.</p>	X
3.1.2	Describe how the state plans to ensure and verify ENERGY STAR certification at the time of installation for heating, cooling, and water heating products.	X
3.1.2	<p>Indicate whether the state requests authorization to offer higher rebates amounts than those listed in Tables 2 and 3 for low-income households. If requested:</p> <ul style="list-style-type: none"> <li>• Describe the state approach for balancing higher rebate amounts (serving fewer households) with the required allocation to serve low-income households.</li> </ul>	

Program Requirements Section No.	Application Requirement	Implementation Blueprint Option
	<ul style="list-style-type: none"> <li>• Propose the maximum rebate amount that would be available to low-income households both in terms of percentage of project cost and dollar amount for low-income households that:               <ul style="list-style-type: none"> <li>○ Receive an energy upgrade that is modeled to save at least 20% of energy.</li> <li>○ Receive an energy upgrade that is modeled to save at least 35% of energy.</li> </ul> </li> </ul>	
3.1.2	Provide details on what portion(s) of the total rebate will be provided to the homeowner/building owner compared with the contractor/aggregator. Describe what caps the state will place on contractor/aggregators in terms of savings exceeding the amount associated with the rebate provided to the homeowner (e.g., allowable percentage above the rebate provided to homeowner).	X
3.1.2	Describe what systems will be put into place to reserve funds for each measured project, given the need to remit payment to the contractor/aggregator after 9-12 months of usage data post-energy upgrade is available.	X
3.1.2	For the measured program path, describe how the state will calculate rebate levels based on average home energy usage in the state. <sup>41</sup>	X
3.1.2	For the measured program path, describe the timeframe within which the state will provide rebates to eligible rebate recipients.	X
3.1.3	Identify the portion of the rebate funds the state will reserve for low-income households and multifamily households.	
3.1.3	Describe how the state will define household income for verification purposes. (e.g., using prior year income).	

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<sup>41</sup> Per statute, the measured energy saving of the home or portfolio of homes must achieve 15% savings, but the calculation of the rebate is based on a 20% reduction of average energy use of a home in the state.

Program Requirements Section No.	Application Requirement	Implementation Blueprint Option
3.1.3	<p>For single-family households, how will claimants be able to establish their household income for income qualifications? States may select from the following options:</p> <p>(1) Documentation of household income (e.g., 1040)</p> <p>(2) Documentation of enrollment in a pre-qualifying program</p> <p>(3) Self-attestation of either income level or enrollment in a pre-qualifying program</p>	
3.1.3	<p>For multifamily buildings, describe what combination of methods will be used to verify that at least 50% of dwelling units consist of households with incomes less than 80% AMI.</p>	X
3.1.3	<p>Confirm:</p> <ul style="list-style-type: none"> <li>• Claimant will be required to note the number of individuals who occupy the dwelling unit.</li> <li>• Claimant will be required to sign a statement attesting to the validity of all information provided (e.g., enrollment documents, household income, number of full-time occupants) irrespective of the method of income qualification (e.g., categorical eligibility, self-attestation).</li> <li>• State’s intake system for users to provide income information will compare household income to 80% AMI values associated with that household’s county and household size to determine rebate levels prior to signing statements regarding their income.</li> </ul>	
3.1.3	<p>Describe how the 80% AMI levels for each location will be kept up to date (use DOE-provided API, other) and linked to DOE systems. Confirm that these levels will correspond to (a) the address of the home at which rebates will be applied and (b) the applicable number of household occupants.</p>	X

Program Requirements Section No.	Application Requirement	Implementation Blueprint Option
3.1.3	<p>Confirm that the state will:</p> <ul style="list-style-type: none"> <li>(1) review information provided to support income eligibility for all applicants applying for higher income-based rebate levels;</li> <li>(2) take steps to verify income eligibility for all applications (100%) that use self-attestation to support income eligibility (e.g., confirm enrollment in at least one program that the applicant asserted enrollment in; confirm household income via IVES or other methods as applicable; calls to employers);</li> <li>(3) after six months and not longer than one year after program launch, report to DOE the percentage and number of applicants that received rebates but were subsequently found to not meet eligibility requirements; and</li> <li>(4) work with the state’s DOE Project Officer to institute additional safeguards or determine if a lesser level of review for applicants using self-attestation is justified depending on the percentage/number of rebates issued without meeting eligibility requirements.</li> </ul> <p>A state may propose in its application the types of information that it will provide to DOE to warrant reducing this requirement (e.g., allowing implementers to verify income of a subset of claimants through random sampling).</p>	
3.1.3	<p>Provide additional information as needed to demonstrate that the proposed approaches for income verification will address all types of households; not create undue burden for claimants; and include safeguards to minimize error and abuse in the process of verifying income.</p>	
3.1.3	<p>Describe how the state will verify (confirm legitimacy) of income information for all claimants (e.g., verification within two days through IRS, cross-check with enrollment databases of approved programs, calls to employers). A state may propose in its application the types of information that it will provide to DOE to warrant reducing this requirement (e.g., allowing implementers to verify income of a subset of claimants through random sampling).</p>	X
3.1.3	<p>Identify how the state will resolve instances when rebates are provided to those who have falsified their incomes.</p>	X
3.1.3	<p>If proposing to allow self-attestation as a means for initial income qualification, provide a detailed description of how and when this approach will be used. Include statements, language,</p>	X

Program Requirements Section No.	Application Requirement	Implementation Blueprint Option
	<p>and detailed information regarding follow-up steps that will be used for this process. Additional topics to address include:</p> <ul style="list-style-type: none"> <li>• Describe how those applying for rebates will be warned of potential liability associated with falsifying information.</li> <li>• Explain how signed statements of self-attestation will be securely stored.</li> <li>• Identify what level of falsified attestations will signal that the system needs to shut down either permanently or be restarted only after sufficient improvements are made.</li> </ul>	
3.1.3	Describe how the state program will verify applicant information provided to substantiate income eligibility, including systems that will be used to verify, where applicable, that at least one member of a household has been enrolled in a program included within the <a href="#">Federal Programs Approved for Categorical Eligibility</a> document or other state-proposed approved by DOE within the prior 12 months.	X
3.1.3	Identify the federal or other programs by which the state plans to allow categorical eligibility.	
3.1.3	If applicable, propose any additional federal or other programs to be considered for categorical eligibility. For any programs not already approved, describe how the program’s eligibility aligns with the Section 50121 income requirements.	X
3.1.3	Identify whether the state requests authorization to allow use of categorical eligibility determinations based on program participation outside of a one-year period (e.g., proof of enrollment within the past 12 months). If so, explain the state’s proposal and describe the rationale.	X
3.1.3	Identify whether the state requests authorization to allow categorical eligibility for a program in a way that is not consistent with the “level of categorical eligibility” listed in the document <a href="#">Federal Programs Approved for Categorical Eligibility</a> . For each deviation requested, propose, and provide documentation to justify the requested change. Documentation must demonstrate that the state imposes income requirements equivalent to or less than 80% AML.	X
3.1.3	Provide a brief description of the procedures and penalties the state will provide to ensure that renters are not subject to unjustified rent increases.	



Program Requirements Section No.	Application Requirement	Implementation Blueprint Option
3.1.3	Explain how the state will identify eligible contractors or aggregators and what tools will be used to pay the \$200 disadvantaged community incentive.	X
3.1.4	<p>Describe how the state program will define a disadvantaged community.</p> <p>If not using the default disadvantaged community definition (low-income households located in a disadvantaged community identified by the CEJST), a state must explain how the proposed definition will meet the following three criteria as described in DOE Justice40 implementation guidance:<sup>42</sup></p> <ul style="list-style-type: none"> <li>• The communities of concern identified by the state tool or definition must conform to the definition of communities established in OMB guidance: <ul style="list-style-type: none"> <li>○ a group of individuals living in geographic proximity to one another that experiences common conditions.</li> <li>○ a geographically dispersed set of individuals (such as migrant workers or Native Americans) that experiences common conditions.</li> </ul> </li> <li>• The state tool or definition must consider two or more of the following indicators when identifying communities that should be classified as disadvantaged for the purposes of directing federal investments under Justice40: <ul style="list-style-type: none"> <li>○ Low income, high and/or persistent poverty</li> <li>○ High unemployment and underemployment</li> <li>○ Racial and ethnic residential segregation, particularly where the segregation stems from discrimination by government entities</li> <li>○ Linguistic isolation</li> <li>○ High housing cost burden and substandard housing</li> <li>○ Distressed neighborhoods</li> <li>○ High transportation cost burden and/or low transportation access</li> <li>○ Disproportionate environmental stressor burden and high cumulative impacts</li> <li>○ Limited water and sanitation access and affordability</li> </ul> </li> </ul>	

<sup>42</sup> See pages 8-9 of <https://www.energy.gov/sites/default/files/2022-07/Final%20DOE%20Justice40%20General%20Guidance%20072522.pdf> for more details.

Program Requirements Section No.	Application Requirement	Implementation Blueprint Option
	<ul style="list-style-type: none"> <li>○ Disproportionate impacts from climate change</li> <li>○ High energy cost burden and low energy access</li> <li>○ Jobs lost through the energy transition</li> <li>○ Access to healthcare</li> <li>● The communities of concern identified by the state tool or definition must be currently mapped in software or must be easily overlaid in GIS so that communities can be easily identified.</li> </ul>	
3.1.5	Describe what types of systems will be put into place to allow effective processing of rebates.	X
3.1.5	Describe how the state will ensure processing of rebates within required timeframes (e.g., through a processing company, through program implementers, or other entities or methods). Include information on corrective actions that the state will implement in the event of lengthier processing times.	X
3.1.5	Describe how the proposed processing system will be integrated with a system for processing rebates under Section 50122. Note if the state plans to use separate systems.	X
3.1.5	If the state does NOT intend to use a federally provided web-based tool to determine whether a home is in a disadvantaged community, confirm that the state will provide the ZIP codes or a preferred more granular geography (e.g., census tract) with all disadvantaged communities as defined by the state to the DOE system.	
3.1.5	Confirm that the system will link to federally provided systems via API.	
3.1.6	Certify that the state will submit a Privacy and Security Risk Assessment in the State Implementation Blueprint.	
3.1.6	Explain how data will be protected, specifically addressing security measures and privacy measures.	X
3.1.6	Include documentation of the processes to monitor, identify, and address security and privacy threats.	X
3.1.6	Confirm that the state will require billing data release and describe how the state will gain access to billing data for program requirements and program evaluation.	X

Program Requirements Section No.	Application Requirement	Implementation Blueprint Option
3.1.6	Confirm that the state will collect required data and cooperate in program evaluation processes as listed in Section 3.1.6.3.	
3.1.6	Confirm if the state is planning to conduct its own evaluation, and if so, what type(s) of evaluations. If the state plans to conduct evaluations on its programs, confirm that the state will: <ul style="list-style-type: none"> <li>• Cooperate with DOE to meet all the requirements listed in Section 3.1.6.3.</li> <li>• Submit an evaluation plan for DOE review within three months of program launch.</li> <li>• Provide results to DOE.</li> </ul>	
3.1.6	If the state plans to conduct evaluations on its programs, describe the evaluation objectives, high level work plan, and timing of the evaluations and whether the state would request to be excluded from DOE-led evaluations.	X

## 3.2 Consumer Experience

### 3.2.1 Program Requirements: Education and Outreach

A positive consumer experience begins with successful outreach and education about the benefits of the Home Energy Rebate programs. States must decide which types of households to target for outreach, what methods will be most effective in reaching them, and what educational materials will best inform those households of the benefits of upgrading their homes. States must also decide how they will engage contractors that will deliver the projects paid for by rebates. Many states will be able to leverage and repurpose outreach and education materials from existing programs.

A state must briefly describe its intended outreach and education strategy it will use to inform eligible households about the rebate programs. This outreach and education strategy must include a timeline and programmatic elements, potentially including but not limited to targeted advertising, outreach via local governments, and/or partnerships with community-based organizations. States may allocate a portion of their administrative budgets to conduct these activities.

At minimum, a state’s outreach and education strategy must include:

- A brief description of planned activities for household outreach, such as:
  - Outreach partnerships (utilities, local governments, community-based organizations, labor unions, churches, etc.)
  - Outreach channels (Digital ads, neighbor to neighbor outreach, direct mailings, etc.)
  - Educational materials (website, fact sheets, etc.)

- A brief description of planned activities for contractor outreach, such as:
  - Outreach partnerships (trade organizations, labor organizations, etc.)
  - Outreach channels (website, ads in trade organization publications, etc.)
  - Educational materials (website, fact sheets, trainings, etc.)
- High-level timeline for executing these programmatic activities.
- Estimated budget devoted to outreach and education, which can be covered through Home Efficiency Rebates administrative funding or through other state/utility/local sources.

### 3.2.2 Program Requirements: Home Assessments

Home assessments are an important component of consumer protection to better understand the potential risks and benefits to a household pursuing an energy upgrade project. Through observation and documentation of a home's pre-condition, consumers can make informed decisions to avoid upgrades that may not produce utility bill savings or may require additional upgrades to be safe and effective. Assessments also protect taxpayer funds from being spent on unallowable expenditures.

An assessment is required for every single-family home and multifamily building receiving Home Efficiency Rebates. State programs are required to establish basic requirements that ensure each home assessment:

- Complies with and collects and/or reports information consistent with Section 2.2 of the [Data & Tools Requirements Guide](#). Data requirements may differ depending on whether the project is deemed eligible through the modeled or measured energy savings program paths.
- In addition to the required data fields in the [Data & Tools Requirements Guide](#), the home assessor must collect and/or produce the following data points:
  - Estimated total project cost as defined in Section 2.1.
  - Identification of the tool/software used to produce the energy cost estimate.
  - Written acknowledgement from the consumer of the proposed project's estimated impact on household energy costs and consumption including estimate of the energy savings in dollars in year one based on current utility rates at the home.
  - Written acknowledgement from the consumer of the amount they will owe not covered by the rebates.
  - Estimated Post-Retrofit Energy Consumption of the proposed project, in a manner consistent with Section 3.2.4.1.
  - Estimated energy savings attributable to the proposed project, calculated in a manner consistent with Section 3.2.4.1.
  - Datapoints as required per the state's requirements to retain data in Section 3.2.5.

Note that completing home assessments for multifamily buildings will require a different process than for single-family homes. See the [Data & Tools Requirements Guide](#) for data collection and reporting requirements for multifamily buildings. A state must establish processes for home energy assessments for multifamily buildings, including for energy used by common areas.

### 3.2.3 Program Requirements: Access to Residential Utility Data

IRA Section 50121 states “the Secretary shall develop and publish guidelines for states relating to residential electric and natural gas energy data sharing.”<sup>43</sup>

The data access guidelines are included in the [Utility Data Access Guidelines](#) and include best practices for data access and sharing and recommendations for developing a comprehensive Data Access Plan.

States must develop and submit a Utility Data Access Plan that, at a minimum, includes the following:

- Ensure that any data are transferred and maintained safely and securely, using established standards.
- Ensure that any parties participating in a program that requires energy consumption data have secure data protection and protocols that demonstrate the capability for a safe transfer of consumer data, including data for individual dwelling units and whole-building aggregate data for multifamily buildings.
- Determine which consumer consent processes the state will implement.
- Define energy consumption as primary or secondary purpose.

DOE strongly encourages states to develop a comprehensive Utility Data Access Plan that also addresses the other recommendations of the [Utility Data Access Guidelines](#) as states will likely have to address those topics with relevant parties and stakeholders to implement a Home Efficiency Rebates state program. A state may utilize existing data access plans if those plans fulfill the DOE requirements.

### 3.2.4 Program Requirements: Project-Specific Energy Savings Calculations

States may choose to implement the modeled path, measured path, or both. States must inform DOE which path(s) they will implement. States must adhere to the energy savings requirements pertaining to either the modeled or measured path as described below. If implementing both paths, the state must provide required information separately for each program path.

#### 3.2.4.1 Calculating Modeled Energy Savings

Modeled energy savings must be calculated and reported in a manner that:

- Estimates energy savings based on the data and information collected in the final home assessment.
- Includes at a minimum at least one major upgrade as defined in Section 2.1.
- Is conducted consistent with BPI-2400 or subsequent version as approved by DOE (see exceptions in paragraph below).
- Applies a DOE-approved modeling software.
- Defines, calculates, and reports energy savings for the purposes of the rebate threshold as kWh or kWh equivalent as defined in Section 2.1.

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<sup>43</sup> 42 U.S.C. 18795(c)(5).

- Includes only upgrades that were completed and installed as part of the project as described and annotated on the required invoice.
- Does not include onsite generation technologies.
- Collects and reports the data and information required in the [Data & Tools Requirements Guide](#).

States may:

- Use an alternative factor (including a factor of 1) in calculating kWh equivalent savings. States are required to identify and provide a justification for the factor applied in kWh equivalent. States may propose to use more than one factor for different baseline conditions. States may work with DOE to determine factors that are most appropriate for each state.
- Require envelope upgrades prior to the installation of mechanical or appliance upgrades. See [Technical Information, Best Practices, and Implementation Recommendations](#) website for industry best-practices.
- Work with an aggregator to oversee modeled program implementation; however, all required project information including energy savings and rebates must be calculated and reported at the individual home level and may not be summed across a portfolio of homes.

In addition, states must:

- Monitor the energy savings reliability of models and tools.
- Take corrective action if actual savings results are less than 70% of estimated savings.
- Inform DOE if it will or will not require installation of envelope upgrades prior to mechanical systems or appliances, including a brief explanation of its rationale for either decision.

#### 3.2.4.1.1 Addressing Missing Data for 50121 Modeled Energy Savings

Not every home will have conditions that allow for modeled savings consistent with the BPI-2400 calibration methodology. States may use alternative approaches in the following:

- Multifamily homes.
- A home with delivered fuels where the available delivered fuel consumption data do not meet the minimum criteria stated in Section 3.3.1 of BPI-2400.
- Instances where addition of cooling load cannot be accurately accounted for in BPI-2400.
- A home with energy usage data of existing occupants less than one year.

In these limited circumstances, states may use any of the following approaches for calculating modeled energy savings:

- Ex ante estimates with a realization rate factor applied to align results with BPI-2400 at the portfolio level.
- A DOE-approved simplified modeling approach that:
  - Uses representative climate zone, weather, home characteristics, and actual average energy usage data, and
  - Applies a realization rate factor to align results with BPI-2400 at the portfolio level.

States may identify additional alternative approaches that provide savings estimates consistent with the estimates calculated through the BPI-2400 standard. In these cases, states may submit a request to DOE for an alternative method, if the state can show that the method produces savings estimates for program-eligible projects at the portfolio level within 10% of BPI-2400 modeled methods. Any requested methods must be approved by DOE.

For states applying one of these alternate approaches, a state must conduct an impact evaluation to assess and update the realization rate factor within the alternate approach on a representative sample of sites when either (whichever comes first):

1. At least 200 projects have been completed OR
2. 10% annually, or 20% cumulative, of the program-to-date modeled funds have been provided for projects using an exception.

Depending on the results, DOE may require additional program evaluations not more than once every two (2) years thereafter.

### 3.2.4.2 Calculating Measured Energy Savings

Measured energy savings at each site must be calculated in a manner that:

- Uses open-source advanced M&V software as approved by DOE that includes capabilities for determining and documenting weather-normalized energy use of a home or portfolio of homes before and after the implementation of home energy upgrades.
- Defines, calculates, and reports energy savings for the purposes of the rebate threshold as kWh or kWh equivalent as defined in Section 2.1.
- Identify and provide a justification for the factor applied in kWh equivalent. States may propose to use more than one factor for different baseline conditions. States may work with DOE to determine factors that are most appropriate for each state.
- Calculates actual home- or portfolio-level savings no less than nine months after the final installation in the home or portfolio:
- If measuring savings less than 12 months post-installation, calculation must include at least one peak energy season and both peak seasons if in a dual-peaking climate.
- Collects and reports the data and information required in the [Data & Tools Requirements Guide](#).
- Does not include generation technologies.

States may:

- Use an alternative factor (including a factor of 1) in calculating kWh equivalent savings. States are required to identify and provide a justification for the factor applied in kWh equivalent. States may propose to use more than one factor for different baseline conditions. States may work with DOE to determine factors that are most appropriate for each state.
- Require envelope upgrades prior to the installation of mechanical or appliance upgrades. See [Technical Information, Best Practices, and Implementation Recommendations](#) website for industry best-practices.

In addition, states must:

- Monitor the energy savings reliability of models and tools.
- Inform DOE if will or will not require installation of envelope upgrades prior to mechanical systems or appliances, including a brief explanation of its rationale for either decision.

For measured energy savings projects, savings may be reported across a portfolio of homes to meet the minimum savings thresholds and when calculating corresponding rebates. When reporting projects for a portfolio of homes, states must:

- Meet the energy savings minimum across the portfolio.
- Report required data for each dwelling unit within the portfolio.
- Calculate the final rebate based on the payment rate (see Table 3) applied to the energy savings of each home and summed across the portfolio.

States must approve entities to serve as aggregators. The aggregator must comply with all program requirements. If aggregators are providing rebates based on estimated savings, the risk of recovering costs based on actual reported savings must be borne by the aggregator.

### 3.2.5 Program Requirements: Consumer Protection through Quality Assurance

Consumer Protection through QA is an essential component of protecting consumers and providing the highest quality consumer experience. QA protects households by providing independent oversight of the work performed by participating contractors to ensure that it meets program standards. QA deals with systems that are designed to meet consumer expectations and ensure consumer satisfaction.

Given the central role of QA in the success of a Home Efficiency Rebates program, states must develop and implement a Consumer Protection Plan that includes QA features. The state's Consumer Protection Plan must meet the requirements listed in this section. The Consumer Protection Plan must be submitted to DOE for approval at least 60 days prior to the state's planned rebate program launch as part of the state's Implementation Blueprint. A state must implement the plan and be prepared to provide DOE with information regarding the state's monitoring, review, and revision of the plan based on program performance.

- The Consumer Protection Plan must be readily accessible (e.g., on the program's web site) to all program participants affected by it, including implementers, participating contractors, third-party inspectors, aggregators, homeowners, and building owners.
- Programs must execute agreements with participating retailers, distributors, and contractors in which the party agrees to comply with the QA plan and procedures.
- States must retain records related to their QA processes and permit access to DOE upon request.
- A state must review its Consumer Protection Plan at least every two years, adjust based on lessons learned, and communicate changes to contractors, aggregators, third-party inspectors, and DOE.



The state's Consumer Protection Plan must include the following elements<sup>44</sup> :

### **Consumer Feedback**

A system for collecting and responding to consumer feedback that:

- Allows households to file complaints, concerns, and issues directly to the implementer(s) (e.g., a consumer hotline and/or email).
- Contains procedures for addressing negative feedback, including how programs will communicate the feedback to affected contractors or aggregators.
- Includes a requirement that a consumer satisfaction survey be sent to the household at least three months and no more than six months after the project's completion date. At a minimum, the survey must include the questions listed in Appendix B. States may add additional questions.

### **Resolution Procedures**

- A written conflict resolution procedure that documents how disputes will be resolved between homeowners and contractors, or aggregators. The procedure shall include protocols for a timely response, identification of responsible parties, documentation of corrective actions, results, and a means of identifying and addressing systemic issues.
- A remediation process to ensure that when deficiencies are detected through the inspection process these results are communicated to the responsible party and any remedial or punitive actions taken follow a pre-defined set of protocols, which must be described in the plan. States must describe the specific remedies and penalties for deficiencies or unfair business practices that it will utilize in its rebates program if fraud or unfair business practice is detected or if an inspection finds improper installation of a rebate funded measure. At minimum, the remedies included for the program must make a consumer whole and provide some measure of deterrence against unacceptable practices.
- A requirement to maintain records on QC inspections including sampling rates, findings, corrective actions taken, and verification of conformance to requirements.
- Contracts cannot contain mandatory arbitration clauses.
- Ensure inclusion of the holder-in-due course rule so consumer protections are not lost just because the contract is assigned to a third-party creditor.

### **Data Review**

- A requirement for the state to conduct a data or file review of all projects that verifies at a minimum:
  - A process for confirming that auditing tools and modeling software have basic data validation controls on inputs to ensure data quality.
  - The home assessment gathered the data required listed in Section 3.2.2.
  - The contracted scope of work was specified consistent with program requirements.

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<sup>44</sup> For additional context and examples of the required elements of a Consumer Protection Plan, please see the technical resource document, "Consumer Protection Plan Required Elements and Sample Responses" here: <https://www.energy.gov/scep/articles/home-energy-rebates-ira-sections-50121-and-50122-consumer-protection-plan-required>.

- The address of the installation matches the address on the rebate coupon.
- For low-income rebates, rebated amount aligns with verified income category.
- The household was provided the certificate as specified in Section 3.2.5.
- A requirement that program’s implementers retain:
  - Post-installation photos of major upgrades for all homes.
  - Proof of combustion safety testing on fossil fuel equipment in all homes where fossil fuel systems have been impacted by the installation.
  - Proof of commissioning testing on HVAC equipment in all homes where HVAC systems are installed.
- A requirement to maintain records on QC inspections including sampling rates, findings, corrective actions taken, and verification of conformance to requirements.
- A description of the training or credentials of the personnel conducting the data/file review.

### **Onsite Inspection**

- A requirement to conduct independent onsite post-install inspections on a minimum of:
  - The first five projects of new contractors; and
  - Five percent of projects thereafter for each contractor (provided no issues are found)

A description of the training, credentials, and/or qualifications that the state will require of independent inspectors, and identification of how these qualifications do/do not align with those included in a state’s IRA Section 50123 Contractor Training Grants program.

- A documented onsite inspection protocol that shall include a minimum of:
  - A visual inspection of the site and work conditions.
  - Verification that the installed measures match the contracted scope of work and any change orders have been appropriately documented.
  - Verification that diagnostic test results are accurate (may be directly observed if the inspector is present at the time of testing or repeated by the inspector).
  - Ensures compliance with E-Sign or prohibits the use of electronic devices and signatures to enter into the contract if not E-Sign compliant<sup>45</sup>.

### Virtual Inspections

States may elect to conduct virtual post-install inspections. If used, the plan must also include:

- A description of the methods used (e.g., video recording, interview with the site contact, photos taken during the virtual tour)
- A description of how installed equipment will be assessed
- A list of the additional information required, such as submitted project documentation (invoices, specification sheets, and calculation models)

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<sup>45</sup> A written copy (in the person’s primary or secondary language) should be provided even if there is also an electronic contract.

- Requirements for qualifying virtual inspectors
- The tools and platforms that will be used for the virtual inspection
- A description of privacy agreements

If program participants decline virtual recording of their home, an onsite inspection must be used.

### **Contractors and other partners**

A qualified contractor list is a required element of a state's Consumer Protection Plan. States must:

- Describe how the program will initially develop the qualified contractor list.
- Describe which qualification(s) that contractors will be held to, potentially including but not limited to home performance industry credentials, training requirements, business insurance and licensure, skills standards, and labor standards.
- Describe the process by which contractors will be added to the qualified contractor list, including how implementers will review and consider contractors trained under IRA 50123.<sup>46</sup>
- Describe the conditions that would lead to a contractor being delisted and the process by which a contractor would be delisted. The description must include how the state will perform due diligence on contractor and distributor entities that will be on their lists and how they will prevent the listing of fraudulent or illegitimate entities.
- Describe how the state program will ensure energy savings are calculated using allowable methods according to the statute, including how approved tools/software will be identified, and how contractors will be alerted to these tools and trained on proper use.
- Describe how the state will educate contractors and building owners to invest in envelope improvements before investments are made in mechanical equipment.
- Make the qualified contractor list public and include a description of how consumers applying for rebates will be informed on how to use the list to access a qualified contractor.

### **Installation**

A state's Consumer Protection Plan must:

- Identify installation standards with which installers must comply, including at a minimum, standards designed to:
  - Ensure work complies with local and state laws, permits, codes, and industry standards.
  - Establish minimum quality installation standards for rebated technologies.
  - Promote use of standardized and sequenced procedures for developing a detailed project scope of work.

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<sup>46</sup> The Consumer Protection Plan Required Elements and Sample Responses lists the [Do Not Pay](#) service ("DNP") by the U.S. Department of Treasury as a service that states are expected to use. Many states should already have access to DNP, and for those states that do not already have access, they should at a minimum apply to enroll to access the DNP service.

- Establish processes to enforce installation standards, including QA processes that allow the state to verify and document whether installation standards have been met.
- Ensure that sales language and contract language are the same.

If financing is involved:

- Ensure an ability to repay determination that does not include projected savings from an energy report because expected savings may not materialize due to household and market developments.
- Ensure a disclosure and cooling off period. Clear, written advance disclosures should be required, with a 7-day waiting period between the disclosure and the contract signing. This waiting period should only be removed in a personal emergency (see Truth in Lending Act rules on this), where the homeowner, preferably in their own handwriting, describes the emergency and the need for the emergency work and their understanding that they are waiving the waiting period. In non-emergency circumstances, there should also be a 3-day right to cancel after the contract has been signed (such that the work is not done during that period).

### **Continuous Improvement**

A system for preventing unfair business practices and avoiding or addressing poor program function that does not optimize a consumer's experience. A state's Consumer Protection Plan must:

- Identify what proactive steps the state will take to identify fraud, waste, or abuse.
- How the state will implement automation to identify problem areas with program performance.
- Explain how the state will measure and evaluate the success of its QA systems.
- Describe how the QA systems will inform program improvements.
- Document roles and responsibilities associated with how the state will monitor the program's budget and financial performance to ensure that funds are being used efficiently and effectively.

Note that elements of the Consumer Protection Plan will require different processes for multifamily buildings than for single-family homes. States must distinguish in their plans which additional requirements will apply to multifamily buildings, including for central systems and for energy used by common areas.

#### 3.2.6 Program Requirements: Post-Installation Certificate

States must provide a post-installation project certificate to the household that has been certified by a qualified third party to confirm quality monitoring and accurate valuation of the upgrade.<sup>47</sup>

States must ensure a certificate:

- Is completed and certified by a qualified third party.
- Is provided to the household.

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<sup>47</sup> 42 U.S.C. 18795(b)(4)(A).

- Details the work performed, equipment and materials installed, projected energy savings to support accurate valuation of the upgrade.

States must establish guidelines to those issuing certificates to ensure that information provided is clear and incorporates DOE-required information in the certificate package prior to launch of its program.

### 3.2.7 Application Requirements: Consumer Experience

A state must address the following in its application and corresponding budget, except that a state may defer responses to its State Implementation Blueprint where marked with an "X" (deferral not permitted for Quick Starts.) All other requirements are mandatory within the State Application.

Table 5. Application Requirements

Program Requirements Section No.	Requirement	Implementation Blueprint Option
3.2.1	Confirm that the state will develop and submit an outreach and education strategy consistent with Section 3.2.1.	X
3.2.2	Describe the processes and procedures for conducting home assessments that meet program requirements.	X
3.2.2	Describe how home assessment data and results will be verified for accuracy.	X
3.2.2	Describe what processes will be put in place for home assessments for multifamily buildings, including for energy used by common areas.	X
3.2.3	Confirm that the state will develop and submit a Utility Data Access Plan consistent with the program requirements in Section 3.2.3.	X
3.2.4	Confirm if the state will implement the modeled path, measured path, or both.	
3.2.4.1	Identify what factor the state will use to calculate kWh equivalent, consistent with Section 3.2.4.1.	X
3.2.4.1	Describe the energy savings objectives and overall approach for estimating energy savings for the modeled program path (if applicable).	
3.2.4.1	Identify which upgrades may be included in the modeled savings estimate, including at least one major upgrade as defined in Section 2.1, including a brief description of if the state will or will not require the installation of envelope prior to other upgrades (if applicable).	X

Program Requirements Section No.	Requirement	Implementation Blueprint Option
3.2.4.1	Identify which modeling tools the state proposes to authorize for its program. Identify whether any proposed tools have not yet received DOE approval (if applicable).	X
3.2.4.1	Describe how the state will monitor the energy savings reliability of models and tools for the modeled program path (if applicable).	X
3.2.4.1	<p>If the state plans to allow modeling for homes for which BPI-2400 is not applicable or that are not eligible for BPI-2400, request alternative modeled path(s) by:</p> <ul style="list-style-type: none"> <li>• Detailing for which exceptions the state plans to apply the alternative approach (e.g., multifamily, lack of delivered fuel bills, etc.)</li> <li>• Providing a detailed description of the method(s) that the state will use to estimate energy savings for each exception and how the state will ensure consistency between the alternative method and the results of BPI-2400 such as a realization rate adjustment to be used in reported savings estimates.</li> <li>• Commit to carrying out evaluations upon thresholds listed in Section 3.2.4.1.</li> <li>• Describe how the state will use any evaluation results or new information to update and adjust its alternate savings modeling method.</li> </ul>	X
3.2.4.1	For multifamily, describe the methods used for modeling energy savings for multifamily buildings, including energy used in common areas (if applicable).	X
3.2.4.2	Describe the energy savings objectives and overall approach for estimating and measuring energy savings at the home and portfolio of homes (if applicable).	
3.2.4.2	Identify what factor the state will use to calculate kWh equivalent, consistent with Section 3.2.4.2.	X
3.2.4.2	Identify what open-source advanced M&V software(s) the state requests to use and confirm that each meets program requirements for the measured path (if applicable).	X
3.2.4.2	Describe how the state will monitor and ensure that aggregator portfolios meet the program requirements	X

Program Requirements Section No.	Requirement	Implementation Blueprint Option
	and minimum savings thresholds for the measured program path (if applicable).	
3.2.4.2	If measuring energy savings within a period of less than 12 months, describe how the state will define and enforce the inclusion of peak seasons.	X
3.2.4.2	Describe the state's processes for measuring savings for multifamily buildings, including for energy used by common areas (if applicable).	X
3.2.5	Certify that the state will prepare and implement a Consumer Protection Plan in accordance with these requirements and that the state rebate program will not launch until receiving DOE approval.	
3.2.6	Describe how each of the certification requirements will be met for single-family homes.	X
3.2.6	Describe how each of the certification requirements will be met for multifamily buildings.	X
3.2.6	Identify which third-party certificate(s) the state program will offer to homeowners that receive a rebated home energy upgrade.	X

### 3.3 Maximizing Rebate Impact

#### 3.3.1 Program Requirements: Supporting the Clean Energy Economy Through Market Transformation

The Home Efficiency Rebates provide a tremendous opportunity to serve households while acting as a catalyst to unlock additional flows of capital, skilled workers, innovative businesses, and future programs to deploying clean energy technology solutions in housing. With the goal of spurring greater market transformation in the residential energy sector, states must consider how their programs will stimulate additional and continued investment in residential energy upgrades beyond the tenure of the rebates.

To ensure that the state program facilitates market transformation, each state must submit a Market Transformation Plan within the first year after receiving the financial assistance award. DOE must review and approve the Market Transformation Plan prior to the state receiving the third tranche of funds. A Market Transformation Plan should:

- Describe how the state program will enable the market to recognize the value of homes that have been upgraded through the Home Energy Rebates, including at time of sale/rental. At a minimum, the plan should include a strategy for aggregating home data

- from the home assessment (as described in Section 3.2.2) and/or home certification (as described in Section 3.2.6) and making such data available to real estate stakeholders.
- Describe elements of the program design and/or activities the state program will undertake to support market transformation goals throughout the program as well as after depletion of the Home Efficiency Rebates funds, such as but not limited to:
    - Cost sharing, braiding, and/or coordinated financing with potential funders and financiers of home energy upgrades. Funders and financiers of upgrades include homeowners, lenders of home upgrade loans, mortgage brokers, utilities, and philanthropies.
    - Utilize rebate programs to enable new business models in partnership with private capital to monetize grid benefits through vehicles such as Federal Energy Regulatory Commission (FERC) order 2222, demand management, and virtual power plants.
    - Consider sustainable business models of home energy contractors.

### 3.3.2 Program Requirements: Integrating with Other Programs

By leveraging existing programs through resource braiding, co-funding, and financing, state programs may support deeper and broader energy, cost, and carbon savings among participating households. While following all home energy rebates requirements, states are **strongly encouraged** to design their rebate programs in ways that allow for effective combinations of various funding sources, including through integration with existing programs. However, a variety of legal prohibitions prevent certain methods of combining funds from different sources.

Effective financial leveraging must comply with two prohibitions:

1. The total combination of all immediate upfront funding sources (federal grants, federal loans, and non-federal funding) cannot exceed the total project cost, and
2. Neither the Home Efficiency Rebates nor the Home Electrification and Appliance Rebates may be combined with other federal grants or rebates for the same single upgrade or qualified electrification project that receives rebate funds from Section 50122, respectively.<sup>48</sup>

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<sup>48</sup> See 42 U.S.C. 18795(c)(7) and 18795a(c)(8).



There are four categories of funding that can be combined with a rebate, each with different requirements:

- **Combining a rebate with other federal rebates or grants:** No other federal grants, including another IRA home energy rebate, can be used for the same upgrade. Home energy upgrade packages that use multiple federal grants must braid the funding in a manner that ensures each federal grant only funds distinct, separable upgrades.

To ensure compliance with this requirement, states must track uptake of each rebate program by dwelling unit/building and technology installed to verify rebates are not being improperly combined. States must ensure that detailed invoices and information identifying which distinct and separable upgrades were funded by which federal sources are collected and retained when a home/building is using funding from multiple federal grants. Each upgrade component must be a line item on the invoice of the home energy upgrade package with subdivided labor costs associated with each line item.

Attempts to claim multiple Federal rebates for the same single upgrade is a violation of Federal law and must be reported to DOE.

Issuance of multiple Federal rebates for the same single upgrade is a violation of Federal law and must be reported to DOE upon discovery and documented in the State's quarterly reporting documents.

- **Combining a rebate with federal loans or loans from previously granted federal funds:** Loan programs from federal agencies (such as loans from HUD) and loans from previously granted federal funds (such as from the DOE Revolving Loan Fund grants or U.S. Environmental Protection Agency Greenhouse Gas Reduction Fund grants) are not considered federal grants in that the recipient household receives these programs as financial products rather than as grants or rebates. Therefore, these programs may be used to finance any remaining costs for upgrades and individual components of qualified electrification and energy efficiency projects additional to and separate from the value of the rebate.
- **Combining a rebate with non-federal funding:** Non-federal funding, such as funding authorized by a state government, or local government, or available through a utility program or philanthropic support, can be used to co-fund any remaining costs for upgrades and individual components of qualified electrification projects beyond the value of the federal rebate. DOE is intending to work with EPA to add state rebates to their EnergyStar rebate finder tool in the coming months. States are encouraged to coordinate with DOE and EPA as rebates are being developed. For states utilizing DOE reporting tools, rebate information will be provided directly to EPA.
- **Taxability of Home Energy Rebates<sup>49</sup>:** The rebate programs funded through IRA Sections 50121 and 50122 will be treated as a reduction in the purchase price or cost of property for eligible upgrades and projects, and the consumer that receives an IRA rebate will not be required to report the value of the rebate as income.

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<sup>49</sup> For more information, please consult IRS guidance available at <https://www.irs.gov/newsroom/treasury-irs-issue-guidance-on-the-tax-treatment-of-amounts-paid-as-rebates-for-energy-efficient-property-and-improvements>.

**Stacking Tax Credits with Home Energy Rebates.** Consumers that receive IRA rebates for products that may be eligible for the 25C tax credit may claim the credit after reducing the amount of the expenditure on which the consumer calculates the amount of the credit by the rebate. For example, if a product is eligible for an IRA Section 50122 rebate and 25C tax credit up to 30% of the cost, the consumer may claim a tax credit of up to 30% of the cost remaining to the consumer after application of the rebate provided through IRA Section 50122. Therefore, if a consumer purchases an eligible product for \$400 and receives a \$100 rebate for this purchase, the consumer may claim a 30% credit of the remaining \$300, or \$90.

States must collect sufficient documentation for each home energy upgrade that combines a rebate with other funding sources to ensure that the total combination of federal, state, and other funding sources (federal grants, federal loans, and non-federal funding) does not exceed the total project cost.

States should also be aware that the above requirements and guidance may not capture restrictions or requirements imposed by other funding programs. For allowable integration, all funding sources—federal and/or non-federal—must allow for combining of resources. Other funding sources, including certain federal loans, tax credits, and state/local/utility funding, may have additional restrictions on directly combining funds for the same single upgrade that is part of a larger home energy upgrade. Project implementers and state program administrators should consult the program requirements for non-federal funding sources to ensure that they are combining funds in a legally allowable manner.

### 3.3.3 Program Requirements: Quick Starts

A state may apply for up to 25% of its allocated funds to develop a Quick Start state program. DOE will prioritize processing of applications identified for a Quick Start. To qualify as a Quick Start program, the state must note at the beginning of its application the request for a Quick Start, and the state must plan to achieve rebate program launch in 2023. A State Application for a Quick Start must include responses to all “Application Requirements” (cannot defer to Implementation Blueprint); however, the required plans may be submitted prior to rebate program launch as part of the Implementation Blueprint<sup>50</sup>. All rebate program requirements (except low-income and low-income multifamily allocations) will apply to Quick Start programs, and a conforming State Application is required. A state is not required to reserve rebate funds for low-income and low-income multifamily households (see Section 3.1.3) as part of a Quick Start program; however, a state must meet the low-income and low-income multifamily household allocations for the state’s total formula allocation.

Prior to January 31, 2025, a state must either (a) request additional funding from its total formula allocation to continue its approved Quick Start program or (b) submit an application to DOE to administer a program operating under a different plan; otherwise, the remaining formula allocation will be considered rejected by the state and redistributed to other State Energy Offices in accordance with 42 U.S.C. 18795(a)(2)(B).

One option for a Quick Start program is to develop a program which leverages existing program infrastructure in the state to achieve more rapid rebate program launch. Where consistent with Section 50121 program requirements, states have the discretion to limit the scope to target specific populations, policy goals, or other state priorities to achieve more rapid rebate delivery.

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<sup>50</sup> Consistent with Section 1.2, Quick Start programs may also submit a Market Transformation Plan up to one year after award date.

The application must identify the existing program(s) to be leveraged and must include a timeline to achieve rebate program launch in 2023. The use of an existing state program may allow a participating state to stand-up Home Efficiency Rebates more quickly relative to developing a new program. For example, a state may rely on practices, policies, procedures and / or systems already in place to implement Home Efficiency Rebates state programs that are consistent with design requirements for Section 50121. States may reference or include information regarding existing programs as part of the application to demonstrate compliance with the requirements.

Another option for a Quick Start program is for a state to pilot a rebate program before committing the state’s entire funding allocation to a particular program design. Where consistent with Section 50121 program requirements, states have the discretion to limit the scope to target specific populations, policy goals, or other state priorities to develop effective, human-centered program designs.

### 3.3.4 Application Requirements to Maximize Rebate Impact

A state must address the following in its application and corresponding budget, except that a state may defer responses to its State Implementation Blueprint where marked with an “X” (deferral not permitted for Quick Starts). All other requirements are mandatory within the State Application.

Table 6. Applications Requirements

Program Requirements Section No.	Requirement	Implementation Blueprint Option
3.3.1	Certify that the state will prepare and implement a Market Transformation Plan within the first year after receiving the financial assistance award.	
3.3.2	Identify whether the state plans to take proactive steps to encourage integration with other programs. If so, identify with which programs the state will actively seek to integrate. The state may include letters of support or other indicators of commitment from existing program partners. If the state does not plan to integrate the rebates into any existing programs, note this as “not applicable” within the application. Applications should identify whether programs will be integrated in any or the following areas: <ul style="list-style-type: none"> <li>• Integration into existing program administration, website, systems, materials.</li> <li>• Adoption of existing program standards, QA, workforce standards, or other practices.</li> <li>• Braiding or co-funding of upgrades within individual households.</li> <li>• Other integration elements, as applicable.</li> </ul>	
3.3.2	Describe how the state program will support households, contractors, aggregators, and other stakeholders in	X

Program Requirements Section No.	Requirement	Implementation Blueprint Option
	understanding how the state program may leverage other program resources.	
3.3.2	Describe the method(s) the state will use to ensure the total combination of all immediate upfront funding sources (federal grants, federal loans, and non-federal funding) provided to a project does not exceed the total project cost.	X
3.3.2	Describe how the state program will support contractors and retailers in preparing acceptable invoices that may be kept as program records.	X
3.3.2	Describe how the state implementer(s) will produce invoice documentation in a timely manner upon request in the event of an audit by DOE, the DOE's Inspector General, a state's inspector general, or another entity.	X
3.3.2	Describe how the state will ensure rebate recipients will be made aware of the portion of the funding received from the DOE Home Efficiency Rebates.	X
3.3.3	Identify whether the application is for a Quick Start program. For Quick Start programs, identify the timeline for program launch.	

## 4.0 Home Electrification and Appliance Rebates State Programs (50122)

This section of the document provides program requirements for the Home Electrification and Appliance Rebates (IRA Section 50122).

### 4.1 Use of Funds and Rebate Eligibility

#### 4.1.1 Program Requirements: Use of Funds

Administrative funds<sup>51</sup> as defined in Section 2.1 must not exceed 20% of the total grant funding over the total duration of the program, which will end when all funds are expended by the state or September 30, 2031, whichever occurs sooner.<sup>52</sup>

Administering and implementing whole-home efficiency projects is complex, high-touch and often involves overhead costs greater than 20% of a program budget. These are costs directly related to a project that are 1) not generally recognized as administrative and 2) also not included in the rebate to recipients. For example, these could include costs for home assessments and energy audits, modeling, verifying income eligibility, project QA and project-related reporting conducted by the contractor.<sup>53</sup>

States may request to use a portion of rebate funds for these project-related costs; however, additional funds for project-related costs should only be requested after all other opportunities to reduce costs or apply alternative funding sources have been applied; DOE cannot approve use of funds for administrative costs above the 20% statutory cap. For example, utilities, third-party organizations, or agencies may provide funding for home energy audits. DOE will provide assistance to states specifically in support of identifying program implementation cost reductions.

States must provide an additional detailed description and justification within the budget justification workbook, including how states have worked to minimize this amount. This will be evaluated by DOE and a determination of allowability will be given as part of the award.

States must budget for, track, and report quarterly to DOE on spending of funds across administration and rebate categories as part of award monitoring. See [ALRD](#), Part V.

States must communicate with retailers and distributors to ensure they provide a process for handling returns of rebated appliances as applicable. This process must be included in the participation agreement referenced in the Consumer Protection Plan.

#### 4.1.2 Program Requirements: Rebate Conditions and Levels

For the purposes of calculating rebate amounts for Home Electrification and Appliance Rebates state programs, total project costs are costs that are invoiced to the eligible entity or the eligible entity representative for the purchase and installation of a qualified electrification project.

Home Electrification and Appliance Rebates state programs must meet all the following requirements:

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<sup>51</sup> Includes awarded administrative funds through Home Energy Rebate Programs Early Administrative Funds ALRD, as applicable.

<sup>52</sup> Section 50122 states that a "State energy office that receives a grant under the program shall use not more than 20 percent of the grant amount for planning, administration, or technical assistance" related to the Home Electrification and Appliance Rebates. 42 U.S.C. 18795a(c)(9).

<sup>53</sup> See definition of Rebate Funds in Section 2.1.

- A rebate may be paid only for the purchase and installation of a product meeting the requirements for allowable products and services. (See Section 4.2.2.)
- A rebate may be paid only for a qualified electrification project (QEP) initiated after the state receives authorization from DOE for rebate program launch.
- A rebate must not exceed the product-specific maximum rebate amounts consistent with those in Table 7.
- A rebate must not exceed the rebate limits based on 1) eligible entities, 2) income level, and 3) project cost consistent with Table 7.
- Each dwelling unit is eligible to receive a rebate for any given qualified appliance category only once.
- A dwelling unit may receive a rebate for only one of the following products: electric stove, cooktop, range, or oven.
- States may allow a household/dwelling unit to receive a rebate for both a qualifying kitchen appliance (electric stove, cooktop, range, or oven) and an electric heat pump clothes dryer. However, the rebate available for both appliances may not exceed \$840 in total. As an example, a consumer may receive a \$400 rebate for an electric stove and a \$440 rebate for an electric heat pump clothes dryer.
- An eligible entity representative must deduct the total eligible rebate amount from the total project cost prior to calculating the final cost to the eligible entity; the total project cost, rebates applied, and remaining project cost documentation must be provided to both the eligible entity and building owner, if different.
- Rebates paid must not exceed a collective total of:
  - \$14,000 for a dwelling unit, if the eligible entity is a LMI household
  - \$14,000 per LMI dwelling unit in a multifamily building, if the eligible entity is a multifamily building owner
  - \$14,000 per dwelling unit for eligible entity representatives representing individual LMI households
  - \$14,000 per LMI dwelling unit in a multifamily building for eligible entity representatives representing multifamily building owner(s). For mixed-use buildings where the state has defined the residential portion of the building as a multifamily building, upgrades can only be applied for the residential portion (including in unit and common areas) of the building. For central systems that serve both residential and commercial spaces, rebates must be allocated in proportion to the residential units relative to the commercial space. Retain a copy of the invoice for work performed at the eligible address. The invoice must show the specific work performed, the address where the work was performed, the name and contact information for the contractor(s) performing the work, the dates on which the work was performed, the total project cost prior to the rebate, and the rebate amount. Additional requirements apply if the work is being funded by rebates from more than one source. See Section 4.3.2.
- All rebate limitations apply for the duration of the rebate program.

Table 7. Product Service Rebates and Rebate Limitations

Product Rebates		
Upgrade Type	Qualified Product	Rebate Amount Not to Exceed
Appliance	Heat Pump Water Heater	\$1,750
	Heat Pump for Space Heating and Cooling	\$8,000
	Electric Heat Pump Clothes Dryer	\$840
	Electric Stove, Cooktop, Range, or Oven	
Building Materials	Electric Load Service Center	\$4,000
	Insulation, Air Sealing, and Ventilation	\$1,600
	Electric Wiring	\$2,500
Maximum Rebate		\$14,000
Rebate Limitations		
Eligible Rebate Recipient	Income Level	Rebate Amount Not to Exceed
LMI Household or Eligible entity representative representing LMI household	Less than 80% AMI	100% of qualified project cost
	80%-150% AMI	50% of qualified project cost
Owner of multifamily building or Eligible entity representative representing owner of multifamily building	At least 50% of residents with income less than 80% AMI	100% of qualified project cost
	At least 50% of residents with income of 80%-150% AMI	50% of qualified project cost

#### 4.1.2.1 Special Considerations for Multifamily Buildings

Multiple parties may be eligible for claiming a rebate in a multifamily building. Although states are encouraged to facilitate various types of eligible rebate recipients' access to Home Electrification and Appliance Rebates, states must also ensure that no unit receives rebates in excess of the statutory maximum rebate amount.

In a multifamily building, an individual household may claim a rebate for their dwelling unit. Alternatively, the owner of a LMI multifamily building may claim a rebate for multiple dwelling

units within the building. A third possibility is for an eligible entity representative to assist multiple households within a multifamily building or the building owner in claiming household rebates.

Rebates may be used to fund central systems and upgrades for common areas if rebates are claimed by a multifamily building owner or by multiple households via an eligible entity representative only if the central system and/or upgrades benefit individual dwelling units in addition to a common area.

In the case of rebates claimed by an eligible entity representative on behalf of multiple households, the per-household maximum limits can be combined. For example, 10 low-income households claiming a rebate through an eligible entity representative could combine their heat pump allocations of \$8,000 each to provide \$80,000 for a central heat pump system, such as an ENERGY STAR-certified variable refrigerant flow central heat pump system, that provides space conditioning for individual dwelling units and common areas.

#### 4.1.3 Program Requirements: Low-Income Households

Low-income households are important populations for the Home Electrification and Appliance Rebates. IRA Section 50122 rebates can provide up to the full cost of the improvement for low-income households (defined as below 80% AMI).<sup>54</sup> Although the Home Electrification and Appliance Rebates are dedicated to low- and middle-income households, Congress's explicit direction to provide up to the full cost of the improvement to the lowest income households demonstrates the importance of ensuring low-income households and communities have access to rebates as an integral part of a Home Electrification and Appliance Rebates program's design.

Structural barriers have historically prevented low-income households from benefitting from rebate programs. Previous evaluations have shown that existing energy efficiency programs have not served low-income households equitably without reserved funding, with only 13% of residential energy efficiency program funds going to low-income households, well below the presence of low-income households in the markets for these programs.<sup>55</sup>

In addition to low-income households receiving distinct treatment in Home Electrification and Appliance Rebates, multifamily buildings are identified as a building type intended to be served by the programs. Low-income multifamily buildings are also eligible for double the benefits of moderate-income multifamily buildings.<sup>56</sup> Delivering upgrades for low-income multifamily buildings alongside critical periods of recapitalization or refinance requires a significantly longer planning, design, and construction process than energy upgrades for single-family homes. Historically, the multifamily sector has been significantly underrepresented in energy efficiency program accomplishments.<sup>57</sup>

To ensure low-income single-family and multifamily homes are served through the Home Electrification and Appliance Rebate state programs, states must reserve a portion of their rebate funding to serve these households. Specifically, **at a minimum**, each state must:

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<sup>54</sup> Compare 42 U.S.C. 18795a(c)(4)(A)(ii) with 42 U.S.C. 18795a(c)(4)(A)(i).

<sup>55</sup> "Meeting the Challenge: A review of Energy Efficiency Program Offerings for Low-Income Households" by the American Council for an Energy-Efficient Economy. Available at <https://www.aceee.org/research-report/u2205>.

<sup>56</sup> Compare 42 U.S.C. 18795a(c)(4)(B)(ii) with 42 U.S.C. 18795a(c)(4)(B)(i).

<sup>57</sup> "More Savings for More Residents: Progress in Multifamily Housing Energy Efficiency" by the American Council for an Energy Efficient Economy. Available at <https://www.aceee.org/sites/default/files/publications/researchreports/u1702.pdf>



- Allocate a percentage of its rebate funding for each of the rebate programs in line with its percentage of low-income households. Nationally, approximately 40.3% of U.S. households are eligible for rebates as low-income households. Appendix A contains information on the percentage of low-income households for each state and the associated dollar amount that must be reserved to serve low-income households in each state.
- Reserve at least 10% of its rebate funding to serve low-income multifamily buildings. This allocation must be additional to and separate from the allocation for low-income households. The table in Appendix A contains the dollar amount of the 10% minimum allocation of rebate funding that must be reserved to serve low-income multifamily buildings in each state.
- Design each rebate program to be capable of delivering the rebate allocations to low-income single-family and multifamily households. States must ensure that their program implementers make a focused effort to deliver the volume of projects to low-income households needed to spend this rebate allocation.
- If a state has failed to disburse the rebate funds allocated to low-income households within five years of receipt of approval of its full rebate program by DOE, it may request that DOE authorize the state to reallocate those funds to households at other income levels under terms consistent with the statute. DOE will reallocate the funds upon a demonstration of the state's good faith efforts at distributing its low-income rebate allocation.
- Not prior to 2029, if a state has failed to disburse the rebate funds allocated to low-income multifamily households and has less than 10% of unallocated rebate funds remaining, it may request that DOE authorize the state to reallocate those funds under terms consistent with the statute. DOE will reallocate the funds upon a demonstration of the state's good faith efforts at distributing its low-income multifamily rebate allocation.
- Verify that (a) a participating single-family household's income is less than 80% AMI<sup>58</sup>, and (b) a participating multifamily building has at least 50% of households with incomes less than 80% AMI. Income must be verified at the household level (e.g., income cannot be "estimated" for a building based on demographic information). See 4.1.6 for verification requirements.
- Allow categorical eligibility determinations based on other federal programs that meet the income thresholds, as listed in the supplemental document, [Programs Pre-Approved for Categorical Eligibility](#) or in other state-proposed programs approved by DOE.

For dwelling units occupied by renters, procedures for rental units shall ensure that:

- If rebates are directly requested by renters, written permission from the building owner (or another entity authorized to act on behalf of the building owner) for the home efficiency project must be obtained before commencing work. This applies to the following measures:
  - Electric heat pump for space heating and cooling

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<sup>58</sup> HUD calculates median family income levels for areas across the U.S. HUD has a website available [here](#) where users can view these calculations. Information about HUD's methods for calculating AMI statistics is available [here](#). HUD typically updates these values in March or April of each year; however, due to impacts of the COVID-19 pandemic on data collection, HUD released its 2023 income limits in May 2023.

- Electric heat pump water heater
- Insulation
- Electric load service center
- Electric wiring
- Mechanical ventilation
- Rebates are associated with the address of the dwelling unit and the specific type of upgrade. Equipment and appliances must remain with the unit and cannot be installed in another unit or taken by a tenant when they move.
- For low-income dwelling units occupied by renters, for at least two years following the receipt of the rebates:
  - The owner agrees to rent the dwelling unit to a low-income tenant. This is a minimum requirement and affordability requirements should be commensurate with total rebate amount awarded.
  - The owner agrees not to evict a tenant to obtain higher rent tenants based upon the improvements.
  - The owner agrees not to increase the rent of any tenant of the building as a result of the energy improvements with exception of increases to recover actual increases in property taxes and/or specified operating expenses and maintenance costs.
  - The owner agrees that if the property is sold within two years of receipt of the rebates, the aforementioned conditions apply to the new owner and must be part of the purchase agreement.
  - In the event the owner does not comply, the owner must refund the rebate.
- A specific and verifiable mechanism (e.g., addendum to the lease) is in place for providing tenants with written notice of their rights and their building owner's obligations.
- Enforcement and penalties are clear and sufficient to act as a deterrent for owner violations and provide for damages and attorney's fees recoverable by tenants.

Income verification is a critical element of program implementation. DOE, in collaboration with the National Association of State Energy Officials (NASEO), will work with the states to assist in developing effective methods for carrying out this requirement and provide examples of acceptable methods. As part of this assistance, DOE will provide sample frameworks to help states work through the various steps of income verification and other processes involved in implementing rebate programs.

As noted in the section on income verification, states are encouraged to allow applicants to establish their eligibility through a variety of means, including categorical eligibility (enrollment in recognized low-income programs), documentation of income, and self-attestation. If self-attestation is allowed, states must verify all (100%) rebate applications using self-attestation of income eligibility before issuing a rebate; in cases of emergency replacements, states may verify income eligibility after a rebate has been issued.

#### 4.1.4 Program Requirements: Community Benefits Plan

To support program goals, the Home Electrification and Appliance Rebates are expected to (1) support meaningful community and labor engagement; (2) engage and support a skilled and qualified workforce; (3) advance DEIA; and (4) contribute to the Justice40 Initiative with the goal

that 40% of the overall benefits of certain federal investments flow to disadvantaged communities.<sup>59</sup> To ensure these goals are met, states must create a Community Benefits Plan that describes how their home electrification rebates program will incorporate the four objectives stated above.

The state's Community Benefits Plan must include at least one SMART milestone per calendar year to measure progress on the proposed actions. The state must make the plan, milestones, and progress toward them accessible on a public website. The Community Benefits Plan must be submitted and approved by DOE prior to rebate program launch, and the recipient must implement its Community Benefits Plan when carrying out its project.

The Community Benefits Plan must address the following:

**1. Engage Community and Labor:** The Community Benefits Plan must describe the grantee's actions to date and plans to engage with community partners, such as local and/or Tribal governments, labor unions, and community-based organizations that support or work with underserved communities, including disadvantaged communities as defined for by CEJST. By facilitating community input, social buy-in, and accountability, such engagement can improve and accelerate participation and positive project outcomes.

Community and labor engagement can lay the groundwork for formal partnerships with community and workforce partners to support administration and implementation of the rebate programs. A state must:

- Hold at least one public input session to solicit community input on its proposed deployment plans. Ideally, these meetings will take place after this Home Energy Rebates requirements document and ALRD is released by DOE; however, a state may request waiver of this provision upon a demonstration that the public input sessions elicited meaningful input for the state program design.
- Use the input from these engagement sessions to inform the design of its rebate program, and it must describe how this input was used in its program design.
- Explain how it will solicit and respond to community feedback throughout the duration of its rebate program.
- Describe what community engagement and outreach strategies it will utilize to reach contractor and workforce organizations, disadvantaged communities, low-income households, and other marginalized groups.

States are strongly encouraged to establish partnerships with and provide funding to community-based organizations, labor unions, contractor organization, utilities, existing program implementers, and other organizations that represent or work with underserved households to reach and engage with these communities effectively over the life of the program. Administrative funds allocated to the state may be used to support these actions. Grantees should also provide Community and Labor Partnership Documentation from representative organizations reflecting substantive engagement and feedback on the grantee's approach to community benefits,

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<sup>59</sup> The Justice40 initiative, established by E.O. 14008, sets a goal that 40% of the overall benefits of certain federal investments flow to disadvantaged communities. The Justice40 Interim Guidance provides a broad definition of disadvantaged communities (page 2): [M-23-09 \(whitehouse.gov\)](https://www.whitehouse.gov/presidential-action/justice40-interim-guidance/).

including engaging and supporting a skilled and qualified workforce; DEIA; and the Justice40 Initiative detailed below.

**2. Engage and Support a Skilled and Qualified Workforce:** A well-qualified, skilled, trained, and stable workforce is necessary to meet home electrification rebate program goals. High-quality jobs are critical to attracting and retaining the qualified workforce required to implement high-quality home energy upgrades.

The Community Benefits Plan must describe the state's approach to working with responsible contractors who invest in ongoing workforce education and training and ensuring jobs are of sufficient quality to attract and retain skilled workers in the home energy upgrade industry. If a state is not also applying for a grant from the IRA Section 50123 Contractor Training Grants ALRD, the state must describe how it is supporting education and training of both new and incumbent workers to meet the needs of the Home Electrification and Appliance Rebates.

As the 1935 National Labor Relations Act states, employees' ability to organize, bargain collectively, and participate, through labor organizations of their choosing, in decisions that affect them contributes to the effective conduct of business and facilitates amicable settlements of any potential disputes between employees and employers, providing assurances of project efficiency, continuity, and multiple public benefits. A state should provide a description of how it plans to affirmatively support worker organizing and collective bargaining. This might include screening eligible contractors based on commitments from home energy upgrade contractors to remain neutral during any union organizing campaigns, invest in workforce and education through joint labor-management training programs, supports for the development of a resilient, skilled, and stable workforce including by utilizing registered apprentices on projects and paying at or above the local prevailing wages, and other commitments or pledges.

**3. Incorporate Diversity, Equity, Inclusion and Accessibility (DEIA):** The Community Benefits Plan must include a section describing how DEIA objectives will be incorporated into the overall program. The section should detail how the state will partner with underrepresented businesses and training organizations that serve workers who face barriers to accessing quality jobs and/or other project partners to help address DEIA.

The following is a list of potential DEIA actions that could be included in a plan. This list is offered to provide guidance to states and is not intended to be comprehensive:

- Commit to partnering with Minority Business Enterprises, minority-owned businesses, women-owned businesses, and veteran-owned businesses for delivering home energy upgrades funded by rebates or for home energy upgrade contractor support needs.
- To fill open positions for home electrification jobs utilizing home electrification rebates, partner with workforce training organizations serving underrepresented communities and those facing systemic barriers to quality employment, such as those with disabilities, women, returning citizens, opportunity youth, and veterans.
- Partner with organizations who can provide workers with comprehensive support services, such as childcare, mentoring, and transportation, to increase representation and access in home electrification and construction jobs.

**4. Address Justice40 Initiative:** A state must provide an overview of benefits to disadvantaged communities that the home electrification rebates can deliver, supported by measurable milestones. The Justice40 Initiative section of the Community Benefits Plan must include:

**A. A state's definition of disadvantaged communities.** In accordance with the U.S. Office of Management and Budget (OMB) guidance M-23-09,<sup>60</sup> a disadvantaged community is a disadvantaged area identified by CEJST.<sup>61</sup> With DOE approval, a state may adopt an alternate definition for a disadvantaged community. To receive DOE approval of an alternative disadvantaged community definition, (1) the state definition must incorporate two or more enumerated indicators (see Section 4.1.8) in identifying disadvantaged communities, (2) the state definition must conform to the definition of communities established in [OMB Memorandum M-21-28](#), and (3) the communities meeting the state definition must be mapped or the state must develop its own GIS layer that can identify households that qualify as fitting under its disadvantaged community definition. DOE may request that a state conduct comparative analysis to show how its proposed definition compares with areas identified by CEJST. A state may develop its own web-based tool or work with DOE to integrate this GIS layer into the tools provided by DOE; developing this new tool is an allowable administrative cost.

If a state uses the DOE default definition for a disadvantaged community, contractors and other interested parties can use CEJST mapping tool or another federally provided web-based tool to determine whether a home is located in a disadvantaged community. If a state uses a state-specific definition for a disadvantaged community, either the DOE tool or a state-provided tool will provide contractors and other interested parties the ability to determine whether a home is located in a disadvantaged community. Note that DOE plans to provide a rebate coupon reservation system, which will note whether the address qualifies for an incentive when the reservation is created.

**B. A state's method of encouraging delivery of home electrification rebates to disadvantaged communities.** Each state must include system(s) to track engagement of eligible entity representatives such as governmental, commercial or nonprofits providing rebate program assistance to households in disadvantaged communities. A state program may provide an eligible entity representative up to \$200 for each dwelling unit located in a disadvantaged community upon completion and verification of the installation. A state program must use the identified disadvantaged community definition (either the DOE default or the DOE-approved state definition) to apply any incentive available for work performed in a disadvantaged community.

**C. A description of how states will ensure that applicable benefits flow to disadvantaged communities.** A state must specifically identify the how its home electrification rebate program will deliver direct benefits for low-income households in CEJST-identified areas (or its DOE-approved alternative definition of a disadvantaged community), such as how upgrades will reduce utility bills and improve indoor air quality. A state should also discuss how its home electrification rebate program will create high-quality jobs for members of disadvantaged communities.

At a minimum, this plan must describe actions a state will take to ensure that disadvantaged communities receive the following benefits of the rebate programs:

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<sup>60</sup> "Addendum to the Interim Implementation Guidance for the Justice40 Initiative, M-21-28, on using the Climate and Economic Justice Screening Tool (CEJST)." Available at M-23-09 (whitehouse.gov).

<sup>61</sup> The Climate and Environmental Justice Screening Tool (CEJST) is available at <https://screeningtool.geoplatform.gov/en/#3/33.47/-97.5>.

- Direct benefits, including the energy upgrade projects completed via rebate investments and the associated energy savings, cost savings, pollution reduction, and other health and safety benefits.
- Economic benefits, including the jobs and quality of jobs supported by rebate investments and the contracts and economic activity enabled by rebates.

In describing the flow of benefits, a state may reference the use of minimum allocations, such as the low-income minimum allocations required within Section 4.1.3. However, a state should be aware that not all low-income households fit the geographic definition of a disadvantaged community.

#### 4.1.5 Program Requirements: Processing and Delivering Rebate Funds to Eligible Rebate Recipients

To help ensure appropriate use and processing of Home Electrification and Appliance Rebates, states must take the following actions:

- Create systems and materials to facilitate Home Electrification and Appliance Rebates state program participants in carrying out all the requirements listed in this section and in the [Data & Tools Requirements Guide](#).
- Use APIs or DOE-provided spreadsheets to link relevant state systems to federally provided infrastructure as described in the [Data & Tools Requirements Guide](#).
- Inform all potential state program participants of the process for accessing rebates, including how to access national system(s) as required by DOE.
- Adhere to all requirements included those in the accompanying [Data & Tools Requirements Guide](#), including documentation of installed improvements.
- Ensure that rebates will be provided at point of sale and/or as part of an invoice.
- Process all rebate requests within four (4) weeks of receipt of an eligible rebate application.

#### 4.1.6 Program Requirements: Verify Income Eligibility

Home Electrification and Appliance Rebates funds are only available based on income eligibility. Therefore, a state must:

- Provide and enforce use of an acceptable method to verify that a participating household's income is less than 80% AMI;<sup>62</sup> a participating household's income is less than 150% AMI but greater than or equal to 80% AMI; a participating multifamily building has at least 50% of households with incomes less than 80% AMI; a participating multifamily building has at least 50% of households with incomes less than 150% AMI (but not less than 80% AMI).
- Allow categorical eligibility determinations based on other federal programs that meet the required income thresholds, as listed in the [Federal Programs Approved for Categorical Eligibility](#) document, as well as other state-approved programs approved by DOE.

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<sup>62</sup> HUD calculates median family income levels for areas across the U.S. HUD has a website available [here](#) where users can view these calculations. Information about HUD's methods for calculating AMI statistics is available [here](#). HUD typically updates these values in March or April of each year; however, due to impacts of the COVID-19 pandemic on data collection, HUD will not release its 2023 income limits until May 2023.

- Apply (and make available to claimants) up-to-date AMI data listed by DOE through an API or hotlink.

#### 4.1.7 Program Requirements: Data Collection and Evaluation

This section covers a variety of data requirements. Section 4.1.7.1 addresses requirements associated with data protection and standards, including data transmission, security, privacy, retention, and sharing. Section 4.1.7.2 provides general information regarding the types of metrics for which DOE plans to require reporting. Reporting requirements will be identified in the [Data & Tools Requirements Guide](#) and on the FARC attached to the award agreement. Section 4.1.7.3 addresses data collection requirements related to program evaluation. DOE also expects state programs to collect information needed to administer their rebate programs and to assist with program monitoring. Finally, DOE recognizes that states will need to collect additional information for program implementation. All data collection and reporting requirements, including API requirements, will be delineated in the [Data & Tools Requirements Guide](#).

##### 4.1.7.1 Data Protection and Data Standards

The following program requirements apply to documents, data, and other information collected by states using federal funds to implement and administer the Home Energy Rebates, regardless of when or how that information may be shared with DOE.

To facilitate program data sharing, program audits, and program evaluations, state programs must collect household information as required in the [Data & Tools Requirements Guide](#). For home energy assessment data required to be submitted to DOE, data for all applicable building types (single-family and small multifamily) must be consistent with the [HPXML Data Dictionary v3](#) or subsequent versions, and program systems must be capable of sharing the data using the [HPXML Transfer Standard \(BPI-2100\)](#) or subsequent versions. Home energy assessment data for large multifamily buildings must be consistent with [BuildingSync](#). All other data must be collected in the format appropriate to be shared with the DOE central database. Data that states must collect but that is not required to be submitted to DOE must be retained and accessible upon request by DOE for purposes of compliance and evaluation.

Data collection and data sharing must be secure to protect consumer privacy. Each state must comply with its own state legal obligations regarding security and privacy. To ensure states are addressing data security and privacy, at a minimum, implementers must implement risk-based security controls, which must include documentation of a privacy and security risk assessment, rationale for categorizing the system, method for determining the risk impacts, and risks associated with data sharing. A copy of the privacy and risk assessment of state systems must be provided to DOE at least 60 days prior to planned rebate program launch. DOE will review and approve the deliverable prior to providing the state approval for rebate program launch.

Security and privacy controls must be reviewed by an independent third party at least once every three years. Implementers must have documented processes in place to monitor and address issues in a timely fashion. DOE may request copies of risk assessments, documentation from independent reviews, and/or documentation of risk or threat mitigation measures at any time.

Data collected by states in administering their programs may not be sold. Data collected by states in administering their programs may be shared with program implementers and/or evaluators with whom the state has a contractual relationship, provided that prohibitions against data selling and data sharing are included in the contracts with those entities. For all other entities, collected data may not be shared with others except with the explicit written permission of DOE.

Consistent with 2 CFR 200.334 through 200.338, the state recipient is required to retain records relating to this award for a period of three years from the date of submission of the final expenditure report.

#### 4.1.7.2 Program Metrics

States are required to include plans for how required data will be collected throughout the award period so that these metrics may be aggregated and evaluated across programs. DOE understands that different states will optimize program design for different metrics.

DOE requires states to report to DOE certain program-related progress metrics. To reduce burden, DOE will allow some flexibility in how the data are reported and at what level of granularity. See the [Data & Tools Requirements Guide](#) for all data requirements, including a list of metrics that states will be required to submit at least annually to DOE.

States must report metrics to DOE as described in the [Data & Tools Requirements Guide](#) and as required on the Federal Assistance Reporting Checklist (FARC).

#### 4.1.7.3 Program Evaluation

DOE plans to conduct process, impact, and market transformation evaluation activities as part of an independent evaluation process. The goals of these evaluations will be to understand how effective the programs are at meeting their intended outcomes and how programs can be improved.

States must participate in DOE-led impact and process evaluations **or** conduct their own process and impact evaluations consistent with requirements of this section.

Regardless of whether states conduct their own impact and process evaluation and/or cooperate with DOE-led evaluations, all state programs must:

- Agree to participate in interviews (as the program administrator) and require their implementers and other program partners to participate in interviews.
- Securely provide any retained data to DOE on an ad hoc, as-requested basis. See the [Data & Tools Requirements Guide](#) for specific data collection, retention, and reporting requirements.
- Coordinate with utilities to collect billing data for evaluation purposes.

States may include as part of rebate terms and conditions that homeowners must agree to release billing data from their metered fuel utilities or other companies with access to billing data to the state for evaluation purposes and agree to participate in monitoring and evaluation activities such as surveys and interviews.<sup>63</sup>

States that choose to conduct at least one of their own process or impact evaluations will not be required to participate in a DOE-led process or impact evaluation if the state:

- Applies the DOE evaluation recommendations as described in the [Evaluation Recommendations](#) document and collects DOE requested information to allow for consistent comparison of results.

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<sup>63</sup> Required for Section 50121.



- Submits the evaluation plan within three months of rebate program launch for DOE approval.
- Provides final evaluation results to DOE within 18 months of evaluation approval, or the agreed-upon timeline in the evaluation plan.

If a state conducts timely impact or process evaluation of its programs, meeting the above requirements, then DOE will exclude the state from relevant evaluation activities. DOE reserves the right to determine consistency with requirements and the evaluation plan.

Due to the nature of broad-based market transformation goals, DOE will conduct a national market transformation evaluation. States may coordinate with DOE or are welcome to conduct their own assessment of market effects and market change.

#### 4.1.8 Application Requirements: Use of Funds and Rebate Eligibility

A state must address the following in its application and corresponding budget, except that a state may defer responses to its State Implementation Blueprint where marked with an “X” (deferral not permitted for Quick Starts). All other requirements are mandatory within the State Application.

Table 8. Application Requirements

Program Requirements Section No.	Requirement	Implementation Blueprint Option
4.1.1	Identify the specific types of allowable costs the state proposes within 1) administrative funds and 2) rebate funds.  Provide an estimate of the estimate total amount of administrative funds to be expended annually and the estimated annual project-related costs as a portion of the total rebate funds.	
4.1.1	If states are requesting additional funds for project-related activities, describe each activity and associated budget as outlined in the budget justification worksheet.	
4.1.1	Confirm that the state will have a process for handling returns of rebated items as applicable in the Consumer Protection Plan	
4.1.2	Describe how the state will manage and ensure that e minimums and administrative maximums are adhered to over the duration of the program.	
4.1.2	Describe how states will monitor contractor costs and ensure that costs are not artificially inflated compared with market averages.	

Program Requirements Section No.	Requirement	Implementation Blueprint Option
4.1.2	Identify the maximum rebate amounts that will be offered to eligible entities and eligible entity representatives if lower than the allowed amounts.	
4.1.2	Identify the maximum allowable project costs for determining project cost rebate levels.	
4.1.2	Describe the documentation requirements related to project costs from eligible entities and eligible entity representatives.	
4.1.2	List the installation incentives the state will provide eligible entity representatives for each eligible product or service up to \$500 (in total).	
4.1.2	Describe the approach for ensuring that eligible entities will not receive federal rebates or grants for the same QEP.	
4.1.2	Confirm that the state will provide information via API or DOE-provided spreadsheet to the DOE central database to ensure that rebates limited to a single or a combination of products are tracked and managed, and no duplicate rebates are awarded.	
4.1.2	Describe the approach for providing rebates to multifamily building owners and qualified households who live in multifamily units.	X
4.1.2	Identify the date after which upgrade projects must be completed for the purposes of being eligible for a rebate under the state program.	X
4.1.2	Describe how eligible rebate recipients will be informed of additional program funding available from non-federal funds and grants.	X
4.1.3	Identify the portion of the rebate funds the state will reserve for low-income and low-income multifamily households.	
4.1.3	Provide a brief description of the procedures and penalties the state will provide to ensure that renters are not subject to unjustified rent increases.	X
4.1.3	Describe how the state program will define a disadvantaged community.	

Program Requirements Section No.	Requirement	Implementation Blueprint Option
	<p>If not using the default disadvantaged community definition of low-income households located in a disadvantaged community identified by the CEJST, a state must explain how the proposed definition will meet the following three criteria as described in DOE Justice40 implementation guidance<sup>64</sup>:</p> <ul style="list-style-type: none"> <li>• The communities of concern identified by the state tool or definition must conform to the definition of communities established in OMB guidance: <ul style="list-style-type: none"> <li>○ a group of individuals living in geographic proximity to one another that experiences common conditions.</li> <li>○ a geographically dispersed set of individuals (such as migrant workers or Native Americans) that experiences common conditions.</li> </ul> </li> <li>• The state tool or definition must consider two or more of the following indicators when identifying communities that should be classified as disadvantaged for the purposes of directing federal investments under Justice40: <ul style="list-style-type: none"> <li>○ Low income, high and/or persistent poverty</li> <li>○ High unemployment and underemployment</li> <li>○ Racial and ethnic residential segregation, particularly where the segregation stems from discrimination by government entities</li> <li>○ Linguistic isolation</li> <li>○ High housing cost burden and substandard housing</li> <li>○ Distressed neighborhoods</li> <li>○ High transportation cost burden and/or low transportation access</li> <li>○ Disproportionate environmental stressor burden and high cumulative impacts</li> <li>○ Limited water and sanitation access and affordability</li> <li>○ Disproportionate impacts from climate change</li> </ul> </li> </ul>	

<sup>64</sup> See pages 8-9 of <https://www.energy.gov/sites/default/files/2022-07/Final%20DOE%20Justice40%20General%20Guidance%20072522.pdf> for more details.

Program Requirements Section No.	Requirement	Implementation Blueprint Option
	<ul style="list-style-type: none"> <li>○ High energy cost burden and low energy access</li> <li>○ Jobs lost through the energy transition</li> <li>○ Access to healthcare</li> <li>● The communities of concern identified by the state tool or definition must be currently mapped in software or must be easily overlaid in GIS so that communities can be easily identified by stakeholders.</li> </ul>	
4.1.3	Identify the tool(s) the state will provide for eligible entity representatives to identify households that qualify for the installer incentive available for work in disadvantaged communities.	X
4.1.3	Confirm that state's intake system for users to provide income information will compare household income to 80% and 150% AMI values associated with that household's county and household size to determine rebate levels prior to signing statements regarding their income.	
4.1.3	If the state does NOT intend to use a federally provided web-based tool to determine whether a home is in a disadvantaged community, confirm that the state will provide the ZIP codes or a preferred more granular geography (e.g., census tract) with all disadvantaged communities as defined by the state to the DOE system.	
4.1.4	Confirm that the state will develop and submit a Community Benefits Plan prior to program launch.	
4.1.5	Describe what types of systems will be put into place to allow effective processing of rebates, including ensuring the ability to apply rebates at point of sale and/or as part of an invoice. Confirm that the system will link to federally provided systems via API.	X
4.1.5	Describe how the state will ensure processing of rebates within four weeks of receipt (e.g., through a processing company, through program implementers, or other entities or methods). Include information on corrective actions that the state will implement in the event of lengthier processing times.	X

Program Requirements Section No.	Requirement	Implementation Blueprint Option
4.1.5	Describe how the proposed processing system will be integrated with a system for processing rebates under Section 50121. Note if the state plans to use separate systems.	X
4.1.6	Describe how the state will define household income for verification purposes.	
4.1.6	For single-family households, how will claimants be able to establish their household income for income qualification? States may select from the following options: (1) Documentation of household income (for example, 1040) (2) Documentation of enrollment in a pre-qualifying program (3) Self-attestation of either income level or enrollment in pre-qualifying program	
4.1.6	For multifamily buildings, describe what combination of methods will be used to verify that at least 50% of dwelling units consist of households with incomes less than 80% AMI. For multifamily buildings, describe what combination of methods will be used to verify that at least 50% of dwelling units consist of households with incomes less than 150% AMI (but not less than 80% AMI).	
4.1.6	Confirm: <ul style="list-style-type: none"> <li>• Claimant will be required to note the number of individuals who occupy the dwelling unit.</li> <li>• Claimant will be required to sign a statement attesting to the validity of all information provided (e.g., enrollment documents, household income, number of full-time occupants) irrespective of the method of income qualification (e.g., categorical eligibility, self-attestation).</li> </ul>	
4.1.6	Describe how the 80% AMI and 150% AMI levels for each location will be kept up-to-date and linked to DOE systems. Provide additional information if proposing NOT to use a federally provided link or API. Confirm that these levels will correspond to (a) the address of the home at which rebates will be applied and (b) the applicable number of household occupants.	X

Program Requirements Section No.	Requirement	Implementation Blueprint Option
4.1.6	<p>Confirm that the state will</p> <p>(1) review information provided to support income eligibility for all applicants applying for rebates;</p> <p>(2) take steps to verify income eligibility for all applications (100%) that use self-attestation to support income eligibility (e.g., confirm enrollment in at least one program that the applicant asserted enrollment in; confirm household income via IVES; calls to employers);</p> <p>(3) after six months and not longer than one year after program launch, report to DOE the percentage and number of applicants that received rebates but were subsequently found to not meet eligibility requirements; and</p> <p>(4) work with the state's DOE Project Officer to institute additional safeguards or determine if a lesser level of review for applicants using self-attestation is justified depending on the percentage/number of rebates issued without meeting eligibility requirements.</p> <p>A state may propose in its application the types of information that it will provide to DOE to warrant reducing these requirements (e.g., allowing implementers to verify income of a subset of claimants through random sampling).</p>	X
4.1.6	<p>Provide additional information as needed to demonstrate that the proposed approaches for income verification will address all types of households; not create undue burden for claimants; and include safeguards to minimize error and abuse in the process of verifying income.</p>	X
4.1.6	<p>Describe how the state will verify (confirm legitimacy) of income information for all claimants (e.g., verification within two days through IRS, cross-check with enrollment databases of approved programs, calls to employers). A state may propose in its application the types of information that it will provide to DOE to warrant reducing this requirement (e.g., allowing implementers to verify income of a subset of claimants through random sampling).</p>	X
4.1.6	<p>Identify how the state will resolve instances when rebates are provided to those who have falsified their incomes.</p>	X

Program Requirements Section No.	Requirement	Implementation Blueprint Option
4.1.6	<p>If proposing to allow self-attestation as a means for initial income qualification, provide a detailed description of how and when this approach will be used. Include statements, language, and detailed information regarding follow-up steps that will be used for this process. Additional topics to address include:</p> <ul style="list-style-type: none"> <li>• Describe how those applying for rebates will be warned of potential liability associated with falsifying information.</li> <li>• Explain how signed statements of self-attestation will be securely stored.</li> <li>• Identify what level of falsified attestations will signal that the system needs to shut down either permanently or be restarted only after sufficient improvements.</li> </ul>	X
4.1.6	Describe how the state program will verify, where applicable, that at least one member of a household has been enrolled in a program within the <a href="#">Federal Programs Approved for Categorical Eligibility</a> document, or other state-proposed program approved by DOE, within the prior 12 months.	X
4.1.6	Identify the federal or other programs by which the state plans to allow categorical eligibility.	
4.1.6	If applicable, propose any additional federal and other programs to be considered for categorical eligibility. For any programs not already approved, describe how the program’s eligibility aligns with the Section 50122 income requirements.	X
4.1.6	Identify whether the state requests authorization to allow use of categorical eligibility determinations based on program participation outside of a one-year period (e.g., proof of enrollment within the past 12 months). If so, explain the state’s proposal and describe the rationale.	X
4.1.6	Identify whether the state requests authorization to allow categorical eligibility for a program in a way that is not consistent with the “level of categorical eligibility” listed in the document <a href="#">Federal Programs Approved for Categorical Eligibility</a> . For each deviation requested, propose, and provide documentation to justify the	X

Program Requirements Section No.	Requirement	Implementation Blueprint Option
	requested change. Documentation must demonstrate that the state imposes income requirements equivalent to or less than 80% AMI.	
4.1.7	Explain how data will be protected, specifically addressing security measures and privacy measures.	X
4.1.7	Include documentation of the processes to monitor, identify, and address security and privacy threats.	X
4.1.7	Confirm that the state will submit a Privacy and Security Risk Assessment in the State Implementation Blueprint.	
4.1.7	Confirm that the state will collect required data and cooperate in program evaluation processes as listed in Section 4.1.7.2.	
4.1.7	Confirm that the state will require billing data release and describe how the state will gain access to billing data for program requirements and program evaluation.	
4.1.7	Confirm whether the state is planning to conduct its own evaluation, and if so, what type(s) of evaluations. If the state plans to conduct evaluations on its programs, confirm that the state will: <ul style="list-style-type: none"> <li>• Cooperate with DOE to meet the requirements listed in Section 4.1.7.2.</li> <li>• Submit an evaluation plan for DOE review within three months of program launch.</li> <li>• Provide results to DOE.</li> </ul>	
4.1.7	If the state plans to conduct evaluations on its programs, describe the evaluation objectives, high level work plan, and timing of the evaluations and whether the state would request to be excluded from DOE-led evaluations.	X

## 4.2 Consumer Experience

### 4.2.1 Program Requirements: Education and Outreach

A positive consumer experience begins with successful outreach and education about the benefits of the Home Energy Rebate programs. States must decide which types of households to target for outreach, what methods will be most effective in reaching them, and what educational materials will best inform those households of the benefits of upgrading their homes. States must also decide how they will engage contractors that will deliver the projects paid for by rebates.



Many states will be able to leverage and repurpose outreach and education materials from existing programs.

A state must briefly describe its intended outreach and education strategy it will use to inform eligible households about the rebate programs. This outreach and education strategy must include a timeline and programmatic elements, potentially including but not limited to targeted advertising, outreach via local governments, and/or partnerships with community-based organizations. States may allocate a portion of their administrative budgets to conduct these activities.

At minimum, a state's outreach and education strategy must include:

- A brief description of planned activities for household outreach, such as:
  - Outreach partnerships (utilities, local governments, community-based organizations, labor unions, churches, etc.)
  - Outreach channels (digital ads, neighbor to neighbor outreach, direct mailings, etc.)
  - Educational materials (website, fact sheets, etc.)
- A brief description of planned activities for contractor outreach, such as:
  - Outreach partnerships (trade organizations, labor organizations, etc.)
  - Outreach channels (website, ads in trade organization publications, etc.)
  - Educational materials (website, fact sheets, trainings, etc.)
- High-level timeline for executing these programmatic activities.
- Estimated budget devoted to outreach and education, which can be covered through Home Electrification and Appliance Rebates administrative funding or through other state/utility/local sources.

#### 4.2.2 Program Requirements: Qualified Electrification Projects

QEP means a project that:

(a) includes the purchase and installation of:

- An electric heat pump water heater;
- An electric heat pump for space heating and cooling;
- An electric stove, cooktop, range, or oven;
- An electric heat pump clothes dryer;
- An electric load service center;
- Insulation;
- Air sealing and materials to improve ventilation; or
- Electric wiring; and,

(b) With respect to any appliance described in clause (a), the purchase of which is carried out:

- As part of new construction;
- To replace a non-electric appliance; or

- When the purchase is a first-time purchase of a heat pump for space conditioning in an existing home and is installed to provide the primary heating and cooling for the household;<sup>65</sup> and,

(c) Is carried out at, or relating to, a single-family home or multifamily building, as applicable.<sup>66</sup>

Programs must ensure that the criteria of (a), (b) and (c) are met for every rebate.<sup>67</sup>

The term first-time purchase means the dwelling unit does not currently have and has not previously had the same type of appliance as that subject to rebate, where the type of appliance is the appliance enumerated in (a). In the case of installation of an efficient, electric heat pump for space heating, it is allowable for the heat pump to replace an existing electrical resistance or electrol baseboard heating system, but it is not allowable for the heat pump to replace an existing, electric heat pump. Additional appliance-specific information is provided below.

Only qualified electrification projects are eligible for rebates. Appliances and building materials must comply with federal safety and energy requirements to qualify for rebates. Appliances and building materials purchased with a rebate at point of sale and must be installed in the qualified single-family home or multifamily building.

For purposes of integrating the rebates with other programs (Section 4.3.2), only the upgrade for which the rebate was issued is considered part of the qualified electrification project.

#### 4.2.2.1 Qualified Appliances

Appliance types that qualify for rebates are:

- Electric heat pump water heater
- Electric heat pump for space heating and cooling
- Electric heat pump clothes dryer
- Electric stove, cooktop, range, or oven

A single household cannot receive a rebate for more than one appliance of a single type. Only residential appliance types are eligible for single household rebates. A multifamily building cannot receive a rebate for more than one appliance of a single type per unit. Residential and certain commercial appliances as explained in the product-specific sections below are eligible for multifamily rebates.

##### 4.2.2.1.1 Electric heat pump water heater

Electric heat pump water heaters include integrated heat pump water heaters that operate on 120V or 240V, split system heat pump water heaters, and central heat pump water heating systems. Central heat pump water heating systems include all ancillary equipment such as fans, blowers, pumps, storage tanks, piping, and controls, as applicable) and eligibility is restricted to

<sup>65</sup> That is, for a home with existing air conditioning and an existing electric furnace, boiler, or electric baseboard heating to be eligible for a rebate for a heat pump, the heat pump must replace most of the usage for both the air conditioner and the electric furnace, boiler, or electric baseboard heating to provide the primary heating and cooling source for the home. A home may continue to use its pre-existing heating and cooling systems as back-up and/or to provide secondary heating or cooling services to the home.

<sup>66</sup> 42 U.S.C. 18795a(d)(6)(A).

<sup>67</sup> In general, a qualified electrification project does not include an appliance, system, equipment, infrastructure, component, or other item that is not certified under the ENERGY STAR program, if applicable. 42 U.S.C. 18795a(d)(6)(B). Please see Sections 4.2.2.1 and 4.2.2.2 for more specific details.

multifamily dwelling units, whose owner is applying for a rebate for multiple dwelling units. In all cases, the rebated model or system must be ENERGY STAR certified if available and legal for distribution in the United States at the time of purchase. DOE understands that central heat pump water heating systems currently do not have an ENERGY STAR specification that addresses their system-based efficiency, which would encompass the heat pump, storage tanks, booster heaters, pumps, ancillary controls. In such a situation, states may propose to use available systems suitable for multifamily buildings subject to an alternative equipment efficiency standard for DOE review and approval. Purchase and installation of an electric heat pump water heater is eligible for rebate only:

- In new construction.
- As a replacement for a non-electric water heater.
- When the purchase is a first-time purchase of a heat pump water heater (e.g., when upgrading an electric-resistance storage water heater).

#### 4.2.2.1.2 Electric heat pump for space heating & cooling

Electric heat pumps for space heating and cooling include ducted and non-ducted air-source heat pumps, ground source heat pumps, and variable refrigerant flow heat pumps. The rebated model must be ENERGY STAR certified for the heating and cooling functions if available and legal for distribution in the United States at the time of purchase. The installed heat pump must be properly sized. Where there is no ENERGY STAR certification for central heating and cooling systems suitable for multifamily buildings, states may propose to use available systems subject to an alternative equipment efficiency standard for DOE review and approval.

Room heat pumps currently do not have a heating test procedure, metric, or ENERGY STAR criterion in heating mode allowing manufacturers to certify. Therefore, models on the ENERGY STAR Qualified Products List (QPL) for Room Air Conditioners are not eligible for rebates at this time. Once ENERGY STAR criterion for room heat pumps are established for efficient cooling and heating using the DOE test procedure and models are certified on the ENERGY STAR Room AC QPL for heating and cooling, then room heat pumps will be eligible.

Costs eligible for rebate include all materials for installation, including smart thermostats and other grid-enabling technologies, pads for outdoor units, necessary ductwork, or other DOE-approved materials.

Purchase and installation of an electric heat pump for space heating and cooling is eligible for rebates:

- In new construction.
- As a replacement for a non-electric heating unit (e.g., gas, propane, or oil direct heating equipment; gas, propane, or oil forced-air furnace; gas, propane, or oil hot water or steam boiler).
- When the purchase is a first-time purchase of a heat pump for space conditioning and is installed to provide the primary heating and cooling for the household. That is, for a home with existing air conditioning and an existing electric furnace, boiler, or electric baseboard heating to be eligible for a rebate for a heat pump, the heat pump must replace the majority of the usage for both the air conditioner and the electric furnace, boiler, or electric

baseboard heating to provide the majority heating and cooling source for the home<sup>68</sup>. A home may continue to use its pre-existing heating and cooling systems as backup and/or to provide secondary heating or cooling services to the home. A heat pump used to supplement an existing electric appliance for space conditioning is not eligible for a rebate.

#### 4.2.2.1.3 Electric heat pump clothes dryer

Installed model must be ENERGY STAR certified and legal for distribution in the United States at the time of purchase.

The purchase and installation of an electric heat pump clothes dryer is eligible for rebate only:

- In new construction;
- As a replacement for a non-electric clothes dryer; or
- When the purchase is a first-time purchase of a heat pump clothes dryer for the dwelling unit, including upgrading an electric clothes dryer to a heat pump dryer.

#### 4.2.2.1.4 Electric stove, cooktop, range, or oven

The installed model of electric stove, electric cooktop, or electric range must be ENERGY STAR certified and legal for distribution in the United States at the time of purchase. Dual-fuel models are not eligible.

Purchase and installation of an electric stove, cooktop, range, or oven is eligible for rebate only:

- In new construction;
- As a replacement for a gas or dual-fuel gas-electric stove, cooktop, range, or oven; or
- When the purchase is a first-time purchase of an all-electric stove, cooktop, range, or oven for the dwelling unit.

#### 4.2.2.2 Qualified Building Materials

Certain types of building materials also qualify for rebates. Generally, the following types of building materials qualify for rebates.

- Electric load service center
- Electric wiring
- Insulation
- Air sealing
- Mechanical ventilation

DOE encourages installation of low embodied carbon building materials.

#### 4.2.2.2.1 Insulation

Eligible products include ENERGY STAR-certified blanket (batts and rolls) insulation, loose-fill insulation, blown-in insulation, rigid board (foam or fiber) insulation, spray foam, and foamed-in-

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<sup>68</sup> Prediction of majority may be based on Manual J calculations, open-source building energy modeling software, or equivalent.

place forms of insulation. Duct sealing and insulation is also eligible for rebates. Insulation must be properly installed to qualify for a rebate. Insulation with low embodied carbon is encouraged.

#### 4.2.2.2 Air sealing and materials to improve ventilation

Eligible ventilation materials include ENERGY STAR-certified range hoods and in-line (single and multi-port), bathroom, and utility room fans. Products must be installed in the configuration certified by ENERGY STAR. A range hood that is installed such that the exhaust air is recirculated into the dwelling unit is not rebate eligible.

Ventilation materials are eligible for rebates only in homes that also receive air sealing services or otherwise achieve low air leakage rates (e.g., 3 ACH50 per International Energy Conservation Code (IECC)).

### 4.2.3 Program Requirements: Installation Incentives

Subject to the limitations described in the below program requirements, an incentive must be provided to encourage governmental, philanthropic, commercial, and nonprofit (e.g., community groups) organizations to assist low-income and moderate-income households with accessing Home Electrification and Appliance Rebates. States may elect to reserve these incentives for projects carried out in homes and dwelling units with households less than 80% AMI, and/or for installations of equipment not commonly installed to encourage contractors to serve low-income households and learn how to install newer technologies.

An eligible entity representative (governmental, commercial, or nonprofit) that applies for and receives a rebate on behalf of an eligible entity and performs the installation of the QEP shall receive an incentive payment not to exceed \$500 in addition to the available rebate. States must determine a payment schedule for installation incentives; examples of qualifying activities are shown in Table 9.

Table 9. Example of Qualifying Activities and Incentives

Qualifying Activity	Incentive (Example)
Substantial installation located within a disadvantaged community (excludes installations of electric stoves and electric heat pump dryers) per dwelling unit	\$200
Installation of one or more electric heat pump water heaters	\$150
Installation of one or more electric heat pumps for space heating and cooling per dwelling unit - ducted	\$300
Installation of one more electric heat pumps for space heating and cooling per dwelling unit - non-ducted	\$200
Installation of one electric stove, cooktop, range, or oven	\$0
Installation of one electric heat pump clothes dryer	\$0
Installation of one or more electric load service center	\$150
Installation of insulation per dwelling unit	\$250

Qualifying Activity	Incentive (Example)
Installation of air sealing and materials to improve ventilation per dwelling unit	\$250
Installation of electric wiring per dwelling unit	\$250

In the case of multifamily buildings, states shall establish a maximum incentive per each eligible entity representative based on either dollar amount per building or number of claimable dwelling units per building.

Generally, states must provide meaningful installation incentives that reflect the scale of the upgrades installed. States may not eliminate the requirement to provide a contractor incentive. Only an eligible entity representative is entitled to an installation incentive using rebate funds. States may provide installation incentives to other parties using sources of funds other than the Home Electrification and Appliance Rebates.

An eligible entity representative that owns a building that benefits from the upgrades is not entitled to an installation incentive (e.g., a multifamily building owner acting as an eligible entity representative on behalf of the households in the building is not eligible for the incentive).

An eligible entity representative may not receive multiple installer incentives for completing a QEP on behalf of the same eligible entity more than once in a twelve-month period.

An eligible entity representative may be paid an incentive of up to \$200 (as part of the maximum \$500 incentive) for an installation completed in a home located in a disadvantaged community as defined by the state.

#### 4.2.4 Program Requirements: Home Assessments

Home assessments are an important component of consumer protection to better understand the potential risks and benefits to a household pursuing an upgrade. For the Section 50122 program, home assessments in specific installations can ensure the consumer receives a quality installation. In addition, states must ensure that consumers are aware where certain QEPs could result in unintended consequences, including increased utility bills due to fuel switching.

As an initial matter, a state must identify a pre-defined set of home pre-condition(s) and/or scope of work scenario(s) that will constitute unacceptable risk of raising utility bills based on the state's rate structure, existing equipment and fuel type, and other relevant factors.

To mitigate these risks, states are required to conduct a limited home assessment prior to installation of QEPs that include any of the following upgrades:

- Electric heat pump for space heating and cooling

A limited home assessment consists of, at a minimum:

- Data collection consistent with Section 3.2 of the [Data & Tools Requirements Guide](#).
- A recommendation of a properly sized unit recommended by a qualified contractor for HVAC, if applicable.
- An onsite visual inspection of the existing condition of duct sealing for HVAC & envelope.

- If the upgrade includes a fuel switch, an estimate of utility bill impacts and written acknowledgement by the consumer.
- Written acknowledgement from the consumer of the amount they will owe not covered by the rebates.
- If the upgrade falls within one of the state's pre-defined set of home pre-condition(s) and/or scope of work scenario(s) that will constitute unacceptable risk of raising utility bills, an estimate of utility bill impacts and written acknowledgement by the consumer.

A state may allow remote or virtual assessments in place of field-based assessments in specified cases with DOE approval.

For each limited home assessment conducted, the program is required to retain or report data consistent with Section 3.2 of the [Data & Tools Requirements Guide](#).

DOE does **not** require a home assessment be completed for installation of qualified electrification projects that do not include installation of an electric heat pump for space heating and cooling.

However, for all qualified electrification projects that include the installation of a qualified appliance (including electric heat pumps), a state program must collect and retain a photo of the existing equipment that will be replaced to verify that the installation is allowable. As described in Section 4.2.5, a state program must also collect and report geotagged photo(s) of any rebated appliance to verify installation.<sup>69</sup> Please see the [Data & Tools Requirements Guide](#) for all applicable data collection and data reporting requirements.

Note that completing home assessments for multifamily buildings will require a different process than for single-family homes. A state must establish processes for home energy assessments for multifamily buildings, including for energy used by common areas.

#### 4.2.5 Program Requirements: Consumer Protection Through Quality Assurance

Consumer Protection through QA is an essential component of Home Electrification and Appliance Rebate programs and is necessary to deliver high-quality products and services to all program consumers. A strong QA protocol is key to protecting consumers and providing the highest quality consumer experience and to delivering real energy, cost, and emission savings. QA protects households by providing independent oversight of the work performed by participating contractors to ensure that the work meets program standards. QA provides systems designed to ensure work meets consumer expectations and to provide consumer satisfaction, a vital goal of these rebate programs.

Given the central role of consumer protection through QA in the outcome of these programs, states are required to develop and implement a Consumer Protection Plan for Home Electrification and Appliance Rebate programs. The plan must meet the requirements listed in this section. The Consumer Protection Plan must be submitted to DOE for approval at prior to the state's planned rebate program launch as part of the State's Implementation Blueprint. A state must implement the plan and be prepared to provide DOE with information regarding the state's monitoring, review and revision of the plan based on program performance.

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<sup>69</sup> Where the retailer or distributor is reimbursed with a rebate, a state program may comply with this requirement by collecting and retaining (1) photo(s) of delivery arranged by the retailer or distributor if applicable or an agreement by the household receiving the rebated equipment to provide the photos upon request.

- The Consumer Protection Plan must be readily accessible (e.g., on the program’s web site) to all program participants affected by it, including implementers, retailers, distributors, participating contractors, third-party inspectors, eligible entities, and eligible entity representatives.
- Programs must execute agreements with participating retailers, distributors, and contractors in which the party agrees to comply with the QA plan and procedures.
- States must retain records related to their QA processes and permit access to DOE upon request.
- A state must review its Consumer Protection Plan at least every two years, adjust based on lessons learned, and communicate changes to contractors, third-party inspectors, and DOE.

The state’s Consumer Protection Plan must include the following elements:<sup>70</sup>

### **Consumer Feedback**

A system for collecting and responding to consumer feedback that:

- Allows households to file complaints, concerns, and issues directly to implementer(s) (e.g., a consumer hotline and/or email).
- Contains procedures for addressing negative feedback, including how programs will communicate the feedback to affected contractors, distributors, or retailers.
- A requirement that a consumer satisfaction survey be sent to the household at least three months and no more than six months after the project’s completion date. At a minimum, the survey must include the questions listed in Appendix B. States may add additional questions.

### **Resolution Procedures**

- A written conflict resolution procedure that documents how disputes will be resolved between homeowners and contractors. The procedure shall include protocols for a timely response, identification of responsible parties, documentation of corrective actions, results, and a means of identifying and addressing systemic issues.
- A remediation process to ensure that when deficiencies are detected through the inspection process these results are communicated to the responsible party and any remedial or punitive actions taken follow a pre-defined set of protocols, which must be described in the plan. States must describe the specific remedies and penalties for deficiencies or unfair business practices that it will utilize in its rebates program if fraud or unfair business practice is detected or if an inspection finds improper installation of a rebate funded measure. At minimum, the remedies included for the program must make a consumer whole and provide some measure of deterrence against unacceptable practices.
- A requirement to maintain records on QC inspections including sampling rates, findings, corrective actions taken, and verification of conformance to requirements.

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<sup>70</sup> For additional context and examples of the required elements of a Consumer Protection Plan, please see the technical resource document, "[Consumer Protection Plan Required Elements and Sample Responses.](#)"



- Contracts cannot contain mandatory arbitration clauses.
- Ensure inclusion of the holder-in-due course rule so consumer protections are not lost just because the contract is assigned to a third-party creditor.

### **Data Review**

- A requirement for the state to conduct a data or file review of all projects that verifies at a minimum:
  - A process for confirming that auditing tools and modeling software have basic data validation controls on inputs to ensure data quality.
  - The home assessment (if required) gathered the data required listed in Section 4.2.4.
  - The contracted scope of work was specified consistent with program requirements.
  - The address of the installation matches the address of the eligible entity.
  - Rebate amount aligns with verified income category.
- A requirement that the program’s implementers retain:
  - Post-installation photos of the appliances and applicable products included in the QEP.
  - Proof of combustion safety testing on fossil fuel equipment in all homes where fossil fuel systems have been impacted by the installation.
  - Proof of commissioning testing on HVAC equipment in all homes where HVAC systems are installed.
- A requirement to maintain records on QC inspections including sampling rates, findings, corrective actions taken, and verification of conformance to requirements.
- A description of the training or credentials of the personnel conducting the data/file review.

### **Onsite Inspection**

- For qualified electrification projects that required a home assessment, a requirement to conduct independent onsite post-install inspections on a minimum of:
  - The first five projects of new contracting organizations; and
  - Five percent of projects thereafter for each contractor, provided no issues are found.
- A description of the training, credentials, and/or qualifications that the state will require of independent inspectors, and identification of how these qualifications do/do not align with those included in a state’s [IRA Section 50123 Contractor Training Grants program](#).
- For qualified electrification projects that required a home assessment, a documented onsite inspection protocol that shall include a minimum of:
  - A visual inspection of the site and work conditions.
  - Verification that the installed upgrades match the contracted scope of work and any change orders have been appropriately documented.
  - Verification that diagnostic test results are accurate (may be directly observed if the inspector is present at the time of testing or repeated by the inspector).

- Ensures compliance with E-Sign or prohibits the use of electronic devices and signatures to enter into the contract if not E-Sign compliant<sup>71</sup>.

### Virtual Inspections

For qualified electrification projects that required a home assessment, states may elect to conduct virtual post-install inspections. If used, the plan also must include:

- A description of the methods used (e.g., video recording, interview with the site contact, photos taken during the virtual tour)
- A description of how installed equipment will be assessed
- A list of the additional information required, such as submitted project documentation (invoices, specification sheets, and calculation models)
- Requirements for qualifying virtual inspectors
- The tools and platforms that will be used for the virtual inspection
- A description of privacy agreements

If program participants decline virtual recording of their home, an onsite inspection must be used.

### **Contractors and other partners**

A qualified contractor list is a required element of a state's Consumer Protection Plan. States must:

- Describe how the program will develop the qualified contractor list.
- Describe which qualification(s) that contractors will be held to, potentially including but not limited to industry accepted home performance industry credentials, training requirements, business insurance and licensure, skills standards, and labor standards.
- Describe the process by which contractors will be added to the qualified contractor list, the conditions that would lead to a contractor being delisted, and the process by which a contractor would be delisted.<sup>72</sup> The description must include how the state will perform due diligence on contractor and distributor entities that will be on their lists and how they will prevent the listing of fraudulent or illegitimate entities.
- Require that the following technologies be installed by a contractor on the qualified contractor list:
  - Electric heat pump for space heating and cooling
  - Air sealing
  - Electrical wiring
  - Electrical load service center

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<sup>71</sup> A written copy (in the person's primary or secondary language) should be provided even if there is also an electronic contract.

<sup>72</sup> The Consumer Protection Plan Required Elements and Sample Responses lists the Do Not Pay service ("DNP") by the U.S. Department of Treasury as a service that States are expected to use. Many states should already have access to DNP, and for those states that do not already have access, they should at a minimum apply to enroll to access the DNP service. States that do not already have access, should at a minimum apply to enroll to access the DNP service.

- Make the qualified contractor list public and include a description of how consumers applying for rebates will be informed on how to use the list to access a qualified contractor.

Like contractors, program partners such as retailers and distributors are integral to QA and the overall success of a state's Section 50122 program. Programs are required to establish participating retailer and distributor partnership lists. As it relates to these lists, a state's Consumer Protection Plan must:

- Describe how the program will initially develop the participating retailer and distributor partner list.
- Describe the requirements to which these partners will be held, including, at a minimum, the following:
  - Listed partners must make available for sale eligible appliances for qualified electrification projects.
  - Listed partners have systems capable of providing rebates for qualifying equipment rebates.
  - Listed partners commit to submit rebate request to the implementer(s).
- Describe the process by which retailer and distributor partners will be added to the participating retailer and distributor list and the conditions that would lead them to being delisted.

## **Installation**

A state's Consumer Protection Plan must:

- Identify installation standards with which installers must comply, including at a minimum, standards designed to:
  - Ensure work complies with local and state laws, permits, codes, and industry standards.
  - Establish minimum quality installation standards for rebated technologies.
  - Promote use of standardized and sequenced procedures for developing a detailed project scope of work.
- Establish processes to enforce installation standards, including QA processes that allow the state to verify and document whether installation standards have been met.
- Ensure that sales language and contract language are the same.

If financing is involved:

- Ensure an ability to repay determination that does not include projected savings from an energy report because expected savings may not materialize due to household and market developments.
- Ensure a disclosure and cooling off period. Clear, written advance disclosures should be required, with a seven-day waiting period between the disclosure and the contract signing.<sup>73</sup> This waiting period should only be removed in a personal emergency (see Truth

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<sup>73</sup> The seven-day waiting period requirement is deemed to be met for retail purchases of heat pump dryers and kitchen appliances that are subject to a store return policy that provides more than seven days, if the lender imposes

in Lending Act), where the homeowner, preferably in their own handwriting, describes the emergency and the need for the emergency work and their understanding that they are waiving the waiting period. In non-emergency circumstances, there should also be a 3-day right to cancel after the contract has been signed (such that the work is not done during that period).

### Continuous Improvement

A system for preventing unfair business practices and avoiding or addressing poor program function that does not optimize a consumer’s experience. A state’s Consumer Protection Plan must:

- Identify what proactive steps the state will take to identify fraud, waste, or abuse.
- How the state will implement automation to identify problem areas with program performance.
- Explain how the state will measure and evaluate the success of its QA systems.
- Describe how the QA systems will inform program improvements.
- Describe how home assessment data and results will be verified for accuracy.
- Document roles and responsibilities associated with how the state will monitor the program’s budget and financial performance to ensure that funds are being used efficiently and effectively.

Note that elements of the Consumer Protection Plan will require different processes for multifamily buildings than for single-family homes. States must distinguish in their plans which additional requirements will apply to multifamily buildings, including for central systems and for energy used by common areas.

#### 4.2.6 Application Requirements: Consumer Experience

A state must address the following in its application and corresponding budget, except that a state may defer responses to its State Implementation Blueprint where marked with an “X” (deferral not permitted for Quick Starts). All other requirements are mandatory within the State Application.

Table 10. Application Requirements

Program Requirements Section No.	Requirement	Implementation Blueprint Option
4.2.1	Confirm that the state will develop and submit an outreach and education strategy consistent with Section 4.2.1	X
4.2.2	Describe how the state will verify that rebates are provided only for qualified electrification projects,	

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no negative financial consequence (e.g., early repayment fee/penalty, interest accrued) to the borrower for returning the rebated item.

Program Requirements Section No.	Requirement	Implementation Blueprint Option
	<p>including that each of the following conditions are met for each project:</p> <ul style="list-style-type: none"> <li>• Project includes the purchase and installation of a qualifying product, as described in Section 4.2.2;</li> <li>• The qualifying product is installed as part of new construction; or to replace a non-electric appliance; or as a first-time purchase with respect to that appliance; and</li> <li>• The installation occurs at a single-family home or eligible multifamily building.</li> </ul>	
4.2.2	Describe how the state will collect and retain documentation to demonstrate how each criterion in Section 4.2.2 was met for each installation.	X
4.2.2	If applicable, identify any additional types of “materials to improve ventilation” <sup>74</sup> that the state plans to make eligible for rebates.	X
4.2.3	Describe how eligible entity representatives will be determined to be eligible for installation incentives, and how and when incentives will be paid.	X
4.2.3	Confirm that the state program will provide a clear incentive schedule commensurate with the scale of the upgrades installed not to exceed the maximum allowable values.	
4.2.3	Describe what tool(s) the state will provide for eligible entity representatives to identify households that qualify for an installer incentive for substantial installation located within a disadvantaged community.	X
4.2.3	Confirm that the program will automatically provide the incentive to eligible entity representatives in an amount not to exceed \$500 per dwelling unit or multifamily building in a 12-month period.	
4.2.4	Determine and describe a pre-defined set of home pre-condition(s) and/or scope of work scenario(s) that will constitute unacceptable risk of raising utility bills.	X

<sup>74</sup> 42 U.S.C. 18795a(d)(6)(A)(i)(VII).

Program Requirements Section No.	Requirement	Implementation Blueprint Option
4.2.4	Identify if the state will allow remote or virtual assessments in place of field-based assessments in cases of limited home assessments and if so, describe process.	X
4.2.4	Describe what processes will be put in place for home energy assessments for multifamily buildings, including for energy used by common areas.	X
4.2.5	Confirm that the state will prepare and implement a Consumer Protection Plan in accordance with these requirements.	

### 4.3 Maximizing Rebate Impact

#### 4.3.1 Program Requirements: Supporting the Clean Energy Economy Through Market Transformation

The Home Electrification and Appliance Rebates provide a tremendous opportunity to serve households while acting as a catalyst to unlock additional flows of capital, skilled workers, innovative businesses, and future programs to deploying clean energy technology solutions in housing. With the goal of spurring greater market transformation in the residential energy sector, states must consider how their programs will stimulate additional and continued investment in residential energy upgrades beyond the tenure of the rebates.

To ensure that the state program facilitates market transformation, each state must submit a Market Transformation Plan within the first year after receiving the financial assistance award. DOE must review and approve the Market Transformation Plan prior to the state receiving the third tranche of funds. A Market Transformation Plan should:

- Describe how the state program will enable the market to recognize the value of homes that have been upgraded through the Home Energy Rebates, including at time of sale/rental.
- Describe elements of the program design and/or activities the state program will undertake to support market transformation goals throughout the program as well as after depletion of the Home Electrification and Appliance Rebates funds, such as but not limited to:
  - Cost sharing, braiding, and/or coordinated financing with potential funders and financiers of home energy upgrades. Funders and financiers of upgrades include homeowners, lenders of home upgrade loans, mortgage brokers, utilities, and philanthropies;
  - Utilize rebate programs to enable new business models in partnership with private capital to monetize grid benefits through vehicles such as FERC order 2222, demand management, and virtual power plants; and
  - Sustainable business models of home energy contractors.

### 4.3.2 Program Requirements: Integrating with Other Programs

By leveraging existing programs through resource braiding, co-funding, and financing, state programs may support deeper and broader energy, cost, and carbon savings among participating households. While following all home energy rebates requirements, states are **strongly encouraged** to design their rebate programs in ways that allow for effective combinations of various funding sources, including through integration with existing programs. However, a variety of legal prohibitions prevent certain methods of combining funds from different sources.

Effective financial leveraging must comply with two prohibitions:

1. The total combination of all immediate upfront funding sources (federal grants, federal loans, and non-federal funding) cannot exceed the total project cost, and
2. Neither the Home Efficiency Rebates nor the Home Electrification and Appliance Rebates may be combined with other federal grants or rebates for the same single upgrade.<sup>75</sup>

There are four categories of funding that can be combined with a rebate, each with different requirements:

- **Combining a rebate with other federal rebates or grants:** No other federal grants, including another IRA home energy rebate, can be used for the same upgrade. Home energy upgrade packages that use multiple federal grants must braid the funding in a manner that ensures each federal grant only funds distinct, separable upgrades.

To ensure compliance with this requirement, states must ensure that detailed invoices and information identifying which distinct and separable upgrades were funded by which federal sources are collected and retained when a home/building is using funding from multiple federal grants. Each upgrade or QEP component must be a line item on the invoice of the home energy upgrade package with subdivided labor costs associated with each line item.

Attempts to claim multiple federal rebates for the same single upgrade is a violation of Federal law and must be reported to DOE.

Issuance of multiple federal rebates for the same single upgrade is a violation of Federal law and must be reported to DOE upon discovery and documented in the State's quarterly reporting documents.

- **Combining a rebate with federal loans or loans from previously granted federal funds:** Loan programs from federal agencies (such as loans from HUD) and loans from previously granted federal funds (such as from the DOE Revolving Loan Fund grants or U.S. Environmental Protection Agency Greenhouse Gas Reduction Fund grants) are not considered federal grants in that the recipient household receives these programs as financial products rather than as grants or rebates. Therefore, these programs may be used to finance any remaining costs for upgrades and individual components of qualified electrification projects additional to and separate from the value of the rebate.
- **Combining a rebate with non-federal funding:** Non-federal funding, such as funding authorized by a state government, or local government, or available through a utility program or philanthropic support, can be used to co-fund any remaining costs for

<sup>75</sup> See 42 U.S.C. 18795(c)(7) and 18795a(c)(8).

upgrades and individual components of qualified electrification projects beyond the value of the federal rebate.

- **Taxability of Home Energy Rebates<sup>76</sup>:** The rebate programs funded through IRA Sections 50121 and 50122 will be treated as a reduction in the purchase price or cost of property for eligible upgrades and projects, and the consumer that receives an IRA rebate will not be required to report the value of the rebate as income.

**Stacking Tax Credits with Home Energy Rebates.** Consumers that receive IRA rebates for products that may be eligible for the 25C tax credit may claim the credit after reducing the amount of the expenditure on which the consumer calculates the amount of the credit by the rebate. For example, if a product is eligible for an IRA Section 50122 rebate and 25C tax credit up to 30% of the cost, the consumer may claim a tax credit of up to 30% of the cost remaining to the consumer after application of the rebate provided through IRA Section 50122. Therefore, if a consumer purchases an eligible product for \$400 and receives a \$100 rebate for this purchase, the consumer may claim a 30% credit of the remaining \$300, or \$90. States must collect sufficient documentation for each home energy upgrade that combines a rebate with other funding sources to ensure that the total combination of federal, state, and other funding sources (federal grants, federal loans, and non-federal funding) does not exceed the total project cost.

States should also be aware that the above requirements and guidance may not capture restrictions or requirements imposed by other funding programs. For allowable integration, all funding sources—federal and/or non-federal—must allow for combining of resources. Other funding sources, including certain federal loans, tax credits, and state/local/utility funding, may have additional restrictions on directly combining funds for the same single upgrade that is part of a larger home energy upgrade. State implementers should consult the program requirements for non-federal funding sources to ensure that they are combining funds in a legally allowable manner.

### 4.3.3 Program Requirements: Quick Starts

A state may apply for up to 25% of its allocated funds to develop a “Quick Start” state program. DOE will prioritize processing of applications identified for a “Quick Start.” To qualify as a “Quick Start” program, the state must note at the beginning of its application the request for a “Quick Start,” and the state must plan to achieve rebate program launch in 2023. A state Application for a Quick Start must include responses to all “Application Requirements” (cannot defer to Implementation Blueprint); however, the required plans may be submitted prior to rebate program launch as part of the Implementation Blueprint<sup>77</sup>. All rebate program requirements (except low-income and low-income multifamily allocations) will apply to Quick Start programs, and a conforming State Application is required. A state is not required to reserve rebate funds for low-income and low-income multifamily households (see Section 4.1.3) as part of a Quick Start program; however, a state must meet the low-income and low-income multifamily household allocations for the state’s total formula allocation.

Prior to January 31, 2025, a state must either (a) request additional funding from its total formula allocation to continue its approved Quick Start program or (b) submit an application to DOE to

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<sup>76</sup> For more information, please consult IRS guidance available at <https://www.irs.gov/newsroom/treasury-irs-issue-guidance-on-the-tax-treatment-of-amounts-paid-as-rebates-for-energy-efficient-property-and-improvements>.

<sup>77</sup> Consistent with Section 1.2, Quick Start programs may also submit a Market Transformation Plan up to one year after award date.



administer a program operating under a different plan; otherwise, the remaining formula allocation will be considered rejected by the state and redistributed to other State Energy Offices in accordance with 42 U.S.C. 18795a(a)(2)(C).

One option for a Quick Start program is to develop a program which leverages existing program infrastructure in the state to achieve more rapid rebate program launch. Where consistent with Section 50122 program requirements, states have the discretion to limit the scope to target specific populations, policy goals, or other state priorities to achieve more rapid rebate delivery. To expedite processing, a state must note at the beginning of its application the request for a “Quick Start.” The application must identify the existing program(s) to be leveraged and must include a timeline to achieve rebate program launch in 2023. The use of an existing state program may allow a participating state to more quickly stand-up Home Electrification and Appliance Rebates relative to developing a new program. For example, a state may rely on practices, policies, procedures and / or systems already in place to implement a Section 50122 state program that is consistent with design requirements for Section 50122. States may reference or include information regarding existing programs as part of the application to demonstrate compliance with the requirements.

Another option for a Quick Start program is for a state to pilot a rebate program before committing the state’s entire funding allocation to a particular program design. Where consistent with Section 50122 program requirements, states have the discretion to limit the scope to target specific populations, policy goals, or other state priorities to achieve more rapid rebate delivery.

#### 4.3.4 Application Requirements to Maximize Rebate Impact

A state must address the following in its application and corresponding budget, except that a state may defer responses to its State Implementation Blueprint where marked with an “X” (deferral not permitted for Quick Starts). All other requirements are mandatory within the State Application.

Table 11. Application Requirements

Program Requirements Section No.	Requirement	Implementation Blueprint Option
4.3.1	Confirm that the state will prepare and implement a Market Transformation Plan within the first year after receiving the financial assistance award.	
4.3.2	Identify whether the state plans to take proactive steps to encourage integration with other programs. If so, identify with which programs the state will actively seek to integrate. The state may include letters of support or other indicators of commitment from existing program partners. If the state does not plan to integrate the rebates into any existing programs, note this as “not applicable” within the application. Applications should identify whether programs will be integrated in any or the following areas:	

Program Requirements Section No.	Requirement	Implementation Blueprint Option
	<ul style="list-style-type: none"> <li>• Integration into existing program administration, website, materials.</li> <li>• Adoption of existing program standards, QA, workforce standards, or other practices.</li> <li>• Braiding or co-funding of upgrades within individual households.</li> <li>• Other integration elements, as applicable.</li> </ul>	
4.3.2	Describe how the state program will support households, contractors, and other stakeholders in understanding how the state program may leverage other program resources.	X
4.3.2	Describe the method(s) the state will use to ensure the total combination of all immediate upfront funding sources (federal grants, federal loans, and non-federal funding) provided to a project does not exceed the total project cost.	X
4.3.2	Describe how the state program will support contractors and retailers in preparing acceptable invoices that may be kept as program records. The state must also describe how its implementer(s) will produce this documentation in a timely manner upon request in the event of an audit by DOE, the DOE's Inspector General, a state's inspector general, or another entity.	X
4.3.2	Describe how the state will ensure rebate recipients will be made aware of the portion of the funding received from the DOE Home Electrification and Appliance Rebates.	X
4.3.3	Identify whether the application is for a Quick Start program. For Quick Start programs, identify the timeline for program launch.	

## 5.0 Revisions and Guidance

### 5.1 Revisions

If DOE needs to revise these requirements, DOE will publish a notice at <https://www.energy.gov/scep/home-energy-rebate-programs-guidance> and will send a copy of the notice directly to Grantees. States should address questions regarding the requirements to their respective Project Officers. Project Officers do not have the authority to alter or waive these requirements.

### 5.2 Guidance

Guidance provides additional information about requirements and may include examples; however, guidance does not alter or waive these requirements. Project Officers may provide guidance directly to a state on a case-by-case basis for state-specific questions. Interpretations that are more broadly applicable will be provided through formal DOE guidance, which will be posted on the web site and sent via email to Grantees. DOE will provide ongoing updates to the Technical Information, Best Practices, and Implementation Recommendations available at <https://www.energy.gov/scep/recommendations-program-administrators>.

## 6.0 Application Instructions

### 6.1 Overview

The application package for Home Rebates grants consists of the State Application and several required forms. Refer to the [Administrative and Legal Requirements Document \(ALRD\)](#) for application package requirements. Applications must be submitted in accordance with the IRA Home Energy Rebates ALRD.

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

For all supporting documents (saved as PDF files) that are attached to the SF-424 Application in PAGE, Applicants are requested to use the naming conventions used in Table 12 (i.e., the Suggested File Name) or similar file names, to enable DOE reviewers to quickly identify the contents of attached documents.

#### **SF-LLL Disclosure of Lobbying Activities**

Grantees must not use any federally appropriated funds for lobbying activities. If 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, Member of Congress, officer or employee of Congress, or employee of a Member of Congress in connection with the grant/cooperative agreement, the grantee must complete and submit "Standard Form - LLL, "Disclosure Form to Report Lobbying."

Applicants should not include tables or spreadsheets within Planned Activities or in the comments section of the SF-424A Budget. All documents uploaded must be PDF files except the Budget Justification Workbook, which should be a spreadsheet.

Table 12. State Plan Application Documentation

Name of Document	Format	Recommended File Name
SF-424 Application for Federal Assistance	PAGE	N/A
SF-424A Budget Information for Non-Construction Programs	PAGE	N/A
Budget Justification Workbook	Excel	[Statename]_BudgetJustification
Planned Activities	PAGE	N/A
Narrative Document	PDF	[Statename]_Application
Application Checklist	PDF	[Statename]_Checklist
SF-LLL Disclosure of Lobbying Activities, if applicable	PDF	SF-LLL
Other Forms as applicable	PDF	{Statename}_{Name}

DOE reserves the right to request additional or clarifying information.

## 6.2 Application for Federal Assistance - Standard Form 424

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. States should select "New" in Section 2.

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

The budget includes Standard Form 424A Summary and a completed Budget Justification Workbook.<sup>78</sup> Each of these forms should be completed following the guidelines set out below. Please note that a state receiving a grant under this program may use not more than 20% of the grant for administrative purposes.

Any expenditure, allowed by the OMB cost principles or by a grantee or Subgrantee, may be charged as administrative cost. However, certain costs in this program that are excluded from other categories can only be administrative. Grantee Administration and Subgrantee Administration are considered to be unique to each organization. The organization must define its administrative costs consistent with the generally accepted accounting practices and procedures within the organization.

- Indirect costs can be included in Grantee Administration and will be considered an allowable cost provided there is a federally approved indirect rate(s) or cost allocation plan. The indirect cost rate used may be approved by a federal department or agency other than DOE. See 2 CFR 200.414 Indirect (F&A) costs for more information. The rate/amount allowable does not invalidate the program budget category limits.

### 6.3.1 Standard Form 424A

Applications must include a budget for all funds including DOE, or any other funds, if applicable. 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.

### 6.3.2 Budget Justification Workbook

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.

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<sup>78</sup> Can be found at <https://www.energy.gov/scep/home-energy-rebate-programs-guidance>

- **Personnel:** Identify all positions to be supported by title and the amounts of time (e.g., % of time) to be expended on the Program, the base pay rate, and the total direct personnel compensation. 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). If there is an established computation methodology approved for statewide use, 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 Program. All foreign travel must be identified and requires preapproval.
- **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. 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.

### 6.3.3 Expenditure Prohibitions, Limitations, and Allowances

Prohibitions:

- States may not pool funds across multiple states. States are expected to use their grants within their state.

Limitations:

- States may use no more than 20% of the funding provided by DOE under this program for administrative expenses.
- Funds may be used to supplement, and no funds may be used to supplant, weatherization activities under the Weatherization Assistance Program for Low-Income Persons.
- Residential audits and upgrades funded through this program must satisfy the criteria set forth in IRA and described in the MANDATORY REQUIREMENTS section of this document in order to be eligible.

### 6.3.4 Rejection of Funds

A state that chooses not to apply for Home Energy Rebates funds and therefore refuses its allocated formula funding under IRA Section 50121 and/or Section 50122 must sign and send a letter to decline the funds to its respective Project Officer indicating this decision to DOE by August 16, 2024. By signing this document, the State Energy Office signifies its understanding that its allocation will be redistributed to other State Energy Offices that applied for allocated funds. If the state does not sign the document or convey to the DOE project officer that it plans to submit an application by August 16, 2024,<sup>79</sup> the state's funding will be reallocated to other states.

## 6.4 Planned Activities

A state must complete the Planned Activities section in PAGE, providing estimated values for the first tranche (25%) of funding. Planned Activities will be updated upon release of each subsequent tranche of funding.

## 6.5 Other Forms as Applicable

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

- Indirect Rate Agreement or Rate Proposal.
- Name, phone number, and email address of the state contact person.

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<sup>79</sup> Section 50121(a)(2)(B) and Section 50122(a)(2)(C)

## 7.0 Appendix A: Required Allocations

Table 13. Home Efficiency Rebate Allocations (50121)<sup>80</sup>

State/ Territory	Home Efficiency Rebate Allocations	Max 20% Ceiling for Program Administration for Efficiency Rebates	% of Low-Income Households (<80% AMI) in the State <sup>81</sup>	Min Allocations for Low-Income HHs	Min 10% Low-Income Multifamily Allocation	Max Open Efficiency Rebate Allocation
Alabama	\$72,888,465	\$14,577,693	41.0%	\$23,884,372	\$5,831,077	\$28,595,323
Alaska	\$37,293,071	\$7,458,614	39.1%	\$11,670,535	\$2,983,446	\$15,180,476
American Samoa	\$25,019,120	\$5,003,824	40.1%	\$8,033,496	\$2,001,530	\$9,980,271
Arizona	\$76,717,153	\$15,343,431	39.7%	\$24,357,838	\$6,137,372	\$30,878,512
Arkansas	\$52,633,292	\$10,526,658	40.5%	\$17,056,212	\$4,210,663	\$20,839,759
California	\$291,366,906	\$58,273,381	40.7%	\$94,774,030	\$23,309,352	\$115,010,143
Colorado	\$70,256,845	\$14,051,369	39.6%	\$22,261,257	\$5,620,548	\$28,323,671
Connecticut	\$49,732,517	\$9,946,503	40.8%	\$16,251,445	\$3,978,601	\$19,555,968
Delaware	\$32,964,663	\$6,592,933	39.8%	\$10,485,402	\$2,637,173	\$13,249,156
District of Columbia	\$29,748,696	\$5,949,739	41.4%	\$9,857,706	\$2,379,896	\$11,561,355
Florida	\$173,318,260	\$34,663,652	40.2%	\$55,737,378	\$13,865,461	\$69,051,770
Georgia	\$109,600,726	\$21,920,145	40.5%	\$35,518,267	\$8,768,058	\$43,394,256
Guam	\$25,763,325	\$5,152,665	39.8%	\$8,198,331	\$2,061,066	\$10,351,263
Hawaii	\$34,224,953	\$6,844,991	39.8%	\$10,908,834	\$2,737,996	\$13,733,132
Idaho	\$40,522,381	\$8,104,476	39.1%	\$12,666,488	\$3,241,790	\$16,509,627
Illinois	\$131,952,374	\$26,390,475	40.4%	\$42,698,586	\$10,556,190	\$52,307,124

<sup>80</sup> Per Section 307(b) of the [Consolidated Appropriations Act of 2024](#), DOE was required to adjust the previously released Home Efficiency Rebates program allocations to states and territories. Table 13 provides the revised allocations, which are also available.

<sup>81</sup> The DOE used data from the American Community Survey (2021) and the Decennial Census of Island Areas (2020). See: U.S. Census Bureau, American Community Survey 2021, ACS 5-Year Estimates Subject Tables, Table S1901, accessed July 2023 ([source link](#)); U.S. Census Bureau, Decennial Census of Island Areas 2020, DECIA Northern Marian Islands Demographic Profile, Table DP3, accessed July 2023 ([source link](#)). The percentages listed in this column are rounded; however, the following calculations use exact percentages.



State/ Territory	Home Efficiency Rebate Allocations	Max 20% Ceiling for Program Administration for Efficiency Rebates	% of Low-Income Households (<80% AMI) in the State <sup>81</sup>	Min Allocations for Low-Income HHs	Min 10% Low-Income Multifamily Allocation	Max Open Efficiency Rebate Allocation
Indiana	\$91,118,593	\$18,223,719	40.0%	\$29,168,524	\$7,289,487	\$36,436,863
Iowa	\$60,704,701	\$12,140,940	39.7%	\$19,261,401	\$4,856,376	\$24,445,984
Kansas	\$52,864,974	\$10,572,995	39.9%	\$16,872,991	\$4,229,198	\$21,189,791
Kentucky	\$67,186,688	\$13,437,338	40.6%	\$21,809,979	\$5,374,935	\$26,564,437
Louisiana	\$106,383,841	\$21,276,768	41.4%	\$35,221,937	\$8,510,707	\$41,374,429
Maine	\$35,864,400	\$7,172,880	40.4%	\$11,588,691	\$2,869,152	\$14,233,677
Maryland	\$68,472,604	\$13,694,521	40.5%	\$22,190,132	\$5,477,808	\$27,110,143
Massachusetts	\$73,086,125	\$14,617,225	41.3%	\$24,123,819	\$5,846,890	\$28,498,191
Michigan	\$105,696,321	\$21,139,264	40.4%	\$34,162,831	\$8,455,706	\$41,938,520
Minnesota	\$74,311,171	\$14,862,234	39.7%	\$23,584,620	\$5,944,894	\$29,919,423
Mississippi	\$52,437,019	\$10,487,404	41.2%	\$17,272,395	\$4,194,962	\$20,482,259
Missouri	\$75,654,083	\$15,130,817	40.2%	\$24,324,188	\$6,052,327	\$30,146,752
Montana	\$35,622,334	\$7,124,467	40.1%	\$11,420,699	\$2,849,787	\$14,227,382
Nebraska	\$45,721,229	\$9,144,246	39.5%	\$14,440,509	\$3,657,698	\$18,478,776
Nevada	\$48,103,711	\$9,620,742	39.8%	\$15,299,107	\$3,848,297	\$19,335,565
New Hampshire	\$34,882,819	\$6,976,564	39.8%	\$11,095,206	\$2,790,626	\$14,020,423
New Jersey	\$91,654,709	\$18,330,942	40.6%	\$29,769,372	\$7,332,377	\$36,222,018
New Mexico	\$43,912,501	\$8,782,500	40.9%	\$14,375,384	\$3,513,000	\$17,241,617
New York	\$159,021,883	\$31,804,377	41.0%	\$52,151,996	\$12,721,751	\$62,343,759
North Carolina	\$104,706,557	\$20,941,311	40.5%	\$33,936,522	\$8,376,525	\$41,452,199
North Dakota	\$37,263,122	\$7,452,624	39.7%	\$11,831,607	\$2,981,050	\$14,997,841
Northern Marianas	\$24,934,361	\$4,986,872	40.7%	\$8,120,812	\$1,994,749	\$9,831,928
Ohio	\$124,628,229	\$24,925,646	40.5%	\$40,398,827	\$9,970,258	\$49,333,498
Oklahoma	\$64,634,146	\$12,926,829	39.9%	\$20,650,810	\$5,170,732	\$25,885,775
Oregon	\$56,932,545	\$11,386,509	40.0%	\$18,228,786	\$4,554,604	\$22,762,647
Pennsylvania	\$129,723,107	\$25,944,621	40.3%	\$41,805,717	\$10,377,849	\$51,594,920

State/ Territory	Home Efficiency Rebate Allocations	Max 20% Ceiling for Program Administration for Efficiency Rebates	% of Low-Income Households (<80% AMI) in the State <sup>81</sup>	Min Allocations for Low-Income HHs	Min 10% Low-Income Multifamily Allocation	Max Open Efficiency Rebate Allocation
Puerto Rico	\$42,612,814	\$8,522,563	40.8%	\$13,898,532	\$3,409,025	\$16,782,694
Rhode Island	\$31,943,127	\$6,388,625	40.4%	\$10,328,999	\$2,555,450	\$12,670,053
South Carolina	\$68,716,961	\$13,743,392	39.9%	\$21,959,293	\$5,497,357	\$27,516,919
South Dakota	\$34,309,734	\$6,861,947	40.2%	\$11,021,046	\$2,744,779	\$13,681,962
Tennessee	\$83,708,676	\$16,741,735	40.0%	\$26,765,953	\$6,696,694	\$33,504,293
Texas	\$345,324,713	\$69,064,943	38.7%	\$107,006,000	\$27,625,977	\$141,627,794
U.S. Virgin Islands	\$25,609,197	\$5,121,839	41.2%	\$8,446,834	\$2,048,736	\$9,991,788
Utah	\$50,595,872	\$10,119,174	39.4%	\$15,966,888	\$4,047,670	\$20,462,140
Vermont	\$29,303,666	\$5,860,733	40.2%	\$9,414,434	\$2,344,293	\$11,684,205
Virginia	\$94,347,205	\$18,869,441	39.9%	\$30,100,412	\$7,547,776	\$37,829,576
Washington	\$83,102,750	\$16,620,550	40.8%	\$27,133,098	\$6,648,220	\$32,700,882
West Virginia	\$44,188,177	\$8,837,635	39.4%	\$13,912,322	\$3,535,054	\$17,903,166
Wisconsin	\$74,756,512	\$14,951,302	39.3%	\$23,506,058	\$5,980,521	\$30,318,631
Wyoming	\$34,616,394	\$6,923,279	41.2%	\$11,405,119	\$2,769,312	\$13,518,684
<b>TOTAL</b>	<b>\$4,162,660,318</b>	<b>\$832,532,064</b>		<b>\$1,338,332,024</b>	<b>\$333,012,825</b>	<b>\$1,658,783,405</b>

Table 14. Home Electrification and Appliance Rebate Allocations (50122)

State/ Territory	Home Electrification and Appliance Rebate Allocations	Max 20% Ceiling for Program Administration for Electrification Rebates	% of Low-Income Households (<80% AMI) in the State <sup>82</sup>	Min Allocations for Low-Income HHs	Min 10% Low-Income Multifamily Allocation	Max Open Electrification Rebate Allocation
Alabama	\$72,607,220	\$14,521,444	41.0%	\$23,792,213	\$5,808,578	\$28,484,986
Alaska	\$37,150,940	\$7,430,188	39.1%	\$11,626,056	\$2,972,075	\$15,122,621
Arizona	\$76,421,080	\$15,284,216	39.7%	\$24,263,834	\$6,113,686	\$30,759,343
Arkansas	\$52,433,010	\$10,486,602	40.5%	\$16,991,309	\$4,194,641	\$20,760,459
California	\$290,252,580	\$58,050,516	40.7%	\$94,411,568	\$23,220,206	\$114,570,289
Colorado	\$69,985,890	\$13,997,178	39.6%	\$22,175,403	\$5,598,871	\$28,214,437
Connecticut	\$49,541,390	\$9,908,278	40.8%	\$16,188,989	\$3,963,311	\$19,480,812
Delaware	\$32,837,400	\$6,567,480	39.8%	\$10,444,922	\$2,626,992	\$13,198,006
District of Columbia	\$29,635,400	\$5,927,080	41.4%	\$9,820,164	\$2,370,832	\$11,517,324
Florida	\$172,657,670	\$34,531,534	40.2%	\$55,524,939	\$13,812,614	\$68,788,584
Georgia	\$109,178,020	\$21,835,604	40.5%	\$35,381,281	\$8,734,242	\$43,226,894
Hawaii	\$34,093,900	\$6,818,780	39.8%	\$10,867,062	\$2,727,512	\$13,680,546
Idaho	\$40,367,910	\$8,073,582	39.1%	\$12,618,203	\$3,229,433	\$16,446,692
Illinois	\$131,452,470	\$26,290,494	40.4%	\$42,536,821	\$10,516,198	\$52,108,957
Indiana	\$90,772,430	\$18,154,486	40.0%	\$29,057,712	\$7,261,794	\$36,298,438
Iowa	\$60,473,810	\$12,094,762	39.7%	\$19,188,140	\$4,837,905	\$24,353,003
Kansas	\$52,663,910	\$10,532,782	39.9%	\$16,808,817	\$4,213,113	\$21,109,198
Kentucky	\$66,927,750	\$13,385,550	40.6%	\$21,725,923	\$5,354,220	\$26,462,057
Louisiana	\$105,972,960	\$21,194,592	41.4%	\$35,085,901	\$8,477,837	\$41,214,631

<sup>82</sup> The DOE used data from the American Community Survey (2021) and the Decennial Census of Island Areas (2020). See: U.S. Census Bureau, American Community Survey 2021, ACS 5-Year Estimates Subject Tables, Table S1901, accessed July 2023 ([source link](#)); U.S. Census Bureau, Decennial Census of Island Areas 2020, DECIA Northern Marian Islands Demographic Profile, Table DP3, accessed July 2023 ([source link](#)).

State/ Territory	Home Electrification and Appliance Rebate Allocations	Max 20% Ceiling for Program Administration for Electrification Rebates	% of Low-Income Households (<80% AMI) in the State <sup>82</sup>	Min Allocations for Low-Income HHs	Min 10% Low-Income Multifamily Allocation	Max Open Electrification Rebate Allocation
Maine	\$35,728,050	\$7,145,610	40.4%	\$11,544,633	\$2,858,244	\$14,179,563
Maryland	\$68,212,540	\$13,642,508	40.5%	\$22,105,852	\$5,457,003	\$27,007,177
Massachusetts	\$72,809,130	\$14,561,826	41.3%	\$24,032,390	\$5,824,730	\$28,390,183
Michigan	\$105,291,160	\$21,058,232	40.4%	\$34,031,877	\$8,423,293	\$41,777,759
Minnesota	\$74,027,440	\$14,805,488	39.7%	\$23,494,571	\$5,922,195	\$29,805,186
Mississippi	\$52,237,320	\$10,447,464	41.2%	\$17,206,615	\$4,178,986	\$20,404,255
Missouri	\$75,366,640	\$15,073,328	40.2%	\$24,231,770	\$6,029,331	\$30,032,211
Montana	\$35,484,830	\$7,096,966	40.1%	\$11,376,614	\$2,838,786	\$14,172,463
Nebraska	\$45,547,120	\$9,109,424	39.5%	\$14,385,518	\$3,643,770	\$18,408,408
Nevada	\$47,920,160	\$9,584,032	39.8%	\$15,240,729	\$3,833,613	\$19,261,786
New Hampshire	\$34,749,580	\$6,949,916	39.8%	\$11,052,827	\$2,779,966	\$13,966,871
New Jersey	\$91,307,380	\$18,261,476	40.6%	\$29,656,560	\$7,304,590	\$36,084,754
New Mexico	\$43,742,970	\$8,748,594	40.9%	\$14,319,885	\$3,499,438	\$17,175,053
New York	\$158,415,850	\$31,683,170	41.0%	\$51,953,245	\$12,673,268	\$62,106,167
North Carolina	\$104,307,840	\$20,861,568	40.5%	\$33,807,294	\$8,344,627	\$41,294,351
North Dakota	\$37,121,060	\$7,424,212	39.7%	\$11,786,500	\$2,969,685	\$14,940,663
Ohio	\$124,150,970	\$24,830,194	40.5%	\$40,244,122	\$9,932,078	\$49,144,577
Oklahoma	\$64,388,040	\$12,877,608	39.9%	\$20,572,179	\$5,151,043	\$25,787,210
Oregon	\$56,714,440	\$11,342,888	40.0%	\$18,158,952	\$4,537,155	\$22,675,444
Pennsylvania	\$129,226,380	\$25,845,276	40.3%	\$41,645,637	\$10,338,110	\$51,397,357
Puerto Rico	\$42,451,090	\$8,490,218	40.8%	\$13,845,784	\$3,396,087	\$16,719,000
Rhode Island	\$31,820,030	\$6,364,006	40.4%	\$10,289,195	\$2,545,602	\$12,621,227
South Carolina	\$68,451,650	\$13,690,330	39.9%	\$21,874,510	\$5,476,132	\$27,410,678
South Dakota	\$34,178,990	\$6,835,798	40.2%	\$10,979,048	\$2,734,319	\$13,629,824

State/ Territory	Home Electrification and Appliance Rebate Allocations	Max 20% Ceiling for Program Administration for Electrification Rebates	% of Low-Income Households (<80% AMI) in the State <sup>82</sup>	Min Allocations for Low-Income HHs	Min 10% Low-Income Multifamily Allocation	Max Open Electrification Rebate Allocation
Tennessee	\$83,390,060	\$16,678,012	40.0%	\$26,664,075	\$6,671,205	\$33,376,768
Texas	\$344,006,590	\$68,801,318	38.7%	\$106,597,552	\$27,520,527	\$141,087,193
Utah	\$50,403,030	\$10,080,606	39.4%	\$15,906,031	\$4,032,242	\$20,384,150
Vermont	\$29,192,160	\$5,838,432	40.2%	\$9,378,611	\$2,335,373	\$11,639,745
Virginia	\$93,987,430	\$18,797,486	39.9%	\$29,985,629	\$7,518,994	\$37,685,320
Washington	\$82,782,050	\$16,556,410	40.8%	\$27,028,390	\$6,622,564	\$32,574,686
West Virginia	\$44,017,970	\$8,803,594	39.4%	\$13,858,733	\$3,521,438	\$17,834,205
Wisconsin	\$74,470,200	\$14,894,040	39.3%	\$23,416,031	\$5,957,616	\$30,202,513
Wyoming	\$34,484,390	\$6,896,878	41.2%	\$11,361,628	\$2,758,751	\$13,467,133
Guam	\$25,665,110	\$5,133,022	39.8%	\$8,167,078	\$2,053,209	\$10,311,802
U.S. Virgin Islands	\$25,511,580	\$5,102,316	41.2%	\$8,414,636	\$2,040,926	\$9,953,701
American Samoa	\$24,923,740	\$4,984,748	40.1%	\$8,002,870	\$1,993,899	\$9,942,223
Northern Marianas	\$24,839,290	\$4,967,858	40.7%	\$8,089,848	\$1,987,143	\$9,794,440
<b>TOTAL</b>	<b>\$4,146,750,000</b>	<b>\$829,350,000</b>		<b>\$1,333,216,677</b>	<b>\$331,740,000</b>	<b>\$1,652,443,323</b>

## 8.0 Appendix B: Consumer Satisfaction Questions

A DOE priority is that consumers have an overall positive experience with these state rebate programs and experience significant value from their participation. As such, DOE requires states to establish QA plans for their programs to ensure consumer satisfaction, as outlined in Sections 3.2.5 and 4.2.5. As part of the required QA plan, states must survey households on their experience at least three months and no more than six months after the project's completion date. This window is designed to allow time for bill payers and occupants to observe differences in their bills and/or comfort of their home. The table below displays the survey questions that states must include in their consumer satisfaction surveys.

Table 15. Consumer Satisfaction Survey Questions and Scale

Question	Scale
It was easy to understand the rebate requirements and provide the needed information	Scale: Strongly Disagree = 1, Strongly Agree = 5, (include "Don't Know" and "Not Applicable")
It was easy to find a contractor/retailer	
The contractor/retailer provided a high-quality of service	
The rebate was a major reason for my purchase	
My new efficiency upgrades perform well	
My home is more comfortable than it was before the new efficiency upgrades	
My energy bills are lower since the new efficiency upgrades	
Overall, I am satisfied with my experience with the [Rebate name] program	
I would recommend this program to a friend or family member who could use it	
I plan to do more to save energy in my home because of my experience with this program	



# SCEP

STATE & COMMUNITY ENERGY PROGRAMS

## IRA HOME ENERGY REBATES: DATA & TOOLS REQUIREMENTS GUIDE

### VERSION 2

Published on January 7th, 2025

This document replaces the Version 1.2 document published on May 2nd, 2024.

Please note the following principal changes from Version 1.2 to Version 2:

- Rebate transaction data elements (additions, removals, changes and clarifications captured throughout the document) are updated to align with the development of the Rebate Tracking and Reporting Tool (API), updates made to the [Program Requirements and Application Instructions](#) document, and other program resources such as the [Multifamily Requirements Guidance for Modeled Savings](#) and [Quality Installation in the Home Energy Rebates Program](#).
- Clarifies when states opt to report transaction data after-the-fact, using the reporting end-point of the API or via spreadsheet, data must be submitted monthly by the last day of the subsequent month.
- Program pre-launch data details (previously Table 1) are removed and replaced with a web link.
- Programmatic Data (previously Table 4 and Table 8) is removed and replaced with reference to Federal Assistance Reporting Checklist (FARC).
- Safety checks (previously in Table 3 and Table 7) are moved to Appendix C.
- Supporting rebate transaction documentation for proof of quality installation and pre- and post-install photographs are required to be retained by the states and no longer regularly reported to DOE (except when requested).



**SCEP**  
STATE & COMMUNITY ENERGY PROGRAMS

Modifications adopted in Version 2 are listed in the following table and highlighted in **yellow** throughout the document.

Item No.	Description of Modification	Location(s)
1	Modifies the structure of the document and descriptions of the updated content, including clarified reporting timelines.	Section 1.0, pp. 1-2
2	Adds clarifying language about data collection, retention, and reporting.	Section 1.1, p. 2
3	Adds Section 1.2 to summarize quarterly reporting requirements for FARC compliance, removes previous Sections 2.3 and 3.3.	Section 1.2, p. 2
4	Clarifies pre-launch information reporting method and requirements, deletes tables, and refers to online spreadsheet template.	Section 2.1, p. 3 Section 3.1, pp. 15-16
5	Clarifies rebate transaction reporting requirements.	Section 2.2, pp. 3-4 Section 3.2, pp. 16-17
6	<p>Table 1 (previously Table 3):</p> <ul style="list-style-type: none"> <li>• Removes “suggested” from the 4<sup>th</sup> column title</li> <li>• Adds: <ul style="list-style-type: none"> <li>○ Row 3 (Homeowner name)</li> <li>○ Row 21 (If MF, number of occupied units in building)</li> <li>○ Row 24 (Vendor ID)</li> <li>○ Row 30 (Geotagged photos)</li> <li>○ Row 32 (Post-Retrofit Inspection Passed)</li> <li>○ Row 33 (See Appendix C - Safety Checks)</li> <li>○ Row 36 (Amount of disadvantaged community incentive paid)</li> <li>○ Row 49 (External Rebate ID)</li> </ul> </li> <li>• Modifies: <ul style="list-style-type: none"> <li>○ Row 8 (Applicant ID)</li> <li>○ Row 9 (Unique project identifier)</li> <li>○ Row 10 (Unique portfolio identifier)</li> <li>○ Row 11 (State attestation)</li> <li>○ Row 14 (Income bucket)</li> </ul> </li> </ul>	Section 2.2, Table 1, pp. 4-15



	<ul style="list-style-type: none"> <li>○ Row 18 (Building address ID)</li> <li>○ Row 19 (Building type)</li> <li>○ Row 22 (If MF, percent of occupied units &lt;80% AMI)</li> <li>○ Row 25 (Contractor name)</li> <li>○ Row 26 (Company name)</li> <li>○ Row 27 (Is contractor eligible?)</li> <li>○ Row 28 (Home component(s) to be upgraded)</li> <li>○ Row 29 (Rebate reservation amount)</li> <li>○ Row 31 (Proof of quality installation)</li> <li>○ Row 34 (Total amount of rebate payout)</li> <li>○ Row 37 (Equipment &amp; materials cost)</li> <li>○ Row 38 (Installation costs)</li> <li>○ Row 39 (Project completion date)</li> <li>○ Row 40 (Project invoices)</li> <li>○ Row 41 (Signature)</li> <li>○ Row 42 (Modeling software used)</li> <li>○ Row 47 (Output files)</li> <li>○ Row 50 (Consumer Satisfaction)</li> <li>● Removes (previous row numbers): <ul style="list-style-type: none"> <li>○ Rows 28-37 (Safety Testing)</li> <li>○ Row 40 (Amount of rebate paid to aggregator)</li> </ul> </li> </ul>	
7	<p>Table 2 (previously Table 7):</p> <ul style="list-style-type: none"> <li>● Removes “suggested” from the 4<sup>th</sup> column title</li> <li>● Adds: <ul style="list-style-type: none"> <li>○ Row 4 (Emergency replacement)</li> <li>○ Row 5 (Claimant name)</li> <li>○ Row 24 (If MF, number of occupied units in building)</li> <li>○ Row 32 (Limited Home Assessment)</li> <li>○ Row 43 (Installation Vendor ID)</li> <li>○ Row 46 (Amount of disadvantaged community incentive paid)</li> </ul> </li> </ul>	Section 3.2, Table 2, pp. 17-28

	<ul style="list-style-type: none"> <li>○ Row 47 (Amount of incentive paid to the installer)</li> <li>○ Row 48 (Project completion date)</li> <li>○ Row 51 (See Appendix C - Safety Checks)</li> <li>○ Row 52 (Post-Retrofit Inspection Passed)</li> <li>○ Row 53 (External Rebate ID)</li> <li>● Modifies: <ul style="list-style-type: none"> <li>○ Row 6 (Claimant mail)</li> <li>○ Row 10 (Applicant ID)</li> <li>○ Row 11 (State attestation)</li> <li>○ Row 12 (Unique project identifier)</li> <li>○ Row 13 (Permission to share)</li> <li>○ Row 19 (Income bucket)</li> <li>○ Row 21 (Unique address ID)</li> <li>○ Row 22 (Building type)</li> <li>○ Row 29 (Is contractor eligible?)</li> <li>○ Row 33 (Upgrade type)</li> <li>○ Row 38 (Product Vendor ID)</li> <li>○ Row 39 (Amount of rebate deducted)</li> <li>○ Row 40 (Purchase date)</li> <li>○ Row 41 (Purchased item(s) description)</li> <li>○ Row 42 (Equipment &amp; materials cost)</li> <li>○ Row 44 (Installation costs)</li> <li>○ Row 45 (Project invoice)</li> <li>○ Row 49 (Geotagged photos)</li> <li>○ Row 50 (Proof of quality installation)</li> <li>○ Row 54 (Consumer Satisfaction)</li> </ul> </li> <li>● Removes (previous row numbers): <ul style="list-style-type: none"> <li>○ Row 34 (Vendor name)</li> <li>○ Rows 45-54 (Safety Testing)</li> </ul> </li> </ul>	
8	Adds details on API capabilities.	Section 4.2, pp. 29-30



9	Clarifies data submittal options.	Section 4.3, p. 30
10	Adds Section 4.4 about modifying previously submitted data.	Section 4.4, p. 30
11	Clarifies HPXML file requirements.	Section 5.1, p. 31
12	Table 3 (previously Table 9): <ul style="list-style-type: none"> <li>• Modifies: <ul style="list-style-type: none"> <li>○ Rows 12-14 (Modeled electricity/gas/other fuel use)</li> <li>○ Row 15 (Monthly utility usage data)</li> <li>○ Rows 68-70 (Weather Normalized Usage)</li> <li>○ Rows 71-75 (Detailed Model Calibration Error)</li> <li>○ Rows 76-79 (Simplified Model Calibration Error)</li> </ul> </li> </ul>	Section 5.1, Table 3, pp. 32-36
13	Clarifies data requirements for multifamily buildings.	Section 5.2, p. 37
14	Clarifies use of PNNL's Quality Install Tool and safety testing requirements.	Section 6.0, p. 47
15	Modifies footnote 33 to clarify how states handle additional data points.	Section 6.0, p. 47
16	Table 5 (previously Table 11): <ul style="list-style-type: none"> <li>• Modifies the table name to include original component data</li> <li>• Modifies: <ul style="list-style-type: none"> <li>○ Row 13 (Foundation type)</li> <li>○ Row 24 (Existing water heater fuel type/type)</li> <li>○ Row 27 (Existing heating distribution type)</li> <li>○ Row 29 (new CFM flow rate)</li> <li>○ Row 33 (new stovetop/oven/range type)</li> </ul> </li> <li>• Removes (previous row numbers): <ul style="list-style-type: none"> <li>○ Row 25 (existing water heater type)</li> </ul> </li> </ul>	Section 6.0, Table 5, pp. 48-56
17	Clarifies requirements for limited assessments.	Section 6.0, p. 56

18	<p>Table 6 (previously Table 12):</p> <ul style="list-style-type: none"> <li>• Adds columns “Drop-Down Options or Coding” and “Notes” and populates rows as needed</li> <li>• Adds rows 19-23 on project eligibility</li> <li>• Not considering new columns, modifies: <ul style="list-style-type: none"> <li>○ Row 1 (Address)</li> <li>○ Row 4 (Percent conditioned floor area served)</li> <li>○ Row 7 (Type of ceiling/attic insulation)</li> </ul> </li> </ul>	Section 6.0, Table 6, pp. 57-61
19	Adds Appendix C - Safety Test Results.	Section 7.0, pp. 62-64
20	<p>Table 7 (rows removed from previous Tables 3 and 7):</p> <ul style="list-style-type: none"> <li>• Adds additional notes to rows 1-8</li> <li>• Modifies rows 6-10</li> </ul>	Section 7.0, Table 7, pp. 62-64
21	Adds detail about API use and clarifies additional IT system photo functionality.	Section 8.0, pp. 65-66
22	<p>Adds footnotes:</p> <ul style="list-style-type: none"> <li>• 6 (p. 4, table numbering)</li> <li>• 8 (p. 6, income verification)</li> <li>• 9 (p. 7, Address API)</li> <li>• 10 (p. 10, geotagging)</li> <li>• 11 (p. 11, QI tool)</li> <li>• 12 (p. 11, aggregators)</li> <li>• 14 (p. 15, file format)</li> <li>• 15 (p. 17, table numbering)</li> <li>• 16 (p. 20, Address API)</li> <li>• 17 (p. 23, limited home assessments)</li> <li>• 18 (p. 27, project completion date)</li> <li>• 19 (p. 27, geotagging)</li> <li>• 20 (p. 27, pre-existing equipment)</li> <li>• 21 (p. 27, quality install)</li> </ul>	Throughout

	<ul style="list-style-type: none"> <li>• 22 (p. 27, QI tool)</li> <li>• 23 (p. 29, Main API)</li> <li>• 24 (p. 30, Requirements reference)</li> <li>• 28 (p. 32, table numbering)</li> <li>• 29 (p. 32, column explanation)</li> <li>• 31 (p. 33, blower door tests)</li> <li>• 32 (p. 38, table numbering)</li> <li>• 36 (p. 48, table numbering)</li> <li>• 37 (p. 57, table numbering)</li> <li>• 38 (p. 62, safety testing)</li> <li>• 39 (p. 62, combustion safety testing)</li> </ul>	
23	Changes the name of the "DOE/PNNL Rebate Tracking System" to "DOE Rebate Tracking and Reporting Tool"	Throughout
24	This version makes clerical fixes, including formatting updates	

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## 1.0 Introduction

This guide delineates the data and information that states must collect, retain, and/or report to the U.S. Department of Energy (DOE) prior to launch as well as throughout the course of the two residential rebate programs authorized by Sections 50121 and 50122 of the Inflation Reduction Act (IRA) of 2022. It provides details related to requirements noted in the DOE Program Requirements & Application Instructions (Program Requirements)<sup>1</sup> for the IRA Home Energy Rebates Program. Relevant portion(s) of the Program Requirements are listed as references in footnotes.<sup>2</sup>

The guide is organized as follows:

- **Sections 2.0 and 3.0 describe data collection, tracking, and reporting requirements** for the Home Efficiency Rebates (Section 50121) and the Home Electrification and Appliance Rebates (Section 50122), respectively.<sup>3</sup> Each section is broken out into **two** parts:
  1. Questions that states must answer at least 60 days prior to program launch
  2. Data requirements associated with individual rebate transactions<sup>4</sup>
- **Section 4.0 introduces the DOE/Pacific Northwest National Laboratory (PNNL) workflows and application programming interfaces (APIs).**
  - States are required to either use the DOE/PNNL workflows OR receive DOE approval of alternative workflows submitted at least 60 days prior to launch.
  - States are required to submit rebate transaction-level data via the API (**in real-time or using a reporting endpoint**) or a DOE/PNNL standardized spreadsheet. States that use the DOE/PNNL workflows will fulfill this requirement **utilizing the real time API**. States that use their own workflows must submit all transaction data for the prior month **on the first of each month by the last day of the subsequent month**.

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<sup>1</sup> Program Requirements can be accessed at: <https://www.energy.gov/scep/articles/home-energy-rebate-programs-requirements-and-application-instructions>

<sup>2</sup> DOE/PNNL expect that clarifications and revisions will be needed to address questions and comments that arise as states and implementers begin to design and launch their programs. Once these issues are resolved, DOE/PNNL will strive to keep changes and updates to a minimum. Throughout the course of the rebates, DOE/PNNL will alert states prior to making any changes to this document, workflows, or the APIs and provide appropriate lead time for states to make any required changes (unless there's a critical system problem that needs to be fixed immediately).

<sup>3</sup> While this guide breaks out requirements for each of the two rebate programs, some states may elect to build one system to implement both types of rebate programs.

<sup>4</sup> See Program Requirements Sections 3.1.2; 3.1.3; 3.1.5; 3.2.2; 3.2.4; 4.1.3; 4.1.5; 4.1.6; 4.2.4



- **Appendices A and B provide requirements for data collection, documentation, and quality installation** for Sections 50121 & 50122 rebate projects, respectively.<sup>5</sup>
- **Appendix C is intended to capture the results of safety checks that are performed for Sections 50121 & 50122.**
- **Appendix D is intended to serve as a reference checklist** of the primary functions required to carry out the rebate programs.

## 1.1 Meeting the Data & Tool Requirements

In meeting the reporting requirements outlined in this guide, states must adhere to the data security requirements described in the Program Requirements. **States must report the required data elements identified in this document, at minimum, once a month. For data points identified in this document that states must collect and retain, but not include in their regular submissions to DOE, there is a standing obligation for states to report those additional data points to DOE when instructed. In the event DOE requests data subject to privacy rules, states should discuss data transfer methods with DOE prior to sending.** All requirements are consistent with and will be included on the Federal Assistance Reporting Checklist (FARC) as part of the award package.

## 1.2 Additional Data Reporting Requirements

In addition to the reporting requirements outlined in this guide, states are obligated to report program level data on a quarterly basis in accordance with the Federal Assistance Reporting Checklist (FARC) as part of the award package.

## 1.3 Additional Information & Assistance

The DOE/PNNL team is committed to working with states and their program implementers to ensure that data collection, reporting, and tracking—as well as rebate processing—are simple and effective.

If you have any questions about the content in this document, please feel free to reach out to the data and tools team at [RebateTools@pnnl.gov](mailto:RebateTools@pnnl.gov).

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<sup>5</sup> A state's program design should incorporate quality assurance and enforcement mechanisms to verify the quality of contractor work. States are encouraged to develop methods that efficiently but effectively use resources. Some examples include using less highly trained personnel (e.g., technical college or recent high school graduates) to carry out basic quality review (e.g., checking that all vents are working and connected to ducts); or, conducting more frequent in person inspections for certain types of projects (e.g., those that include HVAC, those completed by new contractors or by contractors that haven't demonstrated consistently high quality work, those completed in low-income homes and/or with greater levels of public investment).

## 2.0 Home Efficiency Rebates (Section 50121)

### 2.1 Section 50121 Rebates: Pre-Launch Information (Required)

DOE requires pre-launch information to understand how PNNL's IT team will need to engage with the state and/or its implementer. States can provide this information in any format, however, DOE/PNNL is providing a standardized spreadsheet in the section labeled "Pre-Launch Data Details" on <https://www.pnnl.gov/projects/rebate-tools/pre-program-launch> to provide this information.

States must:

- Provide all of the following pre-launch information to their project officer at least 60 days BEFORE launching their Section 50121 Program.
- Notify the Project Officer at least 30 days prior to making any changes in relevant program designations (e.g., low-income allocations, rebate amounts) over the course of implementing the rebate programs, so that DOE can request for PNNL to update the system accordingly.

### 2.2 Section 50121 Rebates: Rebate Transaction Data Collection & Reporting (Required)

The table below lists all the data that is required to be collected by the state or a third party for each rebate transaction associated with the Section 50121 rebates.

- All of the following data elements must be collected and retained by the state or its implementer.
- **Some Most** of the following data elements must ALSO be reported to DOE through the API or a DOE/PNNL standardized spreadsheet. These are marked with an X in the column titled "Required to Report to DOE".
- ~~Unless otherwise noted, a state can elect to share any of the following data elements with DOE via the Main API or a DOE/PNNL standardized spreadsheet.~~
- States need to refer to the API documentation defined in a living document and located on this webpage: <https://www.pnnl.gov/projects/rebate-tools>.

Methods of Reporting:

- For states that elect to use the **DOE/PNNL Rebate Tracking System and Reporting Tool in real-time**, the DOE will automatically receive this data via the DOE/PNNL Main API at the time of each transaction.

- For states that elect NOT to use the DOE Rebate Tracking and Reporting Tool in real-time, states must submit this data monthly (on the last day of the month by the last day of the subsequent month) via the DOE/PNNL Main API reporting endpoint or a DOE/PNNL standardized spreadsheet.

**Any data components not designated as “Required to Report to DOE” must be retained and provided to DOE upon request.**

Table 1<sup>6</sup>: Required Transaction Data Components for Section 50121

	Data Category <sup>7</sup>	Specific Data Element	Suggested Drop-Down Options & Other Information	Required to Report to DOE	Additional Notes
1	Initiate Rebate Request	Rebate type	<ul style="list-style-type: none"> <li>Modeled savings</li> <li>Measured savings</li> </ul>	X	
2	Initiate Rebate Request	Claimant type	<ul style="list-style-type: none"> <li>Homeowner</li> <li>Multifamily building owner</li> <li>Contractor</li> <li>Aggregator</li> <li>Other</li> </ul>	X	
3	Initiate Rebate Request	Homeowner name			Do NOT report this data point to DOE.
4	Initiate Rebate Request	Claimant email			Do NOT report this data point to DOE.
5	Initiate Rebate Request	Claimant phone number			Do NOT report this data point to DOE.
6	Initiate Rebate Request	Homeowner email (if claimant is not the building owner)			Do NOT report this data point to DOE.

<sup>6</sup> Previously labeled Table #3 in the Data and Tools Requirements Guide v1.2.

<sup>7</sup> Data categories listed refer to components of the workflows listed in Section 4.0 of this document.

	Data Category <sup>7</sup>	Specific Data Element	Suggested Drop-Down Options & Other Information	Required to Report to DOE	Additional Notes
7	Initiate Rebate Request	Homeowner phone number (if claimant is not the building owner)			Do NOT report this data point to DOE.
8	Initiate Rebate Request	Applicant ID		X	<p>PNNL provides a separate API endpoint which will create a unique applicant identifier from data points collected about the homeowner or building owner that is receiving the benefit of the upgrade or in the case of New Construction, the property development company. The Applicant ID is used for the duration of the rebate processing, tracking, and reporting.</p> <p>For users that are not connected to DOE/PNNL API, instructions on how to obtain applicant IDs are available at <a href="https://www.pnnl.gov/projects/rebate-tools">https://www.pnnl.gov/projects/rebate-tools</a>.</p>

	Data Category <sup>7</sup>	Specific Data Element	Suggested Drop-Down Options & Other Information	Required to Report to DOE	Additional Notes
9	Initiate Rebate Request	Unique project identifier		X	This is a unique string supplied by the API user that is used to associate one or more reservations to a single project.  Note: It is recommended that a universally unique identifier (UUID) be used to avoid duplication, but the API user can use any other system that they find convenient, provided that it is unique for the state.
10	Initiate Rebate Request	Unique portfolio identifier (if applicable)		X	Required when claimant type is aggregator.
11	Initiate Rebate Request	State attestation	Yes / No (or Checkbox)	X	The state attests that we have required proof of identify, proof of ownership, and proof of income <sup>8</sup> for this rebate.
12	Household Eligibility	Methods used to establish income qualification	<ul style="list-style-type: none"> <li>• Link to IRS 1040 request form</li> <li>• List of Categorical Eligibility Programs</li> <li>• Pay stubs</li> <li>• Other</li> </ul>		Only for applicants requesting income-qualifying rebate levels. See list of categorically eligible programs here: <a href="https://www.energy.gov/scep/articles/ira-50121-50122-home-energy-rebates-categorical-eligibility-list">https://www.energy.gov/scep/articles/ira-50121-50122-home-energy-rebates-categorical-eligibility-list</a> .

<sup>8</sup> For rebates provided for ≥80% AMI income bucket, the state is not required to verify proof of income.

	Data Category <sup>7</sup>	Specific Data Element	Suggested Drop-Down Options & Other Information	Required to Report to DOE	Additional Notes
13	Household Eligibility	Number of people in household			Only for applicants requesting income-qualifying rebate levels.
14	Household Eligibility	Income bucket	<ul style="list-style-type: none"> <li>&lt;80% AMI</li> <li>≥80% AMI</li> </ul>	X	<p>See Address API<sup>9</sup>.</p> <p>Address Service will provide the user the AMI band based on the number of occupants.</p>
15	Household Eligibility	Disadvantaged community	Yes / No	X	If the state uses the DOE map (CEJST) for designating disadvantaged communities, this additional data field is optional. If the state uses a different method for designating disadvantaged communities, the state must provide their map with designated disadvantaged communities to DOE/PNNL and/or include this data field separately in their data collection and reporting.
16	Household Eligibility	New or existing construction	New / Existing	X	

<sup>9</sup> Address API is provided on <https://www.pnnl.gov/projects/rebate-tools>.

	Data Category <sup>7</sup>	Specific Data Element	Suggested Drop-Down Options & Other Information	Required to Report to DOE	Additional Notes
17	Household Eligibility	Building address			While the address field appears to a user to be in the same API as the rest of the rebate information, the address data point actually gets sent to a separate "address API" on a separate server than the "main API" and does not get sent to DOE.
18	Household Eligibility	Building address ID		X	Address must be entered in the separate Address API, which will create the unique address identifier for the Main API. The Address ID is used for the duration of the rebate processing, tracking, and reporting.  For users that are not connected to DOE/PNNL API, instructions on how to obtain address IDs are available at <a href="https://www.pnnl.gov/projects/rebate-tools">https://www.pnnl.gov/projects/rebate-tools</a> .
19	Household Eligibility	Building type	<ul style="list-style-type: none"> <li>• Detached Single-Family</li> <li>• Attached Single-Family</li> <li>• Manufactured Home</li> <li>• Multifamily In-Unit</li> <li>• Central Multifamily</li> </ul>	X	Central Multifamily is used for whole building projects.  Multifamily In-Unit is used for individual unit projects within a multifamily building.
20	Household Eligibility	If MF, number of units in building		X	

	Data Category <sup>7</sup>	Specific Data Element	Suggested Drop-Down Options & Other Information	Required to Report to DOE	Additional Notes
21	Household Eligibility	If MF, number of occupied units in building		X	Applicable only for Central Multifamily.
22	Household Eligibility	If MF, percent of occupied units that meet <80% AMI bucket	Between 0 and 100%	X	Only required for Central Multifamily (whole building projects).
23	Household Eligibility	Unique identifier(s) for utility account(s)			
24	Contractor Information	Vendor ID		X	This is a unique ID assigned by the state to a primary contractor performing the work who will receive the rebated funds.
25	Contractor Information	Contractor name	First and last name of contractor	X	This is the contractor name associated with the reported Vendor ID.
26	Contractor Information	Company name (if different from contractor name)		X	This is the contractor company name associated with the reported Vendor ID.
27	Contractor Eligibility	Is contractor eligible?	Yes / No	X	This field captures if the contractor completing the project is on the state's Qualified Contractor list.



	Data Category <sup>7</sup>	Specific Data Element	Suggested Drop-Down Options & Other Information	Required to Report to DOE	Additional Notes
28	Measure Information	Home component(s) to be upgraded (check all that apply)	Wall insulation, ceiling insulation, duct insulation, floor insulation, foundation insulation, window replacement, window attachment, air sealing, duct sealing, water heater, heating equipment, cooling equipment, ventilation, appliance, lighting, pump, motor, VFD, thermostat	X	
29	Measure Information	Current rebate request amount Rebate reservation amount		X	Only applicable for Measured. Not required when reporting via reporting endpoint or via spreadsheet.
30	Post-Installation Photographs	Geotagged <sup>10</sup> photos of all home components that were upgraded		X	Photographs of the upgraded equipment must be used by the states to verify the equipment installed was eligible for rebate and installed at the address identified for the project at the time the project was completed.

<sup>10</sup> Geotagging metadata includes both geolocated coordinates and GPS date and time stamps.

	Data Category <sup>7</sup>	Specific Data Element	Suggested Drop-Down Options & Other Information	Required to Report to DOE	Additional Notes
31	Quality Assurance	Proof of quality installation at designated address at time of project completion		X	DOE/PNNL QI tool <a href="https://www.pnnl.gov/projects/quality-install-tool">https://www.pnnl.gov/projects/quality-install-tool</a> is recommended. <sup>11</sup>  States are required to document their QI processes within their Consumer Protection Plan (CPP) for DOE review and approval.
32	Inspection	Post-Retrofit Inspection Passed	Yes / No / N/A	X	State attests that if a post-retrofit inspection was conducted and failed that the issues were remedied before the rebate was provided to the claimant.
33	Safety Checks	See Appendix C -Safety Checks.	See Appendix C - Safety Checks.	X	
34	Total Rebate Payout for the project	Total amount of rebate payout		X	This is the total rebate amount that was paid by the state to the claimant <sup>12</sup> for this project and does not include disadvantaged community incentive.

<sup>11</sup> PNNL partnered with industry experts to create quality installation procedures for a large variety of technologies. The Home Energy Rebates program does not require use of the PNNL QI Tool, but DOE encourages states to consider its use as it does meet the requirements of the program. The QI tool is also capable of capturing geotagged photographs of both the pre-existing conditions and the installed equipment.

<sup>12</sup> Claimants can be aggregators. See DOE aggregator Fact Sheet for more details: <https://www.energy.gov/scep/articles/using-aggregators-deliver-home-efficiency-rebates>.

	Data Category <sup>7</sup>	Specific Data Element	Suggested Drop-Down Options & Other Information	Required to Report to DOE	Additional Notes
35	Final Rebate Payout to the Household	Amount of rebate deducted or paid to the household		X	This is the amount of money that the homeowner received for the rebate for modeled or measured; it maybe the same as the Total Rebate Payout if there is no aggregator involved.
36	Final Rebate Payout for Disadvantaged Community Incentive	Amount of disadvantaged community incentive paid		X	This is the amount of money that was paid to an entity that was incentivized for executing projects in a disadvantaged community.
37	Project Cost	Equipment & materials cost		X	When a breakdown between equipment & materials and installation costs is available, report the cost of equipment & materials in this field. When a breakdown is not available, states should report \$0 in this field and report the total cost in the Installation Costs field.
38	Project Cost	Installation costs		X	When a breakdown between equipment & materials and installation costs is available, report the cost of installation in this field. When a breakdown is not available, states may report a total combined cost in this field.

	Data Category <sup>7</sup>	Specific Data Element	Suggested Drop-Down Options & Other Information	Required to Report to DOE	Additional Notes
39	Project Completion	Project completion date		X	States have the flexibility to define project completion date but should ensure consistency. The project completion date cannot be a date after the redemption is completed.
40	Project Invoice	Project invoices			Total project cost on the invoice should equate to the reported equipment, materials, and installation costs associated with the rebated equipment. If non-rebated items are also on the invoice, those must be separately accounted for on the invoice (both equipment and materials and installation costs).
41	Building Owner Signature	Signature or electronic signature confirming that the improvements were made at the address on the reservation			

	Data Category <sup>7</sup>	Specific Data Element	Suggested Drop-Down Options & Other Information	Required to Report to DOE	Additional Notes
42	Modeled Energy Use	BPI 2400-compliant, DOE approved Modeling software used		X	For single-family homes, a list of DOE approved software can be found here: <a href="https://www.energy.gov/scep/single-family-modeling-solutions-home-efficiency-rebates-program#">https://www.energy.gov/scep/single-family-modeling-solutions-home-efficiency-rebates-program#</a> .  For multifamily buildings, a list of approved modeling methods is listed here: <a href="https://www.energy.gov/scep/articles/home-efficiency-rebates-ira-sections-50121-multifamily-requirements-guidance-modeled">https://www.energy.gov/scep/articles/home-efficiency-rebates-ira-sections-50121-multifamily-requirements-guidance-modeled</a> .
43	Modeled or Measured Energy Use	Total site (modeled or measured) kWh equivalent <sup>13</sup> before retrofit energy use		X	
44	Modeled or Measured Energy Use	Total site estimated kWh equivalent after retrofit energy use		X	
45	Measured Energy Use	Total site actual kWh equivalent after retrofit energy use		X	
46	Measured Energy Savings	Software used to estimate energy savings		X	

<sup>13</sup> kWh equivalent is a metric that reflects the energy savings of all fuels in the project using the energy conversion of non-electric fuels to kWh on a BTU-equivalent basis as defined in section 4.3.2 of BPI 2400-2015. See section 3.2.4.2 of the Program Requirements and Application Instruction documents for how to calculate kWh equivalent. <https://www.energy.gov/scep/articles/home-energy-rebate-programs-requirements-and-application-instructions>

	Data Category <sup>7</sup>	Specific Data Element	Suggested Drop-Down Options & Other Information	Required to Report to DOE	Additional Notes
47	Measured Energy Savings	Output files from open-source advanced M&V software as approved by DOE		X	Files must be submitted in .csv or JSON format. <sup>14</sup>
48	Home Assessment Data	HPXML file (single-family)/BuildingSync file (multifamily)	See Appendix A - Section 50121 HPXML and BuildingSync Field Requirements.	X	See Appendix A - Section 50121 HPXML and BuildingSync Field Requirements.
49	State Tracking	External Rebate ID		X	A unique ID created by the state for each rebate transaction.  Reporting the ID is optional if state system is connected to the PNNL API in real-time.
50	Consumer Satisfaction	Refer to Appendix B of the Program Requirements and Application Instructions for a list of questions states must ask consumers.			States can include additional questions, but at minimum must include those listed in the Program Requirements and Application Instructions.

<sup>14</sup> To request consideration for supporting additional file formats, please email [RebateTools@pnnl.gov](mailto:RebateTools@pnnl.gov).

## 3.0 Home Electrification & Appliances Rebates (Section 50122)

### 3.1 Section 50122 Rebates: Pre-Launch Information (Required)

DOE requires pre-launch information to understand how PNNL's IT team will need to engage with the state and/or its implementer. States can provide this information in any format, however, DOE/PNNL is providing a standardized spreadsheet in the section labeled "Pre-Launch Data Details" on <https://www.pnnl.gov/projects/rebate-tools/pre-program-launch> to provide this information.

States must:

- Provide all of the following pre-launch information to their project officer at least 60 days BEFORE launching their Section 50122 Program.
- Notify the Project Officer at least 30 days prior to making any changes in relevant program designations (e.g., low-income allocations, rebate amounts) over the course of implementing the rebate programs, so that DOE can request for PNNL to update the system accordingly.

### 3.2 Section 50122 Rebates: Rebate Transaction Data Collection & Reporting (Required)

The table below lists all the data that is required to be collected by the state or a third party for each rebate transaction associated with the Section 50122 rebates.

- All of the following data elements must be collected and retained by the state or its implementer.
- ~~Some Most~~ of the following data elements must ALSO be reported to DOE through the API or a DOE/PNNL standardized spreadsheet. These are marked with an X in the column titled "Required to Report to DOE".
- ~~Unless otherwise noted, a state can elect to share any of the following data elements with DOE via the Main API or a DOE/PNNL standardized spreadsheet.~~
- States need to refer to the API documentation defined in a living document and located on this webpage: <https://www.pnnl.gov/projects/rebate-tools>.

Methods of Reporting:

- For states that elect to use the DOE Rebate Tracking and Reporting Tool in real-time, the DOE will automatically receive this data via the DOE/PNNL Main API at the time of each transaction.

- For states that elect NOT to use the DOE Rebate Tracking and Reporting Tool in real-time, states must submit this data monthly (on the last day of the month by the last day of the subsequent month) via the DOE/PNNL Main API reporting endpoint or a DOE/PNNL standardized spreadsheet.

**Any data components not designated as “Required to Report to DOE” must be retained and provided to DOE upon request.**

Table 2<sup>15</sup>: Required Transaction Data Components for Section 50122

	Data Category	Specific Data Element	Suggested Drop-Down Options & Other Information	Required to Report to DOE	Additional Notes
1	Initiate Rebate Request	Rebate type	<ul style="list-style-type: none"> <li>Electrification</li> </ul>	X	
2	Initiate Rebate Request	Claimant type	<ul style="list-style-type: none"> <li>Homeowner</li> <li>Multifamily Building Owner</li> <li>Contractor</li> <li>Tenant</li> <li>Other</li> </ul>	X	
3	Initiate Rebate Request	Installation type	<ul style="list-style-type: none"> <li>Do-It-Yourself (DIY)</li> <li>Contractor installed</li> </ul>	X	
4	Initiate Rebate Request	Emergency replacement	Yes / No		States that have offered emergency replacement as an option for HVAC or water heating must retain records for each rebate that was authorized under emergency replacement circumstances.
5	Initiate Rebate Request	Claimant name			Do NOT report this data point to DOE.

<sup>15</sup> Previously labeled Table #7 in the Data and Tools Requirements Guide v1.2.



	Data Category	Specific Data Element	Suggested Drop-Down Options & Other Information	Required to Report to DOE	Additional Notes
6	Initiate Rebate Request	Claimant email			Do NOT report this data point to DOE.
7	Initiate Rebate Request	Claimant phone number			Do NOT report this data point to DOE.
8	Initiate Rebate Request	Homeowner email (if claimant is not the building owner)			Do NOT report this data point to DOE.
9	Initiate Rebate Request	Homeowner phone number (if claimant is not the building owner)			Do NOT report this data point to DOE.
10	Initiate Rebate Request	Applicant ID		X	<p>PNNL provides a separate API endpoint which will create a unique applicant identifier from data points collected about the homeowner or building owner that is receiving the benefit of the upgrade or in the case of New Construction, the property development company. The Applicant ID is used for the duration of the rebate processing, tracking, and reporting.</p> <p>For users that are not connected to DOE/PNNL API, instructions on how to obtain applicant IDs are available at <a href="https://www.pnnl.gov/projects/rebate-tools">https://www.pnnl.gov/projects/rebate-tools</a>.</p>

	Data Category	Specific Data Element	Suggested Drop-Down Options & Other Information	Required to Report to DOE	Additional Notes
11	Initiate Rebate Request	State attestation	Yes / No (or Checkbox)	X	The state attests that we have required proof of identify, proof of ownership, and proof of income for this rebate.
12	Initiate Rebate Request	Unique project identifier		X	This field is required only when the building type is "MF-In Unit (part of whole building)".
13	Occupant Basic Info	Permission to share energy data with state and DOE for evaluation purposes	Yes / No	X	Energy data sharing is not required to be eligible for a HEAR rebate.
14	Occupant Basic Info	Owner or renter-occupied			
15	Household Eligibility	Methods used to establish income qualifications	<ul style="list-style-type: none"> <li>• 1040 Form</li> <li>• List of Categorical Eligibility Programs</li> <li>• Pay stubs</li> <li>• Other</li> </ul>		See list of categorically eligible programs here: <a href="https://www.energy.gov/scep/articles/ira-50121-50122-home-energy-rebates-categorical-eligibility-list">https://www.energy.gov/scep/articles/ira-50121-50122-home-energy-rebates-categorical-eligibility-list</a> .
16	Household Eligibility	Disadvantaged community	Yes / No	X	If the state uses the DOE map (CEJST) for designating disadvantaged communities, this additional data field is optional. If the state uses a different method for designating disadvantaged communities, the state must provide their map with designated disadvantaged communities to DOE/PNNL and/or include this data field separately in their data collection and reporting.

	Data Category	Specific Data Element	Suggested Drop-Down Options & Other Information	Required to Report to DOE	Additional Notes
17	Household Eligibility	New or existing construction	New / Existing	X	
18	Household Eligibility	Number of people in household			See Address API <sup>16</sup> .
19	Household Eligibility	Income bucket	<ul style="list-style-type: none"> <li>&lt;80%</li> <li>80% AMI ≤ X &lt; 150% AMI</li> </ul>	X	<p>See Address API<sup>16</sup>.</p> <p>Address Service will provide the user the AMI band based on the number of occupants.</p>
20	Household Eligibility	Building address			While the address field appears to a user to be in the same API as the rest of the rebate information, the address data point actually gets sent to a separate "address API" on a separate server than the "main API" and does not get sent to DOE.

<sup>16</sup> Address API is provided on <https://www.pnnl.gov/projects/rebate-tools>.

	Data Category	Specific Data Element	Suggested Drop-Down Options & Other Information	Required to Report to DOE	Additional Notes
21	Household Eligibility	Unique address ID		X	<p>Address must be entered in the separate Address API, which will create the unique address identifier for the Main API. The Address ID is used for the duration of the rebate processing, tracking, and reporting.</p> <p>For users that are not connected to DOE/PNNL API instructions on how to obtain address IDs are available at <a href="https://www.pnnl.gov/projects/rebate-tools">https://www.pnnl.gov/projects/rebate-tools</a>.</p>
22	Household Eligibility	Building type for the project	<ul style="list-style-type: none"> <li>• Detached Single-Family</li> <li>• Attached Single-Family</li> <li>• Manufactured Home</li> <li>• Multifamily In-Unit</li> <li>• Multifamily In-Unit (part of whole building project)</li> <li>• Central Multifamily</li> </ul>	X	<p>Multifamily In-Unit must be used when a single unit in a multifamily building is applying for the rebate.</p> <p>Multifamily In-Unit (part of whole building project) must be used when more than one unit in a multifamily building is applying for the rebate within a single project.</p> <p>Central Multifamily must be used when the reservation is for shared building upgrades that benefit more than one unit in a multifamily building.</p>

	Data Category	Specific Data Element	Suggested Drop-Down Options & Other Information	Required to Report to DOE	Additional Notes
23	Household Eligibility	If MF, number of units in building		X	Only applicable for Multifamily In-Unit (part of whole building project) and Central Multifamily.
24	Household Eligibility	If MF, number of occupied units in building		X	Only applicable for Multifamily In-Unit (part of whole building project) and Central Multifamily.
25	Household Eligibility	If entire MF building, what percent of units are in <80% AMI bucket or are in the ≥80% AMI and <150% AMI bucket?	Between 0 and 100% for each bucket	X	
26	Household Eligibility	If single unit in MF building, what's the income bucket of the tenant in that unit?	<ul style="list-style-type: none"> <li>&lt;80% AMI</li> <li>≥80% AMI and &lt;150% AMI</li> </ul>	X	
27	Household Eligibility	If single unit in MF building, what's the unit number?		X	
28	Household Eligibility	Prior IRA rebated amounts	7 digit maximum		
29	Contractor Eligibility (If applicable)	Is contractor eligible?	Yes / No	X	<p>This field captures if the contractor completing the project is on the state's Qualified Contractor list.</p> <p>This is only applicable for HVAC, electrical wiring, electrical load service and air sealing projects.</p>
30	Contractor Information	Contractor name	First and last name of contractor	X	

	Data Category	Specific Data Element	Suggested Drop-Down Options & Other Information	Required to Report to DOE	Additional Notes
31	Contractor Information	Company name (if different from contractor name)		X	
32	Limited Home Assessment <sup>17</sup>	If upgrade type is "HVAC", complete the limited home assessment details.	See Appendix B - Section 50122 Components.	X	See Appendix B - Section 50122 Components.
33	Measure Information	Upgrade type	<ul style="list-style-type: none"> <li>• Envelope improvements               <ul style="list-style-type: none"> <li>Insulation, Air Sealing, and Ventilation                   <ul style="list-style-type: none"> <li>○ Wall insulation</li> <li>○ Ceiling insulation</li> <li>○ Duct insulation</li> <li>○ Floor insulation above unconditioned space</li> <li>○ Floor insulation above conditioned space</li> <li>○ Foundation insulation</li> <li>○ Air sealing</li> <li>○ Duct sealing</li> </ul> </li> </ul> </li> <li>• Electric load service center</li> </ul>	X	

<sup>17</sup> For 50122 qualified electrification projects (QEPs) that include an electric heat pump for space heating and cooling, a contractor or the eligible entity representative must complete a limited home assessment of the home before submitting a request for a rebate reservation to the state. At minimum, the limited home assessment must collect the datapoints included in Table 6 of this document.

	Data Category	Specific Data Element	Suggested Drop-Down Options & Other Information	Required to Report to DOE	Additional Notes
			<ul style="list-style-type: none"> <li>• Electric wiring</li> <li>• Heat pump water heater</li> <li>• Heat pump (HVAC)</li> <li>• Ventilation</li> <li>• Heat Pump clothes dryer</li> <li>• Electric stove/cooktop/oven/range</li> </ul>		
34	Measure Information	If upgrade type is "envelope improvements" or "heat pump (HVAC)", what is the conditioned floor area of the home or unit?		X	
35	Measure Information	If upgrade type is "heat pump water heater" or "heat pump dryer", how many bedrooms are in the home or unit?		X	
36	Measure Information	Original and upgrade component details	See Appendix B - Section 50122 Components.	X	See Appendix B - Section 50122 Components.
37	Measure Information	Purchased item universal product code(s) (UPC) OR model number OR AHRI reference number		X	For heat pump measures: Only model number(s) or AHRI number will be accepted.

	Data Category	Specific Data Element	Suggested Drop-Down Options & Other Information	Required to Report to DOE	Additional Notes
38	Retailer or Distributor this specific rebate transaction applies to (if applicable)	Product Vendor ID		X	A unique ID the state has assigned to the vendor who accepted redemption of the product rebate for reimbursement by the state. For retail vendors who submit coupon redemption data directly via the PNNL API, this ID will be coordinated between the vendor and PNNL.
39	Rebate Redemption at Point of for Material or Equipment Purchased	Amount of rebate deducted upon material or equipment purchase		X	
40	Rebate Redemption at Point of for Material or Equipment Purchased	Purchase date		X	
41	Rebate Redemption at Point of for Material or Equipment Purchased	Purchased item(s) description as seen on receipt or invoice		X	
42	Rebate Redemption at Point of for Material or Equipment Purchased	Equipment & materials cost		X	For contractor installed incentives, when a breakdown between equipment & materials and installation costs is available, report the cost of equipment & materials in this field. When a breakdown is not available, states should report \$0 in this field and report the total cost in the Installation Cost field.



	Data Category	Specific Data Element	Suggested Drop-Down Options & Other Information	Required to Report to DOE	Additional Notes
43	Rebate Redemption for Installation	Installation Vendor ID		X	A unique ID the state has assigned to the installation vendor who conducted the installation of the qualified product.
44	Rebate Redemption at Point of for Installation	Installation costs		X	If rebate is used at point of installation. When a breakdown between equipment & materials and installation costs is available, report the cost of installation in this field. When a breakdown is not available, states may report a total combined cost in this field.
45	Rebate Redemption at Point of for Installation	Project invoice			If rebate is used at point of installation. Total project cost on the invoice should equate to the reported equipment, materials, and installation costs associated with the rebated equipment. If non-rebated items are also on the invoice, those must be separately accounted for on the invoice (both equipment and materials and installation costs).
46	Final Rebate Payout for Disadvantaged Community Incentive	Amount of disadvantaged community incentive paid		X	Only applicable if the state is offering incentives for installing equipment in disadvantaged communities.
47	Final Rebate Payout for Installer Incentive	Amount of incentive paid to the installer		X	Only applicable if installer was incentivized to install the product.

	Data Category	Specific Data Element	Suggested Drop-Down Options & Other Information	Required to Report to DOE	Additional Notes
48	Project Completion	Project completion date <sup>18</sup>		X	
49	Photographs	Geotagged <sup>19</sup> photos of pre-existing <sup>20</sup> appliances and installed products			When a retailer or distributor is being reimbursed with a rebate, a state program can comply with post-install photo requirements by either collecting geotagged photos of product delivery or by requiring an agreement by the household that received a rebate to provide photos upon request.
50	Quality Assurance - Qualified Contractor Install	Proof of quality installation at designated address <sup>21</sup>		X	DOE/PNNL tool <a href="https://www.pnnl.gov/projects/quality-install-tool">https://www.pnnl.gov/projects/quality-install-tool</a> is recommended. <sup>22</sup>  States are required to document their QI processes within their Consumer Protection Plan (CPP) for DOE review and approval.

<sup>18</sup> To be defined by the state and should be consistently applied.

<sup>19</sup> Geotagging metadata includes both geolocated coordinates and GPS date and time stamps.

<sup>20</sup> Pre-existing equipment photos are not required for new construction and building materials (insulation/air sealing, electrical load service panels, and wiring).

<sup>21</sup> Proof of quality installation is required for all QEPs installed by contractors on the state's qualified contractor list. A QI process that includes relevant safety checks is recommended for all other installations, including Do It Yourself (DIY) installations. Everything except heating and cooling/HVAC, electrical wiring, electrical load service panels, and air sealing can be DIY.

<sup>22</sup> PNNL partnered with industry experts to create quality installation procedures for a large variety of technologies. The Home Energy Rebates program does not require use of the PNNL QI Tool, but DOE encourages states to consider its use as it does meet the requirements of the program. The QI tool is also capable of capturing geotagged photographs of both the pre-existing conditions and the installed equipment.

	Data Category	Specific Data Element	Suggested Drop-Down Options & Other Information	Required to Report to DOE	Additional Notes
51	Safety Checks	See Appendix C -Safety Checks	See Appendix C -Safety Checks	X	
52	Inspection	Post-Retrofit Inspection Passed	Yes / No / N/A	X	State attests that: Issues that resulted in a failed inspection were remedied before the rebate was provided to the claimant.
53	State Tracking	External Rebate ID		X	A unique ID created by the state for each rebate transaction. This ID must be reported to DOE when utilizing the spreadsheet reporting method and must be unique for every row in the spreadsheet.  Reporting the ID is optional if state system is connected to the PNNL API.
54	Consumer Satisfaction	Refer to Appendix B of the Program Requirements for a list of questions states must ask consumers.			States can include additional questions, but at minimum must include those listed in the Program Requirements.

## 4.0 Rebate Tracking, Processing & Workflows

(Required unless DOE approves alternatives for rebate processing and reporting)

To assist states in completing some of the many IT functions needed to facilitate rebate transactions in accordance with legislative and DOE requirements, DOE/PNNL developed workflows and application programming interfaces (APIs) aimed at **simplifying tracking, reporting, and participation by consumers, contractors, retailers, and others**. The products reflect significant input from external experts including program implementers, states, retailers, IT firms, and other stakeholders.

## 4.1 Workflows

The workflows outline step-by-step actions that various rebate participants (e.g., state energy offices, implementers, vendors, homeowners, installers, aggregators, eligible entity representatives) undertake, how their actions relate to one another, and what data is collected and/or reported at each step. Each workflow lays out a process that reflects a corresponding use case, including but not limited to who applies for the rebate, whether the rebate is applied at point of sale or installation, among other variables.

States and their program implementers are highly encouraged to use the DOE/PNNL workflows and APIs. The DOE/PNNL team is available to meet with states and/or their designees to ensure that the processes and systems work as effectively within a state's program design.

Given that some states may choose to integrate the rebates with existing programs and processes, states can propose alternative workflows. In such cases, the state is required to submit their alternative workflows at least 60 days prior to launch and attain DOE's approval prior to launch. States are encouraged to meet with DOE/PNNL prior to submitting this information to help ensure that submitted materials are sufficient.

## 4.2 APIs

DOE/PNNL has developed three (3) application program interfaces (APIs), accessible at <https://www.pnnl.gov/projects/rebate-tools>, to assist states with **rebate data tracking** and reporting **to DOE**.

- The "Main API" accepts data, creates rebate reservations, allows redemptions, and is used for reporting data to DOE.<sup>23</sup>
- The "Address" API converts a building address to a unique address ID, **provides** AMI values (based on location and household size) **for the building location** to determine rebate level eligibility, and determines if the address is located in a disadvantaged community.
- This "Applicant ID" API will create a unique applicant identifier from data points collected about the homeowner or building owner that is receiving the benefit of the upgrade or in the case of New Construction, the property development company. The Applicant ID is used for the duration of the rebate processing, tracking, and reporting.
- For each rebate transaction, the Main API requires submission of a unique Applicant ID and Address ID.

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<sup>23</sup> Data can be supplied to the Main API utilizing an endpoint for reporting after the fact data only. This endpoint does not utilize the rebate reservations and redemption process. When a state does NOT connect to the API in real time, the state must report data monthly via reporting spreadsheet or use the Main API reporting endpoint for reporting the data.

States need to refer to the API documentation defined in a living document and located on this webpage: <https://www.pnnl.gov/projects/rebate-tools>. Note: DOE/PNNL will notify all API users of API updates, with the goal of updating the APIs on a pre-scheduled basis (as needed). Interim updates may be required should program requirements be modified or a functional problem is found.

### 4.3 Data Submittal Options

States can submit all required transaction-level data via the DOE/PNNL API (using a real-time connection with the state's implemented system, or through a reporting endpoint for submission of completed project data) or through a DOE/PNNL standardized spreadsheet uploaded through the PNNL portal.

See Appendix D for recommendations on linking your state's user-facing interfaces to data collection and reporting.

### 4.4 Modifying Data Previously Submitted to DOE

States are required to develop procedures for handling product returns for equipment that was previously rebated.<sup>24</sup> States are also required to put in place procedures for handling completed projects that are later deemed ineligible for a rebate after the payment has been made.

DOE expects states to report changes to previously reported project data within 30 days of the change being recorded by the state in their records. Within the API documentation states will find procedures on how to mark records for deletion and resubmission. For project data submitted via spreadsheet, the PNNL will provide procedures for corrected records on their website.

### 4.5 Learn More

Visit the [Home Energy Rebates website](#) to learn more information about these programs and to sign up to [receive email updates](#). Questions about these rebate programs can be [submitted online](#) or sent to [IRAHomeRebates@hq.doe.gov](mailto:IRAHomeRebates@hq.doe.gov).

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<sup>24</sup> See Program Requirements Sections 3.1.1 and 4.1.1. <https://www.energy.gov/scep/articles/home-energy-rebate-programs-requirements-and-application-instructions>.

## 5.0 Appendix A - Section 50121 HPXML and BuildingSync Field Requirements

As noted in Section 2.2 of this guide, certain information pertaining to Section 50121 rebates must be provided in HPXML files for single-family upgrades and in BuildingSync files for multifamily upgrades.<sup>25</sup> This Appendix provides guidance on what fields are required to be submitted for both single-family and multifamily projects.

### 5.1 Single-Family Buildings

Contractors must submit HPXML data that captures pre-retrofit and post-retrofit conditions of the home. Depending on the software utilized, this data can be combined in a single HPXML file or in two HPXML files - the first file must reflect pre-retrofit conditions of the home and the second must reflect post-retrofit conditions. Most software tools<sup>26</sup> will allow contractors to simply amend the first file to avoid the need for double entry; if that is not the case with software approved for use by the state, implementers are encouraged to work with the software provider to make this capability available. The table below lists all data points that can be sent to DOE in HPXML file(s). As noted in the table, data requirements vary depending on whether the project applies the modeled or measured savings approach.

As a best practice, states are encouraged to collect all recommended data points listed in the table, particularly for modeled savings projects. The data points are consistent with those typically collected to create a home energy model, but also reflect the data required by the Home Energy Scoring Tool. To generate official Home Energy Scores and metrics, a Home Energy Score Qualified Assessor must collect the data using specific guidelines (e.g., do not include unconditioned space in the model, derate poorly installed insulation). Note that contracting firms will likely already need Qualified Assessors on staff (or as subcontractors) given that they are likely to use Home Energy Score as a path for complying with BPI 2400 when calibration is not possible.<sup>27</sup> States that require this approach will be able to leverage the outputs provided by the Scoring Tool to improve program delivery and provide additional benefits to participating households. For example, this method will:

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<sup>25</sup> Both HPXML and BuildingSync are standardized formats to report building characteristic data.

<sup>26</sup> For single-family projects, the National Renewable Energy Laboratory (NREL) is developing a methodology for evaluating software tools' compliance with BPI 2400 and will provide a list of "approved" tools that will be updated as new software tools are approved. It is expected that the majority if not all of these software tools will have the capability of producing an HPXML file which will allow transmittal of collected information without additional effort.

<sup>27</sup> DOE will work with interested states and their implementers to assist in expeditiously training existing and new workforce. With free training and testing, this entry into the residential energy field may be particularly appealing to current students or recent graduates of technical colleges and high schools.

- Provide states with immediate access to standard metrics generated by a DOE, nationally recognized tool (e.g., the Score, energy use estimate, energy savings estimate, utility bill estimate, recommended improvements) that can be included in upgrade certificates;
- Give states the ability to compare contractor scopes of work with Home Energy Score-generated upgrade recommendations to determine if some contractors are consistently excluding cost-effective upgrades (e.g., air sealing, insulation); and,
- Allow homeowners to include standardized, DOE-labeled information and metrics (recognized by Fannie Mae, Freddie Mac, and the Federal Housing Administration) at point of listing to highlight their investments, drive higher appraisals, and help buyers leverage more favorable loan terms.

Table 3<sup>28</sup>: Single-Family HPXML Inputs for Section 50121

Formatting for all fields is available in HPXML documentation.

	Category	User Inputs	Recommended for Modeled <sup>29</sup>	Required for Modeled	Required for Measured
1	General	Address	X	X	X
2	General	Assessment date	X	X	X
3	General	Building type (single-family detached, single-family attached, manufactured home)	X	X	X
4	General	If manufactured home, single, double, or triple-wide?	X		
5	General	Year built	X	X	X
6	General	Number of bedrooms	X		
7	General	Stories above grade	X	X	X
8	General	Conditioned floor area	X	X	X

<sup>28</sup> Previously labeled Table #9 in the Data and Tools Requirements Guide v1.2.

<sup>29</sup> The fields listed in the Recommended for Modeled column identifies the data fields that would be needed to generate a Home Energy Score. The Home Energy Rebates program does not require the generation of a Home Energy Score.

	Category	User Inputs	Recommended for Modeled <sup>29</sup>	Required for Modeled	Required for Measured
9	General	Floor to ceiling height	X		
10	General	House orientation	X		
11	General	Electrical panel max amps (If adding electrical load)	X	X	X
12	General	Modeled <sup>30</sup> electricity use	X	X	X
13	General	Modeled <sup>30</sup> gas use	X	X	X
14	General	Modeled <sup>30</sup> other fuel use	X	X	X
15	General	Monthly utility usage data for 12 months prior to the upgrade	Pre-retrofit file only	Pre-retrofit file only	X
16	Envelope	Blower door test (yes / no) <sup>31</sup>	X	X	X
17	Envelope	CFM50 reading (if blower door test was completed)	X	X	X
18	Envelope	Professional whole home air sealing (yes / no)	X	X	X
19	Envelope	Attic area (if unconditioned attic)	X		
20	Envelope	Roof area (if conditioned attic or cathedral ceiling)	X	X	X
21	Envelope	Roof type (Unconditioned Attic, Cathedral Ceiling, Below Other Unit, Flat Roof, Manufactured Home Bowstring Roof)	X		
22	Envelope	Roof insulation R-value	X	X	X

<sup>30</sup> For single-family projects, the National Renewable Energy Laboratory (NREL) is developing a methodology for evaluating software tools' compliance with BPI 2400 and will provide a list of "approved" tools that will be updated as new software tools are approved. It is expected that the majority if not all of these software tools will have the capability of producing an HPXML file which will allow transmittal of collected information without additional effort.

<sup>31</sup> Blower door tests are not required by the program to be conducted; however, states must report whether it was performed or not during a project.



	Category	User Inputs	Recommended for Modeled <sup>29</sup>	Required for Modeled	Required for Measured
23	Envelope	Type of attic insulation	X	X	X*
24	Envelope	Attic insulation R-value	X	X	X
25	Envelope	Attic knee wall area	X		
26	Envelope	Attic knee wall R-value	X	X	X
27	Envelope	Foundation type (can be more than one)	X	X	
28	Envelope	Foundation floor area of each foundation type	X		
29	Envelope	Insulation R-value above basement or crawlspace	X	X	X
30	Envelope	Basement wall or slab edge R-value (if basement or slab)	X	X	X
31	Envelope	Wall construction (for each side of the house)	X		
32	Envelope	Which walls are attached to other units or other spaces	X		
33	Envelope	Exterior cladding	X		
34	Envelope	Type of wall insulation	X		
35	Envelope	Cavity R-Value	X	X	X*
36	Envelope	Continuous wall insulation R-Value	X		
37	Envelope	Skylight Area (estimate if necessary)	X		
38	Envelope	Window area front (estimate if necessary)	X		
39	Envelope	Window area back (estimate if necessary)	X		
40	Envelope	Window area left (estimate if necessary)	X		
41	Envelope	Window area right (estimate if necessary)	X		
42	Envelope	Number of panes (windows and skylights)	X		
43	Envelope	Frame type (windows and skylights)	X		

	Category	User Inputs	Recommended for Modeled <sup>29</sup>	Required for Modeled	Required for Measured
44	Envelope	Glazing type OR U-factor and SHGC (windows and skylights)	X	X	X*
45	Envelope	Window has exterior solar screen (yes / no)	X		
46	HVAC	Fraction of conditioned floor area served by each heating/cooling system	X	X	X*
47	HVAC	Heating system fuel (for each system)	X	X	X
48	HVAC	Heating system type (for each system)	X	X	X
49	HVAC	Heating system efficiency or year installed for pre-retrofit (for each system)	X	X	X
50	HVAC	Cooling system type (for each system)	X	X	X
51	HVAC	Cooling system efficiency or year installed for pre-retrofit (for each system)	X	X	X
52	HVAC	Duct location (can be multiple)	X		
53	HVAC	% ducts in each location	X		
54	HVAC	Ducts sealed (yes / no)	X	X	X
55	HVAC	Duct leakage test? (yes / no)	X	X	X
56	HVAC	Duct leakage to outside (CFM25)	X	X*	X*
57	HVAC	Ducts insulated (yes / no)	X	X	X*
58	HVAC	Ventilation system type (supply, exhaust, balanced, CFIS, ERV, HRV)	X	X	X*
59	Fresh Air	Ventilation system rated flow rate (CFM)	Post-retrofit file only	Post-retrofit file only	Post-retrofit file only
60	HVAC	If HP added, does it meet Energy Star's requirement for cold climate HPs?	Post-retrofit file only	Post-retrofit file only	Post-retrofit file only

	Category	User Inputs	Recommended for Modeled <sup>29</sup>	Required for Modeled	Required for Measured
61	Water Heater	Water heater type	X	X	X
62	Water Heater	Water Heater Storage capacity	X	X	X
63	Water Heater	Water heater efficiency	X	X	X
64	Clothes washer	Clothes washer type	X	X	X*
65	Clothes dryer	Clothes dryer type	X	X	X*
66	Clothes dryer	Clothes dryer fuel	X	X	X
67	Stovetop/Oven/Range	Stovetop/Range type	X	X	X*
68	Utility usage	Weather Normalized Heating Usage	X	X	X
69	Utility usage	Weather Normalized Cooling Usage	X	X	X
70	Utility usage	Weather Normalized Baseload Usage	X	X	X
71	Utility usage	Detailed Model Calibration Heating Bias Error	X	X	X
72	Utility usage	Detailed Model Calibration Cooling Bias Error	X	X	X
73	Utility usage	Detailed Model Calibration Cooling Absolute Error	X	X	X
74	Utility usage	Detailed Model Calibration Baseload Bias Error	X	X	X
75	Utility usage	Detailed Model Calibration Baseload Absolute Error	X	X	X
76	Utility usage	Simplified Model Calibration Heating Bias Error	X	X	X
77	Utility usage	Simplified Model Calibration Cooling Bias Error	X	X	X
78	Utility usage	Simplified Model Calibration Baseload Bias Error	X	X	X
79	Utility usage	Simplified Model Calibration Total Bias Error	X	X	X

\*For these fields, "don't know" or "unknown" can be options. All other fields must match HPXML input requirements.

## 5.2 Multifamily Buildings

States are required to adhere to the following assessment and modeling requirements for large multifamily buildings: An ASHRAE Level II audit based on ASHRAE Standard 211 must be performed for building assessment.

- Contractors must submit the assessment data points via [Audit Template](#) which converts the data into BuildingSync output format.
- If the Audit Template data fields are not comprehensive, additional data fields can be submitted as an attachment on the "Submit" screen within Audit Template.
- If there are instances where the required data fields are not applicable for the building (example: there is no cooling in the building), those inputs can be marked as "N/A" within the tool and the information does not need to be reported.
- States must choose the modeling methodology that best suits the states and follow the DOE review and approval process as defined in the [Multifamily Requirements Guidance for Modeled Savings](#).
- Modeling data files must be submitted either through BuildingSync or other DOE approved standardized spreadsheet as defined in the *Multifamily Requirements Guidance document for Modeled Home Efficiency Rebates* document. The DOE Audit Template is currently the only tool that automatically converts data into BuildingSync format. Audit Template can be used to submit the approved energy model's output data.

The *Multifamily Requirements Guidance for Modeled Savings* can be found [here](#).

Information about Audit Template and the corresponding BuildingSync files is available at <https://buildingenergyscore.energy.gov/>.

For small multifamily buildings (generally under 5 units), where an ASHRAE Level II audit and a detailed energy model is not a good fit, the states can choose to follow home assessment and modeling guidelines for single-family buildings listed in Section 5.1.

When a state chooses to follow single-family building modeling guidelines for small multifamily buildings, the audit/assessment data then must be consistent with the single-family buildings' HPXML requirements listed in Section 5.1.

Table 4<sup>32</sup>: Multifamily Data Inputs for Section 50121

	Category	User Inputs
1	General	Modeled or Measured?
2	Building Information	Building Name
3	Building Information	Building ID
4	Building Information	Year Completed
5	Building Information	Gross Floor Area
6	Building Information	Street
7	Building Information	City
8	Building Information	State
9	Building Information	ZIP Code
10	Audit Details	Date of Completion of Level 1 Audit
11	Audit Details	Date of Completion of Level 2 Audit
12	Audit Details	Date of Completion of Level 3 Audit
13	Audit Details	Year of Last Renovation
14	Audit Details	Year of Prior Energy Audit
15	Audit Details	Year Last Commissioned
16	Building Owner, Property Manager, Auditor Details	Auditor Years Experience
17	Building Owner, Property Manager, Auditor Details	Certification Type
18	Building Owner, Property Manager, Auditor Details	Contact Name
19	General Information	Gross Floor Area
20	General Information	Conditioned Floor Area, Heated Only
21	General Information	Conditioned Floor Area, Cooled Only

<sup>32</sup> Previously labeled Table #10 in the Data and Tools Requirements Guide v1.2.

	Category	User Inputs
22	General Information	Conditioned Floor Area, Heated and Cooled
23	General Information	Number of Floors Above-grade, Conditioned
24	General Information	Number of Floors Below-grade, Conditioned
25	General Information	General Building Shape
26	General Information	Building automation system?
27	General Information	Historic building?
28	General Information: Use Type and Operation	Use Type / Space Function / Building Area Type
29	General Information: Use Type and Operation	Original Intended Use
30	General Information: Use Type and Operation	Gross Floor Area (for each use type)
31	General Information: Use Type and Operation	Percent Space Conditioned
32	General Information: Use Type and Operation	Number of Occupants
33	General Information: Use Type and Operation	Use in Hours per Week
34	General Information: Use Type and Operation	Use in Weeks per Year
35	Envelope: Roof	Total Roof Area
36	Envelope: Roof	Roof Construction Type
37	Envelope: Roof	Roof R-value
38	Envelope: Roof	Roof Condition
39	Envelope: Roof	Cool roof?
40	Envelope: Roof	Green roof?
41	Envelope: Roof	Blue roof?
42	Envelope: Wall	Total Exposed Wall Area, Above-grade
43	Envelope: Wall	Wall Area, Below-grade
44	Envelope: Wall	Demising Wall Area, Above-grade
45	Envelope: Wall	Wall Construction Type

	Category	User Inputs
46	Envelope: Wall	Wall Insulation R-value, Above-grade
47	Envelope: Wall	Wall Insulation R-value, Below-grade
48	Envelope: Fenestration	Window to Wall Ratio
49	Envelope: Fenestration	Framing Material
50	Envelope: Fenestration	Window Glass Type
51	Envelope: Foundation	Floor Construction Type
52	Envelope: Foundation	Foundation R-value
53	Envelope: Exterior Floor	Exterior Floor Construction Type
54	Lighting System	Lighting Type
55	Lighting System	Ballast Type
56	Lighting System	Manual controls?
57	Lighting System	Photocell controls?
58	Lighting System	Timer controls?
59	Lighting System	Occupancy sensor controls?
60	Lighting System	Building automation system (BAS)?
61	Lighting System	Advanced controls?
62	Lighting System	Other controls?
63	Lighting System	Space Function Served
64	Lighting System	Quantity Definition
65	HVAC: Heating Plants	Heating Plant Type
66	HVAC: Heating Plants	Fuel Type
67	HVAC: Heating Plants	Venting Type
68	HVAC: Heating Plants	Location of Equipment
69	HVAC: Heating Plants	Approximate Year Installed

	Category	User Inputs
70	HVAC: Heating Plants	Condition
71	HVAC: Heating Plants	Number of Pieces of Equipment
72	HVAC: Heating Plants	Output Capacity
73	HVAC: Heating Plants	Efficiency Units
74	HVAC: Heating Plants	Rated Efficiency
75	HVAC: Heating Plants	Building automation system (BAS)?
76	HVAC: Heating Plants	Direct digital controls (DDC)?
77	HVAC: Heating Plants	Pneumatic controls?
78	HVAC: Cooling Plants	Cooling Plant Type
79	HVAC: Cooling Plants	Fuel Type
80	HVAC: Cooling Plants	Chiller Compressor Type
81	HVAC: Cooling Plants	Chiller Condenser Type
82	HVAC: Cooling Plants	Location of Equipment
83	HVAC: Cooling Plants	Approximate Year Installed
84	HVAC: Cooling Plants	Condition
85	HVAC: Cooling Plants	Number of Pieces of Equipment
86	HVAC: Cooling Plants	Output Capacity
87	HVAC: Cooling Plants	Efficiency Units
88	HVAC: Cooling Plants	Rated Efficiency
89	HVAC: Cooling Plants	Building automation system (BAS)?
90	HVAC: Cooling Plants	Direct digital controls (DDC)?
91	HVAC: Cooling Plants	Pneumatic controls?
92	HVAC: Condenser Plant	Condenser Plant Type
93	HVAC System: Air Handling Unit	Heating Source Type



	Category	User Inputs
94	HVAC System: Air Handling Unit	Heating Plant ID
95	HVAC System: Air Handling Unit	Fuel Type
96	HVAC System: Air Handling Unit	Location of Equipment
97	HVAC System: Air Handling Unit	Approximate Year Installed
98	HVAC System: Air Handling Unit	Condition
99	HVAC System: Air Handling Unit	Number of Pieces of Equipment
100	HVAC System: Air Handling Unit	Output Capacity
101	HVAC System: Air Handling Unit	Efficiency Units
102	HVAC System: Air Handling Unit	Rated Efficiency
103	HVAC System: Air Handling Unit	Cooling Source Type
104	HVAC System: Air Handling Unit	Cooling Plant ID
105	HVAC System: Air Handling Unit	Fuel Type
106	HVAC System: Air Handling Unit	Location of Equipment
107	HVAC System: Air Handling Unit	Approximate Year Installed
108	HVAC System: Air Handling Unit	Condition
109	HVAC System: Air Handling Unit	Number of Pieces of Equipment
110	HVAC System: Air Handling Unit	Output Capacity
111	HVAC System: Air Handling Unit	Efficiency Units
112	HVAC System: Air Handling Unit	Rated Efficiency
113	HVAC System: Air Handling Unit	Central Distribution Type
114	HVAC System: Air Handling Unit	Central Distribution Type (Other)
115	HVAC System: Air Handling Unit	Delivery Equipment Type
116	HVAC System: Air Handling Unit	Delivery Equipment Type (Other)
117	HVAC System: Air Handling Unit	Fan Control Type

	Category	User Inputs
118	HVAC System: Air Handling Unit	Energy Recovery Ventilation Type
119	HVAC System: Air Handling Unit	Outdoor Air Control Type
120	HVAC System: Air Handling Unit	Direct digital controls (DDC)?
121	HVAC System: Air Handling Unit	Pneumatic controls?
122	HVAC System: Air Handling Unit	Manual thermostat?
123	HVAC System: Air Handling Unit	Programmable thermostat?
124	HVAC System: Air Handling Unit	No controls?
125	HVAC System: Air Handling Unit	Space Function Served
126	SHW System	Hot Water System Type
127	SHW System	Location of Equipment
128	SHW System	Approximate Year Installed
129	SHW System	Fuel Type
130	SHW System	Efficiency Units
131	SHW System	Rated Efficiency
132	SHW System	Space Function Served
133	Ownership Details	Percent Owned
134	Ownership Details	Percent Leased
135	Ownership Details	Multi-tenant?
136	Available Energy Supply Sources	Energy Type
137	Metered Energy Supply Source Details	Energy Supply Source
138	Energy Reporting Years and Data Import	Metered Energy Year Start Date
139	Metered Energy	Energy Type
140	Metered Energy	Start Date
141	Metered Energy	End Date

	Category	User Inputs
142	Metered Energy	Energy Use in Native Units
143	Metered Energy	Energy Cost
144	Delivered Energy	Energy Type
145	Delivered Energy	Delivery Date
146	Delivered Energy	Delivered Quantity
147	Delivered Energy	Delivered Cost
148	Building Annual Summary for Energy Use and Energy Cost	Energy Type
149	Building Annual Summary for Energy Use and Energy Cost	Annual Energy Use in Native Units
150	Building Annual Summary for Energy Use and Energy Cost	Annual Energy Cost
151	Building Annual Summary for On-Site Renewables	Energy Type
152	Building Annual Summary for On-Site Renewables	Annual Energy Use in Native Units
153	Building Annual Summary for On-Site Renewables	Annual Energy Cost
154	Building Annual Summary for On-Site Renewables	Renewable Energy Output
155	Building Annual Summary for On-Site Renewables	Renewable Energy Annual Cost
156	Building Annual Summary for Exported Energy	Energy Type
157	Building Annual Summary for Exported Energy	Annual Energy Use in Native Units
158	Building Annual Summary for Exported Energy	Annual Energy Cost
159	Benchmarking	Benchmarking Source
160	Benchmarking	Year Benchmarked
161	Benchmarking	Benchmark Site Energy Use Intensity
162	Benchmarking	Benchmark Site Energy Cost Intensity
163	Benchmarking	Target Site Energy Use Intensity
164	Benchmarking	Target Site Energy Cost Intensity
165	Building Energy Use by End Use	Energy Type

	Category	User Inputs
166	Building Energy Use by End Use	End Use
167	Building Energy Use by End Use	Energy Use in Native Units
168	Building Energy Savings Opportunities: Measures	Measure Identifier
169	Building Energy Savings Opportunities: Measures	System Category
170	Building Energy Savings Opportunities: Measures	Measure Category
171	Building Energy Savings Opportunities: Measures	Measure Name
172	Building Energy Savings Opportunities: Measures	Measure Description
173	Building Energy Savings Opportunities: Measures	Measure Status
174	Building Energy Savings Opportunities: Measures	Modeling/Calculation Approach
175	Building Energy Savings Opportunities: Measures	Implementation Year
176	Building Energy Savings Opportunities: Measures	Annual Energy and Cost Savings: Total Cost Savings
177	Building Energy Savings Opportunities: Measures	Annual Energy and Cost Savings: Energy Source 1 (native units)
178	Building Energy Savings Opportunities: Measures	Annual Energy and Cost Savings: Energy Source n (native units)
179	Building Energy Savings Opportunities: Measures	Annual Energy and Cost Savings: Peak Demand Savings
180	Building Energy Savings Opportunities: Measures	Measure Cost and Incentives: Measure Cost
181	Building Energy Savings Opportunities: Measures	Measure Cost and Incentives: Measure Life
182	Building Energy Savings Opportunities: Packages	Packages: Package Name
183	Building Energy Savings Opportunities: Packages	Package: Package Category
184	Building Energy Savings Opportunities: Packages	Package: Energy Savings Package ID
185	Building Energy Savings Opportunities: Packages	Package: Energy Savings Measure ID(s)
186	Building Energy Savings Opportunities: Packages	Package: Total Annual Energy Cost Savings

	Category	User Inputs
187	Building Energy Savings Opportunities: Packages	Package: Annual Energy and Cost Savings Energy Source 1 (native units)
188	Building Energy Savings Opportunities: Packages	Package: Annual Energy and Cost Savings Energy Source n (native units)
189	Building Energy Savings Opportunities: Packages	Package: Annual Energy and Cost Savings: Total Energy Cost Savings
190	Additional Information	Attachment Reference
191	Additional Information	Attachment Reference (Other)
192	Additional Information	Attachment Description
193	Additional Information	Attachment File

## 6.0 Appendix B - Section 50122 Components

As noted in Section 3.2 of this guide, certain component information and home conditions must be provided for Section 50122 projects. Depending on the type of rebate, this data will either be provided by the homeowner (when they apply for a rebate) or the contractor doing the installation. States can allow "N/A" depending on the rebate type (e.g., envelope improvements - ceiling insulation). In other words, the rebate applicant should ONLY be asked questions relevant to the type of upgrade included in their application.<sup>33</sup> Consistent with latest program requirements, the contractor will be required to provide the relevant information.

All heat pump projects must be installed by a qualified contractor and that contractor must conduct a limited assessment (see Table 6 for more information on limited assessments) to ensure no harm is going to be done to the home due to the retrofit.<sup>34</sup>

Contractors must document the install by capturing geotagged photos of the upgraded products. PNNL's Quality Install Tool<sup>35</sup> is recommended and can support exporting of the data entered in the tool.

Combustion safety testing is required when major atmospherically venting combustion appliances (i.e., HVAC systems and water heaters) remain in place after heat pumps, heat pump water heaters, air sealing, and/or insulation that has an air sealing effect has been installed (note: insulation that has been self-installed ("DIY") by consumers is unlikely to have an air sealing effect). The documentation for these tests is covered in Section 3.2 of this document.

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<sup>33</sup> While the state is only required report those data component details related to the specific improvement being made, a state may elect to request and retain additional data points, particularly if the upgrade is being made by a contractor.

<sup>34</sup> Harm due to retrofit could include creating conditions that lead to increased operational costs, undesirable or unsafe indoor air quality conditions due to pressure imbalances that cause CO issues in homes with gas appliances, or mold and mildew growth for homes with insulation but no air sealing, or homes that are airtight but don't include ventilation, which can lead to CO<sub>2</sub> and other buildup in an unhealthy way.

<sup>35</sup> See <https://quality-install-tool.pnnl.gov/>. Specifically, the workflow should be for ductless heat pump and central ducted split heat pump depending on which system is being installed.

Table 5<sup>36</sup>: Original and Upgrade Component Data Required for Section 50122

	Upgrade Type	Question	Original Component Details	Upgraded Component Details
1	Envelope Improvements - Wall Insulation	What is the existing insulation in the walls?	Dropdown: <ul style="list-style-type: none"> <li>• None</li> <li>• Cavity insulation (batt or blown-in)</li> <li>• Fanfold insulation</li> <li>• Exterior continuous insulation</li> <li>• Don't know</li> </ul>	
2	Envelope Improvements - Wall Insulation	What insulation was added to the walls?		Select one of Cavity Insulation Improvement: <ul style="list-style-type: none"> <li>• Cavity insulation - R-13</li> <li>• Cavity insulation - R-19</li> <li>• Cavity insulation - R-21</li> <li>• Cavity insulation more than R-21</li> </ul> And/or select one of the following Exterior Insulation Improvements: <ul style="list-style-type: none"> <li>• None</li> <li>• Exterior continuous insulation - 1 inch</li> </ul>

<sup>36</sup> Previously labeled Table #11 in the Data and Tools Requirements Guide v1.2.

	Upgrade Type	Question	Original Component Details	Upgraded Component Details
				<ul style="list-style-type: none"> <li>• Exterior continuous insulation - 2 inches</li> <li>• Exterior continuous insulation - more than 2 inches</li> </ul> <p>Note: This information is available on the box of the product purchased.</p>
3	Envelope Improvements - Wall Insulation	What percentage of wall area received additional insulation (choose the closest)?		Dropdown: <ul style="list-style-type: none"> <li>• 10%</li> <li>• 25%</li> <li>• 50%</li> <li>• 75%</li> <li>• 100%</li> </ul>
4	Envelope Improvements - Ceiling insulation	What is the existing insulation in the ceiling?	Dropdown: <ul style="list-style-type: none"> <li>• None</li> <li>• Batt insulation</li> <li>• Blown-in insulation</li> <li>• Rigid board insulation</li> <li>• Closed cell spray foam insulation</li> <li>• Don't know</li> </ul>	
5	Envelope Improvements - Ceiling insulation	What R-value was added to the ceiling?		Dropdown: <ul style="list-style-type: none"> <li>• Less than R-30</li> </ul>



	Upgrade Type	Question	Original Component Details	Upgraded Component Details
				<ul style="list-style-type: none"> <li>• R-30</li> <li>• R-49</li> <li>• R-60</li> <li>• more than R-60</li> </ul>
6	Envelope Improvements - Ceiling insulation	What percentage of ceiling area received additional insulation (choose the closest)?		Dropdown: <ul style="list-style-type: none"> <li>• 10%</li> <li>• 25%</li> <li>• 50%</li> <li>• 75%</li> <li>• 100%</li> </ul>
7	Envelope Improvements - Duct Insulation	Do the existing ducts run primarily through conditioned or unconditioned space?	Dropdown: <ul style="list-style-type: none"> <li>• Conditioned</li> <li>• Unconditioned</li> <li>• Don't know</li> </ul>	
8	Envelope Improvements - Duct Insulation	What percentage of the duct system received additional insulation (choose the closest)?		Dropdown: <ul style="list-style-type: none"> <li>• 10%</li> <li>• 25%</li> <li>• 50%</li> <li>• 75%</li> <li>• 100%</li> </ul>
9	Envelope Improvements - Floor Insulation Above Unconditioned Space	What percentage of floor area is above unconditioned space (choose the closest)?		Dropdown: <ul style="list-style-type: none"> <li>• 10%</li> <li>• 25%</li> <li>• 50%</li> </ul>

	Upgrade Type	Question	Original Component Details	Upgraded Component Details
				<ul style="list-style-type: none"> <li>• 75%</li> <li>• 100%</li> </ul>
10	Envelope Improvements - Floor Insulation Above Unconditioned Space	What R-value was added?		Dropdown: <ul style="list-style-type: none"> <li>• Less than R-10</li> <li>• R-10</li> <li>• R-13</li> <li>• R-19</li> <li>• R-30</li> <li>• More than R-30</li> </ul>
11	Envelope Improvements - Floor Insulation Above Conditioned Space	What percentage of floor area is above conditioned space (choose the closest)?		Dropdown: <ul style="list-style-type: none"> <li>• 10%</li> <li>• 25%</li> <li>• 50%</li> <li>• 75%</li> <li>• 100%</li> </ul>
12	Envelope Improvements - Floor Insulation Above Conditioned Space	What R-value was added?		Dropdown: <ul style="list-style-type: none"> <li>• Less than R-10</li> <li>• R-10</li> <li>• R-13</li> <li>• R-19</li> <li>• R-30</li> <li>• More than R-30</li> </ul>
13	Envelope Improvements - Foundation Insulation	What is the foundation type?		Dropdown: <ul style="list-style-type: none"> <li>• Slab-on-grade</li> </ul>

	Upgrade Type	Question	Original Component Details	Upgraded Component Details
				<ul style="list-style-type: none"> <li>• Vented crawlspace (Unconditioned crawlspace)</li> <li>• Conditioned crawlspace</li> <li>• Unconditioned basement</li> <li>• Conditioned basement</li> </ul>
14	Envelope Improvements - Foundation Insulation	What percentage of the foundation perimeter is insulated (consider the perimeter as a line around the edge of the foundation) (choose the closest)?		Dropdown: <ul style="list-style-type: none"> <li>• 10%</li> <li>• 25%</li> <li>• 50%</li> <li>• 75%</li> <li>• 100%</li> </ul>
15	Envelope Improvements - Foundation Insulation	What R-value was added to the foundation perimeter?		Dropdown: <ul style="list-style-type: none"> <li>• Less than R-5</li> <li>• R-5</li> <li>• R-10</li> <li>• R-13</li> <li>• R-19</li> <li>• R-30</li> </ul>
16	Envelope improvements - Air sealing	What part of the home are you air sealing?		Checkboxes: <ul style="list-style-type: none"> <li>• Attic</li> <li>• Walls/Windows/Doors</li> <li>• Floor/Foundation</li> </ul>

	Upgrade Type	Question	Original Component Details	Upgraded Component Details
17	Envelope improvements - Air sealing	What is the starting air leakage rate for the home before modification?	Fill in the blank: <ul style="list-style-type: none"> <li>CFM at 50Pa: _____</li> <li>Don't know</li> </ul>	
18	Envelope improvements - Air sealing	What is the air sealing level you have achieved?		Fill in the blank: <ul style="list-style-type: none"> <li>CFM at 50Pa: _____</li> <li>Don't know</li> </ul>
19	Envelope improvements - Air sealing	Is the homeowner aware that combustion safety tests are highly recommended for homes with any gas appliances after air sealing projects are completed?		Dropdown: <ul style="list-style-type: none"> <li>Yes</li> <li>No</li> </ul>
20	Envelope Improvements - Duct sealing	What is the starting total duct leakage rate before modification?	Fill in the blank: <ul style="list-style-type: none"> <li>CFM at 25Pa: _____</li> <li>Don't know</li> </ul>	
21	Envelope Improvements - Duct sealing	What is the total duct leakage after air sealing?		Fill in the blank: <ul style="list-style-type: none"> <li>CFM at 25Pa: _____</li> <li>Don't know</li> </ul>
22	Electrical Panel	What are the details about the existing electrical panel?	Fill in the blank: <ul style="list-style-type: none"> <li>Max Amps to household: _____</li> </ul>	

	Upgrade Type	Question	Original Component Details	Upgraded Component Details
			<ul style="list-style-type: none"> <li>Number of open breaker spots: _____</li> </ul>	
23	Electrical Panel	What are the details of the new electrical panel?		Fill in the blank: <ul style="list-style-type: none"> <li>Max Amps to household: _____</li> <li>Number of open breaker spots: _____</li> </ul>
24	Heat Pump Water Heater	What is the fuel type and type of your existing water heater?	Dropdown: <ul style="list-style-type: none"> <li>Electric Resistance Storage</li> <li>Electric Resistance Tankless</li> <li>Gas propane storage</li> <li>Gas propane tankless</li> <li>Oil Storage</li> <li>Oil Tankless</li> <li>None</li> <li>Don't know</li> </ul>	
25	Heat Pump Water Heater	What is the storage capacity before and after?	Dropdown: <ul style="list-style-type: none"> <li>Less than 45 gal</li> <li>45 gal</li> <li>50 gal</li> <li>60 gal</li> <li>80 gal</li> </ul>	Dropdown: <ul style="list-style-type: none"> <li>Less than 45 gal</li> <li>45 gal</li> <li>50 gal</li> <li>60 gal</li> <li>80 gal</li> </ul>

	Upgrade Type	Question	Original Component Details	Upgraded Component Details
			<ul style="list-style-type: none"> <li>• More than 80 gal</li> <li>• Don't know</li> </ul>	<ul style="list-style-type: none"> <li>• More than 80 gal</li> </ul>
26	HVAC - Heat Pump	What is the fuel type of your existing heating system?	Dropdown: <ul style="list-style-type: none"> <li>• Gas</li> <li>• Electric</li> <li>• Oil</li> <li>• None</li> </ul>	
27	HVAC - Heat Pump	What is your existing heating distribution type?	Dropdown: <ul style="list-style-type: none"> <li>• Forced Air (furnace)</li> <li>• Hydronic/Steam (boiler)</li> <li>• Baseboard</li> <li>• Heat Pump</li> <li>• Other</li> </ul>	
28	HVAC - Ventilation	Is there an existing whole-house ventilation system?	Dropdown: <ul style="list-style-type: none"> <li>• Yes</li> <li>• No</li> </ul>	
29	HVAC - Ventilation	What is the CFM flow rate of the new whole-house ventilation system?		This is the new ventilation system rating.  Fill in the blank ( $\geq 0$ )
30	Heat Pump Clothes Dryer	What is the existing dryer fuel type?	Dropdown: <ul style="list-style-type: none"> <li>• Gas</li> <li>• Electric</li> </ul>	

	Upgrade Type	Question	Original Component Details	Upgraded Component Details
			<ul style="list-style-type: none"> <li>• None</li> </ul>	
31	Heat Pump Clothes Dryer	What is the annual energy use estimated on the EnergyGuide label of the new clothes dryer? (kWh/yr)		Fill in the blank ( $\geq 0$ )
32	Electric Stovetop/Oven/Range	What is the fuel type of the existing stovetop/oven/range?	Dropdown: <ul style="list-style-type: none"> <li>• Gas</li> <li>• None</li> </ul>	
33	Electric Stovetop/Oven/Range	What is the new stovetop/oven/range type?		Dropdown: <ul style="list-style-type: none"> <li>• Electric cooktop</li> <li>• Induction cooktop</li> </ul>

The following table documents the pre-installation limited assessment requirements for electric heat pump for space heating and cooling installations for existing construction only, associated with Section 50122. The data for the limited home assessment can be supplied to PNNL via the specified API endpoint or through fields captured on the spreadsheet reporting template.

Table 6<sup>37</sup>: Required Limited Assessment Inputs for Section 50122 HVAC

	Category	User Inputs	Drop-Down Options or Coding	Report to DOE	Notes
1	General	Address		X	
2	General	Assessment date	Date	X	
3	General	Home Year built	Year / Don't Know	X	
4	General	Percent conditioned floor area served	Value / Don't Know	X	Where applicable, this is broken down by heating and cooling and by system if the home has multiple heating and/or cooling systems.
5	General	Electrical panel max amps (If adding electrical load)	Value / Don't Know	X	
6	Envelope	Professional whole home air sealing	Yes / No / Don't Know	X	If a homeowner supplied documentation this was completed by a contractor.
7	Envelope	Type of ceiling/attic insulation	Dropdown:	X	

<sup>37</sup> Previously labeled Table #12 in the Data and Tools Requirements Guide v1.2.



	Category	User Inputs	Drop-Down Options or Coding	Report to DOE	Notes
			<ul style="list-style-type: none"> <li>Batt</li> <li>Blown In</li> <li>Closed Cell Spray Foam</li> <li>Rigid Board</li> <li>None</li> <li>Don't Know</li> </ul>		
8	Envelope	Ceiling/Attic insulation R-value	Value / Don't Know	X	
9	HVAC	Fraction of conditioned floor area served by each heating/cooling system	Value	X	
10	HVAC	Heating system fuel and type (for each system)	Dropdown: <ul style="list-style-type: none"> <li>Electric Heat Pump</li> <li>Electric Resistance Baseboard</li> <li>Electric Resistance Baseboard</li> <li>Electric Resistance Boiler</li> <li>Electric Resistance Furnace</li> <li>Gas Propane Boiler</li> <li>Gas Propane Furnace</li> <li>Oil Boiler</li> <li>Oil Furnace</li> <li>Other</li> </ul>	X	

	Category	User Inputs	Drop-Down Options or Coding	Report to DOE	Notes
12	HVAC	Heating system efficiency for pre-retrofit (for each system)	Value / Don't Know	X	
13	HVAC	Cooling system type (for each system)	Dropdown: <ul style="list-style-type: none"> <li>Central</li> <li>Heat Pump</li> <li>Window</li> </ul>	X	
14	HVAC	Cooling system efficiency for pre-retrofit (for each system)	Value / Don't Know	X	
15	HVAC	Ducts sealed	Yes / No / Don't Know	X	
16	HVAC	Ducts insulated	Yes / No / Don't Know	X	
17	HVAC	Whole Home ventilation system type	Dropdown: <ul style="list-style-type: none"> <li>Balanced</li> <li>CFIS</li> <li>ERV</li> <li>Exhaust</li> <li>HRV</li> <li>None</li> <li>Supply</li> <li>Don't Know</li> </ul>	X	
18	HVAC	Whole Home ventilation system rated flow rate (CFM)	Value / Don't Know	X	

	Category	User Inputs	Drop-Down Options or Coding	Report to DOE	Notes
19	HVAC	Did the qualified contractor provide a recommendation on the properly-sized heat pump unit for the home's HVAC system, if applicable?	Yes / No / N/A		If applicable, states should not proceed with project reservations if the response is "No".
20	HVAC	Did the qualified contractor conduct an onsite visual inspection of the existing condition of the duct sealing for HVAC and envelope?	Yes / No		States should not proceed with project reservations if the response is "No".
21	HVAC	If the upgrade includes a fuel switch, did the contractor complete an estimate of utility bill impacts and collect written acknowledgement by the consumer and provide it to the state?	Yes / No / N/A		States should not proceed with project reservations if the response is "No".
22	HVAC	Did the contractor obtain written acknowledgement from the consumer of the amount they will owe not covered by the rebates?	Yes / No		States should not proceed with project reservations if the response is "No".

	Category	User Inputs	Drop-Down Options or Coding	Report to DOE	Notes
23	HVAC	Does the upgrade fall within one of the state's pre-defined sets of home pre-condition(s) and/or scope of work scenario(s) that will constitute unacceptable risk of raising utility bills, an estimate of utility bill impacts and written acknowledgment by the consumer?	Yes / No		States should not proceed with project reservations if the response is "No".

## 7.0 Appendix C - Safety Test Results

States are required to implement Home Energy Rebate Programs that include relevant safety tests. This includes, at a minimum, completion of combustion safety testing when major atmospherically venting combustion appliances (i.e., HVAC systems and water heaters) remain in place after HVAC, water heaters, air sealing, and/or insulation that has an air sealing effect has been installed.

**Please note, the DOE API requires states to report a value for each safety testing data element.** However, the available reporting values accommodate instances where safety tests were not required to be performed or where safety testing results were not required to be collected (i.e., via an “N/A” option) and will not prevent the redemption of a rebate based on the reported results.

Table 7: Safety Test Results (50121 and 50122)<sup>38</sup>

	Data Category	Specific Data Element	Drop-Down Options or Coding	Report to DOE	Additional Notes
1	Safety Testing	Does the venting test pass?	Passed / Failed / Warning / N/A	X	Reporting of combustion safety testing results is required when applicable and completed by a state qualified contractor. <sup>39</sup>
2	Safety Testing	Does the spillage test(s) pass?	Passed / Failed / Warning / N/A	X	Reporting of combustion safety testing results is required when applicable and completed by a state qualified contractor. <sup>39</sup>
3	Safety Testing	Does the gas leak detection test pass?	Passed / Failed / Warning / N/A	X	Reporting of combustion safety testing results is required when applicable and completed by a state qualified contractor. <sup>39</sup>

<sup>38</sup> Reporting of safety testing results is not required for new construction, nor products installed that are not installed by contractors on the state’s qualified contractor list. DOE recommends states provide safety checklists for all installations, where applicable.

<sup>39</sup> Per the Program Requirements and Application Instructions Section 4.2.5, proof of combustion safety testing is required to be collected and retained in all instances where testing is required to be performed. <https://www.energy.gov/scep/articles/home-energy-rebate-programs-requirements-and-application-instructions>

	Data Category	Specific Data Element	Drop-Down Options or Coding	Report to DOE	Additional Notes
4	Safety Testing	Does the ambient CO test pass?	Passed / Failed / Warning / N/A	X	Reporting of combustion safety testing results is required when applicable and completed by a state qualified contractor. <sup>39</sup>
5	Safety Testing	Does the undiluted CO test pass?	Passed / Failed / Warning / N/A	X	Reporting of combustion safety testing results is required when applicable and completed by a state qualified contractor. <sup>39</sup>
6	Safety Testing	Are there signs of mold or moisture in or outside the home?	Yes / No / N/A	X	An assessment of the roof condition, drainage, and mold/moisture is recommended when air sealing and insulation may be impacted by moisture issues in the work scope area.
7	Safety Testing	What is the roof condition?	Good / Potential issues / N/A	X	An assessment of the roof condition, drainage, and mold/moisture is recommended when air sealing and insulation may be impacted by moisture issues in the work scope area.
8	Safety Testing	For HVAC installations, what is the drainage system condition?	Good / Potential issues / N/A	X	An assessment of the roof condition, drainage, and mold/moisture is recommended when air sealing and insulation may be impacted by moisture issues in the work scope area.

	Data Category	Specific Data Element	Drop-Down Options or Coding	Report to DOE	Additional Notes
9	Safety Testing	Has an ASHRAE 62.2 calculation been performed pre- and post-retrofit to ensure proper indoor air quality?	Yes / No / N/A	X	Completion of an ASHRAE 62.2 calculation is recommended when air sealing and insulation that has an air sealing effect has been installed.
10	Safety Testing	Have the results from the safety checks have been disclosed to the homeowner?	Yes / No / N/A	X	

## 8.0 Appendix D - IT System Functions

States, working with implementers and/or other service providers, will need a combination of personnel and IT systems to facilitate rebate transactions authorized in Sections 50121 and 50122 of the Inflation Reduction Act. At a minimum, IT systems are required to provide the functions listed below in full or in part.

The **DOE Rebate Tracking and Reporting Tool** can help states fulfill some of these functions. For states using the API **(using the Real-Time integration or the reporting integration)**, it is important to consider how these systems must or ideally should be tied directly into the API.

- Provide user interfaces for a variety of stakeholders such as building owners, occupants, contractors
- Apply user-centered design principles, use plain language, meet accessibility requirements, and provide translation options for non-native English speakers.
- Initiate rebate transaction
- Generate unique house ID linked to home address
- Determine home and household eligibility through steps including:
  - Verify address submitted
  - Compare household income to AMI levels associated with zip code and number of occupants
  - Accept and review information regarding a household's enrollment in programs that establish income eligibility
  - Confirm that the individual(s) associated with the income information live at the submitted home address
  - Compare rebate request to data on IRA home energy rebates already applied at that address
  - Determine number of units if multifamily building
- Confirm contractor eligibility if applicable
- Determine eligibility of proposed improvement:
  - product type (e.g., water heater, induction cooktop)
  - home's existing system that will be replaced or displaced
  - product specifications



- Collect virtual signatures from occupants and building owners attesting to accuracy of submitted information
- Confirm if the rebate will be used at point of purchase with a listed or non-listed vendor
- Generate coupons/rebates for national retailers, qualified contractors, and non-listed vendors
- Remit payments to contractors and vendors for used rebate coupons
- Link IT systems via APIs
- Store and report required data

IT systems may also be designed to offer additional functionality such as:

- Accept **geotagged** photos of installed equipment
- Accept home assessment data
- Accept home energy models
- Accept information regarding measured savings
- Accept utility bills from homes where rebates have been applied



**Narrative Document Template**  
**IRA Section 50121: Home Efficiency Rebates**  
June 2024

**VERSION 2**

Published on June 27, 2024

Modification Note: This version updates text in accordance with the Version 2 modifications of the [Program Requirements & Application Instructions](#). This version makes clerical fixes, including reference corrections. Changes are highlighted in the text in **yellow**.

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## Introduction

**This is an optional document that is not required by the ALRD. A state may use this to submit their ALRD 2 State Application.**

This Narrative Document should demonstrate the state’s ability and intent to implement the program in accordance with the requirements of the ALRD and the Program Requirements document. The Narrative Document must provide a comprehensive framework and description of all aspects of the proposed rebate program(s). States may use existing programs/infrastructure to implement this work. States may not provide these funds to existing programs to implement non-rebate work.

The Narrative Document must be succinct, self-explanatory, and well-organized so that DOE reviewers can understand program design and delivery. A state must address the following in its application package and corresponding Standard Form 424 Application for Federal Assistance, Standard Form 424A Budget Information, and Budget Justification Workbook. A state may defer some responses to its State Implementation Blueprint, to be provided to DOE after award but prior to program launch. The questions are marked as such, and applicants should check the appropriate box if deferring their response. All other requirements are mandatory within the state application package. If there is no box offering the “Defer response to state Implementation Blueprint” option, then it is required as part of the application package.

Identify whether the application is for a Quick Start program.

- Yes, this is for a Quick Start Program.
- No, this is not for a Quick Start Program.

# Home Efficiency Rebates State Programs (50121)

## Use of Funds and Rebate Eligibility

### Section 3.1.1: Use of Funds

1. Provide which types of allowable costs the state proposes within each category of administrative funds and rebate funds and within those categories:

Texas plans to use administrative funds to cover the following types of activities. In sum, these estimated administrative funds total of **\$69,016,577.25** or **19.99%** of the current formula funds for Texas for HOMES and are inclusive of the early administrative funds already awarded for a total administrative fund annual cost of **\$11,502,762.88**(see also 1.a below).

- Program planning and design for **\$2,292,782.75** or **\$21.00** per project.
  - The State Energy Conservation Office (SECO) will contract with an organization with expertise in designing and delivering efficiency programs, with proven success in market uptake, sound installations, income verification, and delivering benefits to low-income households. Depending on the initial organization's experience reaching disadvantaged communities, the state may contract with another organization better suited to addressing this need.
- SECO program staff for **\$4,763,794.50** or **\$343.62** per project.
  - SECO plans to hire four (4) full-time staff members, with the intent that two (2) staff members time will be split amongst the 50121 and 50122 awards. Our accounting systems can separately track these different funding sources and internal policies are in place to ensure the time is accurately tracked.
  - Development of tools and systems for program administration, including websites, applications, rebate processing, and reporting for **\$6,410,000.00** or **\$58.70** per project.
  - Texas plans to fund a program implementation contractor or a separate qualified entity to develop user interfaces and systems for households, contractors, and others to use to apply for rebates, submit required documentation, etc., including income verification.
  - Depending on the interest of other state agencies with low-income programs, the state may also fund an IT firm to develop an application programming interface (API) that allows several low-income programs to automatically share information regarding their enrollees, thereby substantially expediting income verification.
- Program evaluation and consumer satisfaction surveys for **\$1,400,000.00** or **\$12.82** per project.
  - SECO will conduct the required customer satisfaction questions included in the program requirements.
- Program monitoring and audits for **\$3,400,000.00** or **\$31.14** per project.
  - In addition to state staff monitoring program delivery and overseeing the implementation contractor(s), the state may require outside assistance to respond to state or federal inquiries. The implementation contractor(s) and other providers (e.g., income verification services) will also be required to fulfill data reporting and analysis per the contract(s).
  - Consumer protection functions including resolution procedures, data review, contractor management, installation standards, continuous improvement for **\$3,200,000.00** or **\$29.30** per project.

- In response to findings from periodic assessments of program performance (as well as any identified problems that arise throughout implementation), the state or its implementation contractor(s) will institute changes to address deficiencies in program delivery (or design).
- SECO will develop consumer protection guides or one-pagers that will be provided to all rebate applicants as one part of the consumer protection strategy.
- SECO created a dedicated email address [SECO.Rebates@cpa.texas.gov](mailto:SECO.Rebates@cpa.texas.gov) and state staff are dedicated to respond to consumer questions and/or complaints.
- SECO staff will fulfill contractor management needs with regular reviews of program implementer/other contractor data submissions.
- Marketing, education, and outreach, potentially including the funding of local governments and place-based organizations to assist with these activities for **\$4,080,000.00** or **\$37.09** per project.
  - SECO Held two community engagement sessions on August 27, 2024, and additional sessions are planned as the program design matures.
  - SECO will conduct separate outreach to retailers, manufacturers, and distributors.
  - SECO, potentially with assistance from its implementation contractors or outside experts and partners, will review and approve marketing and education information developed by the Program Implementer for homeowners, tenants, retailers, contractors, and others as needed.
- Implementation contract cost not including rebates and costs for activities directly related to delivery of rebate for **\$24,320,000.00** or **\$222.71** per project.
  - The implementation contractor(s) will use administrative funds for data review and reporting, and to fulfill other programmatic management requirements.
  - SECO oversight of implementation contractor and other service provider costs/contract management; data review and reporting.
- Contractor training for **\$4,400,000.00** or **\$40.29** per project.
  - Contractor training and/or review of a contractor's certification(s) will be required before a contractor is placed on the qualified contractor list.
  - Training specifically to assist contractors in participating in the rebate program.
- Activities to improve access to rebates, facilitating leverage of private funds and financing mechanisms (e.g., loan loss reserves, interest rate reductions) where beneficial to efficiency and/or electrification projects for **\$14,750,000.00** or **\$135.07** per project.
  - Depending on availability of resources, the state will engage financing organizations (e.g., green banks) to assist in making low-cost financing (or other incentives including the potential to establish and apply loan loss reserves) available to rebate applicants and providers (e.g., contractors).
  - Depending on availability of resources, SECO and/or its implementation contractor(s) may provide technical assistance either directly or through specialized organizations to assist entities focused on serving disadvantaged communities and/or other priorities.

Texas certifies that costs will not be duplicated on the Home Efficiency Rebates (Section 50122) award, or other awards, and are not duplicative from costs captured in the Indirect Rates.

- a. Provide the total amount of estimated administrative funds to be expended annually:

**\$9,859,511.04** based on **\$69,016,577.25** divided by **seven (7) years**. September 1,

2024, through September 30, 2031.

- b. The total amount of estimated project-related costs as a portion of the rebate funds to be expended annually.

\$0.00

- 2. If requesting additional funds for project-related activities, describe and justify each activity and associated budget in the budget justification worksheet as well as below.

N/A

- 3. Describe how the state will manage and ensure that rebate minimums and administrative maximums are adhered to over the duration of the program.

Texas intends to use the DOE-provided sample response as a framework for this response.

### **Budgeting and Forecasting Tools**

Texas will utilize a combination of budgeting and forecasting tools. Texas plans to use the DOE Rebate Tracking and Reporting Tool, which offers an API that can anticipated to be integrated with the Implementor’s existing systems. This will help track recipient rebate statuses, work within established program spending limits, minimize costs and errors, maintain databases, and ensure rebate amounts comply with program requirements. Texas is motivated to utilize resources that provide real-time data and reporting to maintain program quality and efficiency. The system will assign rebate amounts to products based on the applicant’s income level and the modeled or measured savings associated with allowable improvements.

### **Administrative Controls**

Texas understands the importance of developing methods to ensure administrative maximums are adhered to over the duration of the program. To achieve this and reduce administrative costs and project-related activities, Texas will seek “smart” technology investigative systems to automatically read uploaded documents for verification and other purposes Once an Implementor is selected, the State Energy Conservation Office (SECO) will approve forecasting tools and accounting practices in

order to reduce administrative costs where possible. Texas will closely track and report this spending bucket as well as rebate funds and contractor incentive funds and aims to follow Generally Accepted Accounting Principles and conduct internal audits. These expectations will be extended to the selected Implementor. By implementing this budgeting and forecasting tools, process controls, and accounting practices, Texas will effectively manage and ensure that rebate minimums and administrative maximums are adhered to over the duration of the program.

### **Process Control and Systems**

Texas will implement process controls to track administrative costs and rebate funds expended. The

state will utilize the DOE Rebate Tracking and Reporting Tool's database that contains all previously issued rebates to individual residential dwellings, ensuring that rebates are not duplicated for the same address. The system will also track the amount of rebate funds committed to date and only approve new requests if sufficient funds remain. When a household receives its final invoice and the rebate is issued, the amount will be updated via connection to the DOE Rebate Tracking and Reporting Tool. The state will monitor these rebatea amounts relative to administrative spending forecasts.

4. Confirm that the state will have a process for handling returns of rebated items as applicable in the Consumer Protection Plan.
  - Yes, the state confirms the above statement.



Section 3.1.2: Rebate Conditions and Levels

- Provide the maximum rebate amounts that will be offered within the allowances of the Home Efficiency Rebates requirements.

*Note: States may increase the maximum rebate amounts available for low-income households, but states cannot set lower rebates than specified in Section 3.1.2.*

Texas intends to use the DOE-provided sample response outlined in this response.

**Modeled Path.** For households with incomes greater than 80% AMI, our state will use the maximum levels noted in the Program Requirements and Application Instructions Table 2.

Single-Family		
Modeled Energy Savings	Income Level	Rebate Amount
20%-34%	Less than 80% AMI*	Lesser of \$4,000 or 80% of project cost
	80% AMI and greater	Lesser of \$2,000 or 50% of project cost
35% or greater	Less than 80% AMI*	Lesser of \$8,000 or 80% of project cost
	80% AMI and greater	Lesser of \$4,000 or 50% of project cost

Multifamily		
Modeled Energy Savings	Income Level	Rebate Amount
20%-34%	A building with at least 50% of households with incomes less than 80% AMI*	Lesser of \$4,000 per dwelling unit or 80% of project cost
	A building with at least 50% of households with incomes 80% AMI and greater	\$2,000 per dwelling unit up to \$200,000 per building
35% or greater	A building with at least 50% of households with incomes less than 80% AMI *	Lesser of \$8,000 per dwelling unit or 80% of project cost
	A building with at least 50% of households with incomes 80% AMI and greater	\$4,000 per dwelling unit up to \$400,000 per building

**Measured Path.** For households with incomes greater than 80% AMI, our state will use the maximum levels noted in the Program Requirements and Application Instructions Table 2.

Single-Family		
Measured Energy Savings	Income Level	Rebate Amount
15% or greater	Less than 80% AMI	kWh, or kWh equivalent, payment rate equal to \$4,000 for a 20% reduction of energy use for the average home in the state or 80% of project cost <sup>†</sup>
	80% AMI and greater	kWh, or kWh equivalent, payment rate equal to \$2,000 for a 20% reduction of energy use for the average home in the state or 50% of project cost <sup>†</sup>

Multifamily		
Measured Energy Savings	Income Level	Rebate Amount
15% or greater	A building with at least 50% of households with incomes less than 80% AMI	kWh, or kWh equivalent, payment rate equal to \$4,000 for a 20% reduction of energy use per dwelling for the average multifamily building in the state or 80% of project cost <sup>†</sup>
	A building with at least 50% of households with incomes 80% AMI and greater	kWh, or kWh equivalent, payment rate equal to \$2,000 for a 20% reduction of energy use per dwelling for the average multifamily building in the state or 50% of project cost

6. Identify the allowable project costs for determining rebate levels when based on project cost.

Defer response to State Implementation Blueprint.

For each project, Texas will require, but not limited to:

- Line-item costs of eligible units (i.e. Heat Pumps), equipment, and materials
- Labor costs
- Household income levels

Allowable project costs include all energy efficiency improvements (equipment and installation/labor) associated with the anticipated energy savings. For households with incomes less than 80% AMI, allowable project costs may also include related project costs (e.g., home assessments, energy audits, and project quality assurance) given that low-income households will not be able to pay for these additional requirements and do not have access to other

programmatic resources to cover these costs.

The details for how, when, and what exact items Texas will require will be included in The State Implementation Blueprint after the Implementor for Texas is selected and the process is approved by Texas State Energy Conservation Office (SECO).

7. List the documentation requirements related to project costs from homeowners, contractors, and/or aggregators.

Defer response to State Implementation Blueprint.

Texas will require documentation such as invoices, model numbers, geotagged photos, eligibility documentation, and other items requested in the program by participants. Details on how, when, and what exact items Texas will require these will be included in The State Implementation Blueprint after the Implementor for Texas is selected and the process is approved by SECO.

8. Describe how homeowners and multifamily building owners will be informed of additional program funding available from non-federal funds and grants.

Defer response to State Implementation Blueprint.

Texas will work with local governments, utilities, power providers, and retailers to educate the public of the different funding that may be available to them. The details for how and what items Texas will use in these campaigns will be included in The State Implementation Blueprint after the Implementor for Texas is selected and the process is approved by SECO.

9. Provide the date after which upgrade projects must be completed for the purposes of being eligible for a rebate under the state program.

Defer response to State Implementation Blueprint.

Timeliness of projects are important to the success of any grant program. The details on exact timelines Texas will require will be included in The State Implementation Blueprint after the Implementor for Texas is selected and the process is approved by SECO.

10. Identify whether, for low-income multifamily buildings, the state will calculate the “per dwelling unit” rebate amount at the less than 80% AMI amount for all units or based on the ratio of LMI to non-LMI units.

At the less than 80% AMI amount for all units

Based on the ratio of LMI to non-LMI units

11. Describe how the state plans to value energy savings based on time, location, or greenhouse gas emissions. The application must demonstrate a strategy for either prioritizing, or requiring in program rules:

Retrofits that will have a disproportionate benefit based on the time or location of energy savings; or

- A targeted approach to prioritize reduction in greenhouse gas emissions. Valuing savings as part of this plan does not replace or count towards the requirements to demonstrate a minimum percentage energy savings for the household on a modeled or measured basis.

- Defer response to State Implementation Blueprint.

Texas is a very large state with different climates from Brownsville to piney woods of East Texas, to the wide-open planes of the Panhandle. The details for how Texas will value the energy savings from the various eligible products to the geographical location of installation will be included in The State Implementation Blueprint after the Implementor for Texas is selected and the process is approved by SECO. Texas will determine which targeted approach is needed to achieve the set-out goals of the program at that time and reserves the right to change the targets based on real world implementation and participation of eligible participants.

12. Describe how the state plans to ensure and verify ENERGY STAR certification at the time of installation for heating, cooling, and water heating products.

Texas intends to use the DOE-provided sample response outline in this response.

Ensuring any qualifying equipment is ENERGY STAR begins with clear education and training of implementers and contractors on the program requirements. Using ENERGY STAR equipment whenever applicable will be a stated requirement in our trade ally participation agreements. Texas plans to ensure that major distributors and retailers understand the rebate requirements and ask them to refer to the EPA’s Qualified Products Lists on a regular basis, or preferably, have an automated method of keeping the information up to date through a link to EPA’s Qualified Products Lists if available.

Texas will require installers to include geo-coded installation photos of equipment installed including photos of data plates, photos of the installed equipment model numbers (including indoor and outdoor units for split systems), and AHRI certification numbers for all heating, cooling, and water heating projects.

13. A state interested in offering higher rebates amounts than those listed in Tables 2 and 3 for low-income households must describe (in the below box) the state approach for balancing higher rebate amounts (serving fewer households) with the required allocation to serve low-income households and must propose the maximum rebate amount that would be available to low-income households both in terms of percentage of project cost and dollar amount for low-income households. Please provide the amounts below or check N/A if not applicable.

- N/A. State will use the maximum rebates listed in Tables 2 and 3.

- i. Receive an energy upgrade that is modeled to save at least 20% of energy.

- % of project cost:

- \$ amount for low-income household:

- ii. Receive an energy upgrade that is modeled to save at least 35% of energy.

- % of project cost:

- \$ amount for low-income household:

\$

14. Provide details on what portion(s) of the total rebate will be provided to the homeowner/building owner compared with the contractor/aggregator.

- Defer response to State Implementation Blueprint.

Texas understands that the amount of rebate available to the different participations is key to the success in participation in the program. The details on how much to apportion to each participant in the program from homeowners to contractors for each project Texas will be included in The State Implementation Blueprint after the Implementor for Texas is selected and the process is approved by SECO.

A. Describe what caps the state will place on contractor/aggregators in terms of savings exceeding the amount associated with the rebate provided to the homeowner (e.g., allowable percentage above the rebate provided to homeowner).

- Defer response to State Implementation Blueprint.

Texas will place caps on contractor/aggregators to ensure program integrity. The exact caps and how and when Texas will require the caps to be enacted will be included in The State Implementation Blueprint after the Implementor for Texas is selected and the process is approved by SECO.

15. Describe what systems will be put into place to reserve funds for each measured project, given the need to remit payment to the contractor/aggregator after 9-12 months of usage data post-energy upgrade is available.

- Defer response to State Implementation Blueprint.

Texas will withhold the final payment for a project until the 9-12 month of usage data is reported and verified. The details for the final payment trigger that Texas will require of the contractor/aggregation will be included in The State Implementation Blueprint after the Implementor for Texas is selected and the process is approved by SECO.

16. For the measured program path, describe how the state will calculate rebate levels based on average home energy usage in the state.<sup>1</sup>

- Defer response to State Implementation Blueprint.

Texas will implement the modeled path for the majority of the program participants. However, Texas reserves the right to use the measured path for auditing, monitoring, and various spot-checks on selected participants to ensure program entirety. The details for how, when, and what exact measure calculations Texas will use will be included in The State Implementation Blueprint after the Implementor for Texas is selected and the process is approved by SECO.

17. For the measured program path, within what timeframe will the state provide rebates to eligible rebate recipients?

Defer response to State Implementation Blueprint.

Texas will implement the modeled path for the majority of the program participants. However, Texas reserves the right to use the measured path for auditing, monitoring, and various spot-checks on selected participants to ensure program entirety. The details for how, when, and what exact measure calculations Texas will use will be included in The State Implementation Blueprint after the Implementor for Texas is selected and the process is approved by SECO. This includes the withholding of funds until the reporting requirements are met.

### Section 3.1.3: Low-Income Homes

18. What portion of the rebate funds will the state reserve for low-income households and multi-family households?

The state plans to reserve, at a minimum, 40% and 10% of rebate funds for low-income households and multifamily households, respectively. 40% meets and exceeds the percentage of low-income households in the state of Texas, which is 38.7% as reflected in Program Requirements Table 13.

19. Describe how the state will define household income for verification purposes (e.g., using prior year income).

Texas will use categorical eligibility to establish participation eligibility in the program. In the case of auditing or monitoring the effectiveness of the program, Texas will define household income as cash receipts earned and/or received by all Household members 18 years of age and older before taxes during applicable tax year(s), but not the excluded income listed in subsection Texas Administrative Code Title 10, Part 1, Chapter 6, Subchapter A, Rule §6.4. Income will be based on the Gross Annual Income.

20. For single-family households, describe what combination of methods will be used for claimants to be able to establish their household income for income qualifications.

States may select the following options;

- Documentation of household income (for example, 1040)
- Documentation of enrollment in a pre-qualifying program
- Self-attestation of either income level or enrollment in pre-qualifying program

Texas intends to use the DOE-provided sample response outline in this response.

Texas will recognize any of the following documentation for income to establish that a household is eligible: 1040 from prior year, W2 forms, and wage statements/payroll.

Texas also plans to offer categorical eligibility for the following programs listed in Tables A-3 and A-4 in the Appendix provided by DOE. Listed below are the following programs Texas is considering (at a minimum) to allow categorical eligibility:

- Low Income Home Energy Assistance Program (LIHEAP)
- Medicaid
- Supplemental Nutrition Assistance Program (SNAP)
- Head Start
- Lifeline Support for Affordable Communications (Lifeline)
- Food Distribution Program on Indian Reservations (FDPIR)
- National School Lunch Program – Free (NSLP)
- Housing Improvement Program (HIP)
- Housing Opportunities for Persons with AIDS
- Supplemental Security Income (SSI)
- Weatherization Assistance Program (WAP) add conditions
  - Applicants must demonstrate 80% < 200% Federal Poverty Level (FPL) if using to qualify for higher rebates.
- Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)
  - Applicants must demonstrate 80% AMI < 185% FPL if using to qualify for higher rebates.

The Implementor will confirm this list with SECO approval.

21. For multifamily buildings, describe what combination of methods will be used to verify that at least 50% of dwelling units consist of households with incomes less than 80% AMI.

Defer response to State Implementation Blueprint.

Texas is currently researching different way on how to verify occupancy AMI, and is deferring the decision on how Texas will verify occupancy AMI until partners in implementing the program have a chance to weigh in. The details for how Texas will verify AMI occupancy will be included in The State Implementation Blueprint after the Implementor for Texas is selected and the process is approved by SECO.

22. Please confirm the following:

• Claimant will be required to note the number of individuals who occupy the dwelling unit.

Yes, the state confirms the above statement.

• Claimant will be required to sign a statement attesting to the validity of all information provided (e.g., enrollment documents, household income, number of full-time occupants) irrespective of the method of income qualification (e.g., categorical



eligibility, self-attestation).

Yes, the state confirms the above statement.

- State's intake system for users to provide income information will display the 80% AMI value for that household's ZIP code and household size to assist the household in comparing its income with those levels prior to signing statements regarding their income.

Yes, the state confirms the above statement.

23. Describe how the 80% AMI levels for each location will be kept up to date (use DOE-provided API, other) and linked to DOE systems. Confirm that these levels will correspond to (a) the address of the home at which rebates will be applied and (b) the applicable number of household occupants.

Defer response to State Implementation Blueprint.

Texas is leaning towards using the DOE-provided API to keep AMI locations up to date. Texas wants to consult with the selected Implementor on using the DOE-provided API or if another method would best suit the needs of Texas. Texas is deferring the final proposal to the Blueprint after the process is approved by SECO.

24. Confirm that the state will:

- Review information provided to support income eligibility for all applicants applying for higher income-based rebate levels.

Yes, the state confirms the above statement.

- Take steps to verify income eligibility for all applications (100%) that use self-attestation to support income eligibility (e.g., confirm enrollment in at least one program that the applicant asserted enrollment in; confirm household income via IVES or other methods as applicable).

Yes, the state confirms the above statement.

- a. After 6 months and not longer than 1 year after program launch, report to DOE the percentage and number of applicants that received rebates but were subsequently found to not meet eligibility requirements.

Yes, the state confirms the above statement.

- b. Work with the state's DOE project officer to institute additional safeguards or determine if a lesser level of review for applicants using self-attestation is justified depending on the percentage/number of rebates issued without meeting eligibility requirements.

Yes, the state confirms the above statement.

If applicable, propose the types of information that the state will provide to DOE to warrant reducing this requirement (e.g., allowing implementers to verify income of a subset of claimants through random sampling).

- N/A. The state will not reduce this requirement.

25. Provide additional information as needed to demonstrate that the proposed approaches for income verification will address all types of households; not create undue burden for claimants; and include safeguards to minimize error and abuse in the process of verifying income.

Texas intends to use the DOE-provided sample response outline in this response.

By offering a variety of methods to demonstrate eligibility, including a wide range of programs recognized as providing categorical eligibility, Texas believes that those in the lowest income brackets will have a range of options to demonstrate their eligibility.

As a safeguard to discourage applicants from falsifying income or categorical information, all applicants, when submitting verification information, will be required to sign an affidavit as well as a confirmation statement (specific language to be developed by Implementor with SECO approval).

To further minimize this error in this process, Texas will conduct a review of each applicant's income information prior to issuing a rebate coupon and giving the go-ahead to begin work. This delayed approval is workable given the complexity of whole home retrofits. Furthermore, Texas will encourage applicants to provide income information as soon as possible so that review can be concurrent with other steps.

26. Describe how the state will verify (confirm legitimacy) of income information for all claimants (e.g., verification within 2 days through IRS, cross-check with enrollment databases of approved programs, calls to employers). If applicable, propose the types of information that the state will provide to DOE to warrant reducing this requirement (e.g., allowing implementers to verify income of a subset of claimants through random sampling).

- N/A. The state will not reduce this requirement.

- Defer response to State Implementation Blueprint.

As stated in the proposed response to question 25, Texas is aware of the importance of verifying income of recipients for program integrity and that guardrails need to be implemented. Equally as important, though, is the ease of applying to the program and not creating an unnecessary burden to applicants that may be a barrier to the application process. Many of the approaches to verify income are resource intensive and Texas is looking into the balance of these needs to understand what approach will suit the need of Texas. The selected Implementor will provide more details of the income verification requirements in The State Implementation Blueprint with the processes approved by SECO.

27. Describe how the state will resolve instances when rebates are provided to those who have falsified their incomes.

- Defer response to State Implementation Blueprint.

Texas will implement a Corrective Action Plan that will establish remedies for those that have been awarded funds from this program and have falsified their incomes. The Corrective Action Plan will include measures such as requiring the entity to increase or improve their reporting, refunding of grant funds, to the most egregious offences being referred to the Texas Attorney General's Office for consideration. The selected Implementor will provide more details of the Corrective Action Plan in The State Implementation Blueprint with the processes approved by SECO.

28. If proposing to allow self-attestation as a means for initial income qualification, provide a detailed description of how and when this approach will be used. Include statements, language, and detailed information regarding follow-up steps that will be used for this process. Additional topics to address include:

- Describe how those applying for rebates will be warned of potential liability associated with falsifying information.
- Explain how signed statements of self-attestation will be securely stored.
- Identify what level of falsified attestations will signal that the system needs to shut down either permanently or be restarted only after sufficient improvements are made.

- Defer response to State Implementation Blueprint.

- N/A. The state has chosen not to allow self-attestation.

29. Describe how the state program will verify applicant information provided to substantiate income eligibility, including systems that will be used to verify, where applicable, that at least one member of a household has been enrolled in a program included within the [Federal Programs Approved for Categorical Eligibility](#) document or other state-proposed approved by DOE within the prior 12 months.

- Defer response to State Implementation Blueprint.

Texas is aware of the importance of verifying income of recipients for program integrity and that guardrails need to be implemented. Equally as important, though, is the ease of applying to the program and not creating an unnecessary burden to applicants that may be a barrier to the application process. Texas is looking into the balance of these two needs to understand what approach will suit the need of Texas. The selected Implementor will apply a variety of means to verify categorical enrollment which may include visual review of documentation, technological automation, and communication with the programs. Further details will be included in the Blueprint.

30. If applicable, identify the federal or other programs by which the state plans to allow categorical eligibility.

- N/A. The state will not propose additional federal or other programs to be considered for categorical eligibility.

Texas plans to offer categorical eligibility for the following programs listed in Tables A-3 and A-4 in

the Appendix provided by DOE. Listed below are the following programs Texas is considering (at a minimum) to allow categorical eligibility:

Single-family:

- Low Income Home Energy Assistance Program (LIHEAP)
- Medicaid
- Supplemental Nutrition Assistance Program (SNAP)
- Head Start
- Lifeline Support for Affordable Communications (Lifeline)
- Food Distribution Program on Indian Reservations (FDPIR)
- National School Lunch Program – Free (NSLP)
- Housing Improvement Program (HIP)
- Housing Opportunities for Persons with AIDS
- Supplemental Security Income (SSI)
- Weatherization Assistance Program (WAP) add conditions
  - Applicants must demonstrate 80% < 200% Federal Poverty Level (FPL) if using to qualify for higher rebates.
- Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)
  - Applicants must demonstrate 80% AMI < 185% FPL if using to qualify for higher rebates.

Multi-family:

- Public Housing (housing owned and operated by Public Housing Authorities)
- Privately-owned multifamily buildings receiving project-based assistance (Section 8, Section 202, Section 811)
- Section 42 Low Income Housing Tax Credit (LIHTC)

31. If applicable, propose any additional federal or other programs to be considered for categorical eligibility. For any programs not already approved, describe how the program’s eligibility aligns with the Section 50121 income requirements.

N/A. The state will not propose additional federal or other programs to be considered for categorical eligibility.

Defer response to State Implementation Blueprint.

32. Identify whether the state requests authorization to allow use of categorical eligibility determinations based on program participation outside of a one-year period (e.g., proof of enrollment within the past 12 months).

Yes, the state requests authorization to allow use of categorical eligibility determinations based on program participation outside of a one-year period.

N/A. The state does not request authorization to allow use of categorical eligibility determinations based on program participation outside of a one-year period.

If yes, explain the state’s proposal and describe the rationale.

- Defer response to State Implementation Blueprint.

Texas is inclined to only allow categorical eligibility determinations based on program participation within a one-year period, but will be deferring the decision to the Blueprint to include Implementor guidance and allow for program changes based on need and participation.

33. Identify whether the state requests authorization to allow categorical eligibility for a program in a way that is not consistent with the “level of categorical eligibility” listed in the document [Federal Programs Approved for Categorical Eligibility](#). For each deviation requested, propose and provide documentation to justify the requested change. Documentation must demonstrate that the state imposes income requirements equivalent to or less than 80% AMI.

- Defer response to State Implementation Blueprint.

- N/A. The state will not allow categorical eligibility for a program in a way that is not consistent with the “level of categorical eligibility” listed in the document [Federal Programs Approved for Categorical Eligibility](#).

The state will not allow categorical eligibility for a program in a way that is not consistent with the level of categorical eligibility listed in the document Federal Programs Approved for Categorical Eligibility.

34. Provide a brief description of the procedures and penalties the state will provide to ensure that renters are not subject to unjustified rent increases.

Texas intends to use the DOE-provided sample response outline in this response.

For all tenant-occupied properties that receive higher rebate amounts available only to households with incomes less than 80% AMI, Texas will require the building owner to sign a statement acknowledging (at a minimum):

- The owner agrees to rent the dwelling unit to a low-income tenant.
- The owner agrees not to evict a tenant to obtain higher rent tenants based upon the improvements.
- The owner agrees to not increase the rent of any tenant in the building as a result of the energy improvements with exception of increases to recover actual increases in property taxes and/or specified operating expenses and maintenance costs.
- The owner agrees that if the property is sold within a specified number of years (Implementor will establish time period with SECO approval) of receipt of the rebates, the aforementioned conditions apply to the new owner and must be part of the purchase agreement.
- In the event that the owner does not comply, the owner must refund the rebate.
- The owner will provide written notice to tenants explaining their rights and the building owner’s obligations (e.g., add an addendum to the lease).
- In the event the owner does not comply, the owner must refund the rebate and will be subject to penalties and enforcement commensurate to their actions:
  - A fine/penalty in addition to recovery of the rebated amount.
  - Damages and attorney fees recoverable by tenants.

Texas will provide contact information for tenants to notify the state of breaches of to this agreement. Texas will also include this information in the consumer education campaign, so tenants are aware of their rights under the applicable state law.

35. Explain how the state will identify eligible contractors or aggregators and what tools will be used to pay the \$200 disadvantaged community incentive.

Defer response to State Implementation Blueprint.

Texas understands that paying contractors or aggregators \$200 as a disadvantaged community incentive is an important piece of increasing program participation. The selected Implementor will provide more details of the tools which will trigger payment in The State Implementation Blueprint with the processes approved by SECO.

#### Section 3.1.4: Community Benefits Plan

36. Describe how the state program will define a disadvantaged community.

If not using the default disadvantaged community definition (low-income households located in a disadvantaged community identified by the CEJST), a state must explain how the proposed definition will meet the following three criteria as described in DOE J40 implementation guidance:<sup>2</sup>

- The communities of concern identified by the state tool or definition must conform to the definition of communities established in U.S. Office of Management and Budget (OMB) guidance:
  - a group of individuals living in geographic proximity to one another that experiences common conditions.
  - a geographically dispersed set of individuals (such as migrant workers or Native Americans) that experiences common conditions.
- The state tool or definition must consider two or more of the following indicators when identifying communities that should be classified as disadvantaged for the purposes of directing federal investments under Justice40:
  - Low income, high and/or persistent poverty
  - High unemployment and underemployment
  - Racial and ethnic residential segregation, particularly where the segregation stems from discrimination by government entities
  - Linguistic isolation
  - High housing cost burden and substandard housing
  - Distressed neighborhoods
  - High transportation cost burden and/or low transportation access
  - Disproportionate environmental stressor burden and high cumulative impacts

- Limited water and sanitation access and affordability
- Disproportionate impacts from climate change
- High energy cost burden and low energy access
- Jobs lost through the energy transition
- Access to healthcare
- The communities of concern identified by the state tool or definition must be currently mapped in software or must be easily overlaid in GIS so that communities can be easily identified by stakeholders.

The state will use the DOE-provided definition of disadvantaged communities and use the federally issued CEJST map to identify disadvantaged communities.

### Section 3.1.5: Processing and Delivering Rebate Funds to Eligible Rebate Recipients

37. Describe what types of systems will be put into place to allow effective processing of rebates.

- Defer response to State Implementation Blueprint.

Texas understands that processing rebates in a timely and efficient manner is extremely important for the program's success. The details for the systems to implement the program that Texas will require will be included in The State Implementation Blueprint after the Implementor for Texas is selected and the process is approved by SECO.

38. Describe how the state will ensure processing of rebates within required timeframes (e.g., through a processing company, through program implementers, or other entities or methods). Include information on corrective actions that the state will implement in the event of lengthier processing times.

- Defer response to State Implementation Blueprint.

Similar to the answers in questions 27 and 37, Texas understands that processing rebates in a timely and efficient manner is extremely important for the program's success. Texas will implement a Corrective Action Plan to address the issues of noncompliance to entities that have been awarded funds from this program. The plan will include measures such as requiring the entity to increase or improve their reporting, to the return of grant funds, to the most egregious offences being referred to the Texas Attorney General's Office for consideration. The selected Implementor will provide more details of the Corrective Action Plan in The State Implementation Blueprint with the processes approved by SECO.

39. Describe how the proposed processing system will be integrated with a system for processing rebates under Section 50122. Note if the state plans to use separate systems.

- Defer response to State Implementation Blueprint.
- N/A. The state is not planning to run a 50122 program.

Texas and its Implementor will develop a system that will integrate with 50122 while keeping funds/cost siloed into the separate programs. The selected Implementor will provide more details of the requirements in The State Implementation Blueprint with the processes approved by SECO.

40. If the state does NOT intend to use a federally provided web-based tool to determine whether a home is in a disadvantaged community, confirm that the state will provide the ZIP codes or a preferred more granular geography (e.g., census tract) with all disadvantaged communities as defined by the state to the DOE system.

- Yes, the state confirms the above statement.
- N/A. The state will use a DOE-provided web-based tool to determine whether a home is in a disadvantaged community.

41. Confirm that the state system will link to DOE-provided systems via Application Programming Interface (API).

- Yes, the state confirms the above statement.

#### Section 3.1.6: Data Collection and Evaluation

42. Confirm that the state will submit a Privacy and Security Risk Assessment in the State Implementation Blueprint.

- Yes, the state confirms the above statement and will include it with this narrative document.

- Yes, the state confirms the above statement but defers a response to State Implementation Blueprint.

Texas understands the importance of privacy protection and implementing a quality Security Risk Assessment will ensure personal data and other protected information are protected. Texas will extend expectations to the selected Implementor, and the details of The Security Risk Assessment will be included in the Blueprint after Texas selects an Implementor and the process is approved by SECO.

43. Explain how data will be protected, specifically addressing security measures and privacy measures.

- Defer response to State Implementation Blueprint.

Texas understands the importance of data protection and will extend expectations to the selected Implementor and program team. More details of security and privacy measures will be addressed in the Blueprint after Texas selects an Implementor and the process is approved by SECO.

Texas is committed to protecting the data and other privacy measures across all programs of the State. Texas will require the Implementor to enact measures that meet the standards Texas has already set in place, including but not limited to:

- a. Required Cybersecurity Training;
- b. All data must be housed within the Continental United States;



- c. Any data transmitted must be encrypted;
- d. The implementor must provide a Privacy and Security Plan; and
- e. All applicable State and Federal Regulations will be adhered to.

The selected Implementor will provide more details of the protective processes Texas will require in The State Implementation Blueprint with the processes approved by SECO.

44. Provide documentation of the processes to monitor, identify, and address security and privacy threats.

- Defer response to State Implementation Blueprint.

Texas will include details, such as data monitoring methods, privacy/data breach remedies, contractor and Implementor data security expectations, in the Privacy and Security Risk Assessment which will be included in the Blueprint.

Texas is committed to protect data, privacy, and other important protective information across all programs of the State. Texas will require the Implementor to enact measures that meet the standards to counter threats, both internal and external, Texas has already set in place, including but not limited to:

- a. Required Cybersecurity Training;
- b. All data must be housed within the Continental United States;
- c. Any data transmitted must be encrypted;
- d. The implementor must provide a Privacy and Security Plan; and
- e. All applicable State and Federal Regulations will be adhered to.

The selected Implementor will provide more details of the protective processes Texas will require in the State Implementation Blueprint with the processes approved by SECO.

45. Confirm that the state will require billing data release and describe how the state will gain access to billing data for program requirements and program evaluation.

- Yes, the state confirms the above statement.
- Defer response to State Implementation Blueprint.

Texas will initiate work on utility data sharing agreements and has already engaged with Texas utilities. Texas will require rebate applicants to state in their reservation whether they consent for Texas to access their billing data through data sharing agreements we have established with utilities. Consent will be a requirement for all participants. Texas will provide more detail on this in the State Implementation Blueprint.

Texas understands that billing data is valuable information in evaluating the success of the program. The selected Implementor will provide more details for Texas' billing data requirements in The State Implementation Blueprint with the process is approved by SECO.

46. Confirm that the state will collect the required data and cooperate in program evaluation processes as listed in section 3.1.6.3.

Yes, the state confirms the above statement.

47. Confirm if the state is planning to conduct its own evaluation, and if so, what type(s) of evaluations.

Yes, the state is planning to conduct its own evaluation. (Describe types of evaluations).

If yes, confirm that the state will:

• Cooperate with DOE to meet all the requirements listed in Section 3.1.6.3.

Yes, the state confirms the above statement.

• Submit an evaluation plan for DOE review within three months of program launch.

Yes, the state confirms the above statement.

• Provide results to DOE.

Yes, the state confirms the above statement.

N/A. The state does not plan to conduct its own evaluation.

48. If the state plans to conduct evaluations on its programs, describe the evaluation objectives, high level work plan, and timing of the evaluations and whether the state would request to be excluded from DOE-led evaluations.

Defer response to State Implementation Blueprint.

N/A. The state does not plan to conduct its own evaluation.

## Consumer Experience

### Section 3.2.1: Education and Outreach Strategy

49. Confirm that the state will develop and submit an Education and Outreach Strategy consistent with Section 3.2.1.

Yes, the state confirms the above statement and will include it with this narrative document.

Yes, the state confirms the above statement but defers a response to State Implementation Blueprint.

The selected Implementor will provide more details of Texas' Education and Outreach Strategy in the State Implementation Blueprint with the processes approved by SECO.

### Section 3.2.2: Home Assessments

50. Describe the processes and procedures for conducting home assessments that meet program requirements.

Defer response to State Implementation Blueprint.

Texas will work with the selected Implementor to develop training of aggregators/contracts processes and procedures for conducting home assessments that meet program requirements. These procedures will be included in the State Implementation Blueprint with SECO approval.

51. Describe how home assessment data and results will be verified for accuracy.

Defer response to State Implementation Blueprint.

Texas will work with the selected Implementor to develop verification requirements/guideline for home assessment data and results. These procedures will be included in the State Implementation Blueprint with SECO approval.

52. Describe what processes will be put in place for home assessments for multifamily buildings, including for energy used by common areas.

Defer response to State Implementation Blueprint.

Texas will work with the selected Implementor to develop additional requirements/guidelines that will be included in the home assessment procedure for multifamily buildings. These procedures will be included in the State Implementation Blueprint with SECO approval.

### Section 3.2.3: Access to Residential Utility Data

53. Confirm that the state will develop and submit a Utility Data Access Plan consistent with the program requirements in Section 3.2.3.

Yes, the state confirms the above statement and will include the plan with this narrative document.

Yes, the state confirms the above statement but defers a response to State Implementation Blueprint.

The selected Implementor will provide more details of Texas' Utility Data Access Plan in the State Implementation Blueprint with the processes approved by SECO. This plan will contain privacy and data protection as a major component.

### Section 3.2.4: Project-Specific Energy Savings Calculations

54. Confirm if the state will implement the modeled path, measured path, or both.

The state will implement the modeled program path.

The state will implement the measured program path.

The state will implement both the modeled and measured program paths.

### Section 3.2.4.1: Calculating Modeled Energy Savings

55. Identify what factors the state will use to calculate kWh equivalent, consistent with Section 3.2.4.1.

- Defer response to State Implementation Blueprint.
- N/A. The state is not implementing the modeled program path.

The selected Implementor will provide more details of what factors the state will use to calculate kWh equivalent in the State Implementation Blueprint with the processes approved by SECO.

56. Describe the energy savings objectives and overall approach for estimating energy savings for the modeled program path.

- N/A. The state is not implementing the modeled program path.

Objectives:

Maximize energy savings through targeting home characteristics and high energy bills;

Approach:

First, the state wants building owners to get good advice regarding the types of improvements that make sense for their homes, including how different measures will affect utility bills, comfort, indoor air quality, moisture, and others. To that end, the state will require contractors to model energy savings attributable to envelope improvements for homes with existing conditions that are less efficient than state-established envelope efficiency minimums (e.g., insulation R values).

Second, the state wants the modeled energy estimates to be in line with the actual energy savings realized after the improvements are made. Given that the energy model predicts energy savings (which can then be translated into cost savings predictions based on local fuel rates), the state will require contractors to submit their underlying assumptions regarding occupancy and occupant behavior (e.g., set points). The overall approach for estimating energy savings for the modeled program path is to use BPI-2400 certified software for single-family, as approved by DOE, to model energy savings with bill calibration wherever possible, and Home Energy Score where bill calibration is not possible.

The state will require contractors to provide an estimated range of energy savings and utility bill impacts in the information that they provide to residents or building owners prior to beginning the work so that the households have a better idea of potential impacts. To ensure the accuracy of the modeling results, the state will also compare a sample of contractors' energy models with results the state will obtain from running the modeling inputs through the standardized Home Energy Scoring Tool.

57. Describe which upgrades may be included in the modeled savings estimate, including at least one major upgrade as defined in Section 2.1, including a brief description of if the state will or will not require the installation of envelope prior to other upgrades.

- Defer response to State Implementation Blueprint.
- N/A. The state is not implementing the modeled program path.

Texas has not decided on the major upgrades eligible for the program. The selected Implementor will provide more details of Texas' requirements in the State Implementation Blueprint with the processes approved by SECO. Texas reserves the right to change the list of eligible upgrades based on real world implementation and participation of eligible participants and will follow the DOE process if changes are necessary after the State Implementation Blueprint is submitted.

58. Identify which modeling tools the state proposes to authorize for its program. Identify whether any proposed tools have not yet received DOE approval.

- Defer response to State Implementation Blueprint.
- N/A. The state is not implementing the modeled program path.

Texas will work with the Implementor on selecting the modeling tools that best fit the needs of Texas. The selected Implementor will provide more details of Texas' proposed modeling tools in the State Implementation Blueprint with the processes approved by SECO.

59. Describe how the state will monitor the energy savings reliability of models and tools for the modeled program path.

- Defer response to State Implementation Blueprint.
- N/A. The state is not implementing the modeled program path.

Texas recognizes that the reliability of the models are extremely important for program reporting and success. Texas will implement a monitoring plan on selected grant recipients. Those selection will be random as well as risk-based for projects that contain elements that may raise the risk of the project but are otherwise eligible for funding. The selected Implementor will provide more details of Texas' monitoring plans in the State Implementation Blueprint with the processes approved by SECO.

60. If the state plans to allow modeling for homes for which BPI-2400 is not applicable or that are not eligible for BPI-2400, request alternative modeled path(s) by:

- Detailing for which exceptions the state plans to apply the alternative approach (e.g., multifamily, lack of delivered fuel bills, etc.).
  - Providing a detailed description of the method(s) that the state will use to estimate energy savings for each exception and how the state will ensure consistency between the alternative method and the results of BPI-2400 such as a realization rate adjustment to be used in reported savings estimates.
  - Commit to carrying out evaluations upon thresholds listed in Section 3.2.4.1.
  - Describe how the state will use any evaluation results or new information to update and adjust its alternate savings modeling method.
- Defer response to State Implementation Blueprint.
  - N/A. The state will not allow modeling for homes for which BPI-2400 is not applicable

or that are not eligible for BPI-2400.

Texas will work with the Implementor on the practicality or limitations of using BPI-2400 modeling. The selected Implementor will provide more details of Texas' plans in the State Implementation Blueprint with the processes approved by SECO.

61. For multifamily, describe the methods used for modeling energy savings for multifamily buildings, including energy used in common areas.

- Defer response to State Implementation Blueprint.
- N/A. The state is not implementing the modeled program path.

Texas is seeking input from various parties that have experience in modeling the energy savings for multifamily buildings. The selected Implementor will provide more details of Texas' planned methods in the State Implementation Blueprint with the processes approved by SECO.

#### Section 3.2.4.2: Calculating Measured Energy Savings

62. Describe the energy savings objectives and overall approach for estimating and measuring energy savings at the home and if applicable, portfolio of homes.

- N/A. The state is not implementing the measured program path.

Texas' primary savings objectives are:

- Maximize household energy savings.
- Targeting low-income homes with high energy bills to improve the whole-house energy efficiency and comfort.

Texas will implement the measured program using a program administrator that will act as the aggregator. That is, the Implementor will ensure measured retrofits meet the 15% measured savings threshold as part of their contract.

Tranche 1 will contain only HOMES 50121 retrofits where energy savings will be determined using the modeled savings pathway. In Tranche 2, HOMES 50121 retrofit energy savings will be determined utilizing both the modeled and measured savings pathways.

For measuring and reporting savings, Texas will work with the Implementor to develop consistent methods for post-retrofit monitoring, including:

- Third-party verification: engage independent verification firm(s); Scope of Work includes the following activities:
  - Establish and verify baseline conditions.
  - Develop a Measurement and Verification (M&V) strategy and plan which includes a process for required adjustments for external factors.
  - Confirm energy savings meet or exceed rebate program requirements.
- Available processes: The processes may vary depending on single-family or multi-family locations and other environmental concerns.
  - Utility bill analysis and other compatible savings process. Other processes may include whole-house/building for multi-family verification and potentially sub-metering for

case-specific multi-family buildings.

- Tools:
  - Utilize the DOE-approved open-sourced advanced measurement and verification tools for the measured pathway.

63. Identify what factors the state will use to calculate kWh equivalent, consistent with Section 3.2.4.2.

- Defer response to State Implementation Blueprint.
- N/A. The state is not implementing the measured program path.

Texas plans to use the modeling approach for the majority of funded projects. Texas reserves the right to use the Measured Method for monitoring or compliance situations. The selected Implementor will provide more details of what factors the state will use to calculate kWh equivalent in the State Implementation Blueprint with the processes approved by SECO.

64. List the open-source advanced M&V software(s) the state requests to use and confirm that each meets program requirements.

- Defer response to State Implementation Blueprint.
- N/A. The state is not implementing the measured program path.

Texas plans to use the modeling approach for the majority of funded projects. Texas reserves the right to use the Measured Method for monitoring or compliance situations. The selected Implementor will provide more details of what software(s) Texas requests to use in the State Implementation Blueprint with the processes approved by SECO.

65. Describe how the state will monitor and ensure that aggregator portfolios meet the program requirements and minimum savings thresholds for the measured program path.

- Defer response to State Implementation Blueprint.
- N/A. The state is not implementing the measured program path.

Texas understands that monitoring aggregators to meet minimum saving thresholds is important for program integrity. However, Texas plans to use the modeling approach for the majority of funded projects and plans on using the Measured Method for monitoring or compliance situations. The selected Implementor will provide more details of what Texas will require in the State Implementation Blueprint with the processes approved by SECO.

66. If measuring energy savings within a period of less than 12 months, describe how the state will define and enforce the inclusion of peak seasons.

- Defer response to State Implementation Blueprint.
- N/A. The state will measure energy savings over at least 1 year or the state is not using the measured savings approach.

Texas plans to use the modeling approach for the majority of funded projects and plans on using the Measured Method for monitoring or compliance situations. The selected Implementor will provide more details of what Texas will require to meet the inclusion of peak periods in the State Implementation Blueprint with the processes approved by SECO.

67. Describe the state's processes for measuring savings for multifamily buildings, including for energy used by common areas.

- Defer response to State Implementation Blueprint.
- N/A. The state is not implementing the measured program path.

Texas plans on using the Modeling approach on most grant funded projects. However, Texas plans to use the modeling approach for the majority of funded projects and plans on using the Measured Method for monitoring or compliance situations. The selected Implementor will provide more details of what Texas will require in the State Implementation Blueprint with the processes approved by SECO.

### Section 3.2.5: Consumer Protection through Quality Assurance

68. Certify that the state will prepare and implement a Consumer Protection Plan in accordance with the requirements (Section 3.2.5) and that the state rebate program will not launch until receiving DOE approval.

- Yes, the state confirms the above statement.

### Section 3.2.6: Post-Installation Certificate

69. Describe how each of the certification requirements (Section 3.2.6) will be met for single-family homes.

- Defer response to State Implementation Blueprint.

The certification requirements for single-family homes will address the following:

- A list of all work performed, including details of installed equipment and materials
- Projected energy savings to support the accurate valuation of the upgrade
- Estimated annual energy use and costs generated as provided to household during the home assessment, updated based on final project scope.

Texas will work with the selected Implementor to provide the details of how Texas will meet the certification requirements in the State Implementation Blueprint with the processes approved by SECO.

70. Describe how each of the certification requirements (Section 3.2.6) will be met for multifamily buildings.

- Defer response to State Implementation Blueprint.

The certification requirements for multi-family dwelling include the following:

- Is completed by a third party
- Is posted in a common area or provided to residents in some fashion



- Details the work performed including details of installed equipment and materials installed, and projected energy savings to support accurate valuation of the upgrade

Texas will work with the selected Implementor to provide the details of how Texas will meet the certification requirements in the State Implementation Blueprint with the processes approved by SECO.

71. Identify which third-party certificate(s) the state program will offer to homeowners that receive a rebated home energy upgrade.

- Defer response to State Implementation Blueprint.

Texas will work with the selected Implementor and will identify which third-party certificates Texas will use in the State Implementation Blueprint with the processes approved by SECO.

### Maximizing Rebate Impact

#### Section 3.3.1: Supporting the Clean Energy Economy Through Market Transformation

72. Certify that the state will develop and implement a Market Transformation Plan within the first year after receiving the financial assistance award.

- Yes, the state confirms the above statement and will provide the plan with this narrative document.

#### Section 3.3.2: Integrating with Other Programs

73. Identify whether the state plans to take proactive steps to encourage integration with other programs. If so, identify with which programs the state will actively seek to integrate. The state may include letters of support or other indicators of commitment from existing program partners. Applications should identify whether programs will be integrated in any or the following areas:

- Integration into existing program administration, website, materials.
- Adoption of existing program standards, QA, workforce standards, or other practices.
- Braiding or co-funding of upgrades within individual households.
- Other integration elements, as applicable.

- N/A. The state does not plan to integrate the rebates into any existing programs.

74. Describe how the state program will support households, contractors, aggregators, and other stakeholders in understanding how the state program may leverage other program resources.

- Defer response to State Implementation Blueprint.

Texas will engage contractor and industry organizations through outreach to increase awareness and community participation. Additionally, Texas plans to work with community-based organizations, retailers, homeowners, and building owners, and utility partners will be encouraged to promote the rebates and address disadvantaged communities. The Blueprint, with Implementor guidance and SECO approval, will include more details.

75. Describe the method(s) the state will use to ensure the total combination of all immediate upfront funding sources (federal grants, federal loans, and non-federal funding) provided to a project does not exceed the total project cost.

Defer response to State Implementation Blueprint.

Texas understands that fiscal management is a key component in grant management. Texas will put in place a system to reconcile all grants to ensure not over, double, or comingling of funds occurs during the course of the program. The selected Implementor will provide more details of how Texas will adhere Grant Management Standards in the State Implementation Blueprint with the processes approved by SECO.

76. Describe how the state program will support contractors and retailers in preparing acceptable invoices that may be kept as program records.

Defer response to State Implementation Blueprint.

Customer support is an important piece of Grant Management to ensure proper documentation is received from the participants in any program. The details for how Texas will provide these services will be included in The State Implementation Blueprint after the Implementor for Texas is selected and the process is approved by SECO.

77. Describe how the state implementer(s) will produce invoice documentation in a timely manner upon request in the event of an audit by DOE, the DOE's Inspector General, a state's inspector general, or another entity.

Defer response to State Implementation Blueprint.

Texas will prioritize the timeliness of documentation requested by the DOE's Inspector General. The communication tree and the exact process used by Texas will be included in The State Implementation Blueprint after the Implementor for Texas is selected and the process is approved by SECO.

78. Describe how the state will ensure rebate recipients will be made aware of the portion of the funding received from the DOE Home Efficiency Rebates.

Defer response to State Implementation Blueprint.

Texas understands the importance of the rebate recipients knowing that the funds they receive are from the DOE Home Efficiency Rebates. Aggregators/Contractors will be required to provide a line item showing the level of rebate applied on invoices that must be signed by the homeowner or building owner. The selected Implementor will provide more details of how Texas will notify recipients in the State Implementation Blueprint with the processes approved by SECO.

### Section 3.3.3: Quick Starts

79. Identify whether the application is for a Quick Start program. For Quick Start programs, identify the timeline for program launch.

- Yes, this is for a Quick Start Program (provide timeline below).
- No, this is not for a Quick Start Program.

Please add your name, title, signature, and date.

**Eddy Trevino**

\_\_\_\_\_  
Name (printed)

State Energy Conservation Office, Director

\_\_\_\_\_  
Organization and Title

*Eddy Trevino*

\_\_\_\_\_  
Signature

2024-11-07

\_\_\_\_\_  
Date



# Narrative Document Template

## IRA Section 50122: Home Electrification & Appliance Rebates

June 2024

### VERSION 2

Published on June 27, 2024

Modification Note: This version updates text in accordance with the Version 2 modifications of the [Program Requirements & Application Instructions](#). This version makes clerical fixes, including reference corrections. Changes are highlighted in the text in **yellow**.

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## Introduction

**This is an optional document that is not required by the ALRD. A state may use this to submit their ALRD 2 State Application.**

This Narrative Document should demonstrate the state’s ability and intent to implement the program in accordance with the requirements of the ALRD and the Program Requirements document. The Narrative Document must provide a comprehensive framework and description of all aspects of the proposed rebate program(s). States may use existing programs/infrastructure to implement this work. States may not provide these funds to existing programs to implement non-rebate work.

The Narrative Document must be succinct, self-explanatory, and well-organized so that DOE reviewers can understand program design and delivery. A state must address the following in its application package and corresponding Standard Form 424 Application for Federal Assistance, Standard Form 424A Budget Information, and Budget Justification Workbook. A state may defer some responses to its State Implementation Blueprint, to be provided to DOE after award but prior to program launch. The questions are marked as such, and applicants should check the appropriate box if deferring their response. All other requirements are mandatory within the state application package. If there is no box offering the “Defer response to State Implementation Blueprint” option, then it is required as part of the application package.

Identify whether the application is for a Quick Start program.

- Yes, this is for a Quick Start Program.
- No, this is not for a Quick Start Program.

# Home Electrification and Appliance Rebates State Programs (50122)

## Use of Funds and Rebate Eligibility

### Section 4.1.1 Use of Funds

1. Please provide the types of allowable costs the state proposes within each category of administrative funds and rebate funds within those categories.

*Note: These responses should correspond with the Standard Form 424, Standard Form 424A, and Budget Justification Workbook.*

Texas plans to use administrative funds to cover the following types of activities. In sum, these estimated administrative funds total of **\$63,571,590.00** or **18.48%** of the current formula funds for Texas for HOMES and are inclusive of the early administrative funds already awarded for a total administrative fund annual cost of **\$10,595,265.00** (see also 1.a below).

- Program planning and design **\$2,292,782.75** or **\$16.30** per project.
  - The State Energy Conservation Office (SECO) will contract with an organization with expertise in designing and delivering efficiency programs, with proven success in market uptake, sound installations, income verification, and delivering benefits to low-income households. Depending on the initial organization's experience reaching disadvantaged communities, the state may contract with another organization better suited to addressing this need.
- SECO program staff for **\$4,763,794.50** or **\$33.86** per project.
  - SECO plans to hire four (4) full-time staff members, with the intent that two (2) staff members time will be split amongst the 50121 and 50122 awards. Our accounting systems can separately track these different funding sources and internal policies are in place to ensure the time is accurately tracked.
  - Development of tools and systems for program administration, including websites, applications, rebate processing, and reporting for **\$6,410,00.00** or **\$45.56** per project.
  - Texas plans to fund a program implementation contractor or a separate qualified entity to develop user interfaces and systems for households, contractors, and others to use to apply for rebates, submit required documentation, etc., including income verification.
  - Depending on the interest of other state agencies with low-income programs, the state may also fund an IT firm to develop an application programming interface (API) that allows several low-income programs to automatically share information regarding their enrollees, thereby substantially expediting income verification.
- Program evaluation and consumer satisfaction surveys for **\$1,400,000.00** or **\$9.95** per project.
  - SECO will conduct the required customer satisfaction questions included in the program requirements. The state is also planning to conduct a process and impact evaluation, which is described in question 44.
- Program monitoring and audits for **\$3,600,000.00** or **\$25.59** per project
  - In addition to state staff monitoring program delivery and overseeing the implementation contractor(s), the state may require outside assistance to respond to state or federal inquiries. The implementation contractor(s) and other providers

(e.g., income verification services) will also be required to fulfill data reporting and analysis per the contract(s).

- Consumer protection functions including resolution procedures, data review, contractor management, installation standards, continuous improvement for **\$4,125,000.00** or **\$29.32** per project.
- In response to findings from periodic assessments of program performance (as well as any identified problems that arise throughout implementation), the state or its implementation contractor(s) will institute changes to address deficiencies in program delivery (or design).
- SECO will develop consumer protection guides or one-pagers that will be provided to all rebate applicants as one part of the consumer protection strategy.
- SECO created a dedicated email address [SECO.Rebates@cpa.texas.gov](mailto:SECO.Rebates@cpa.texas.gov) and state staff are dedicated to respond to consumer questions and/or complaints.
- SECO staff will fulfill contractor management needs with regular reviews of program implementer/other contractor data submissions.
- Marketing, education, and outreach, including the funding of local governments and place-based organizations to assist with these activities for **\$4,080,000.00** or **\$29.00** per project.
  - SECO Held two community engagement sessions on August 27, 2024, and additional sessions are planned as the program design matures.
  - SECO will conduct separate outreach to retailers, manufacturers, and distributors.
  - SECO, potentially with assistance from its implementation contractors or outside experts and partners, will develop marketing and education information for homeowners, tenants, retailers, contractors, and others as needed.
- Implementation contract cost not including rebates and costs for activities directly related to rebate for **\$63,571,590.00** or **\$451.83** per project.
  - The implementation contractor(s) will use administrative funds for data review and reporting, and to fulfill other programmatic management requirements.
  - SECO oversight of implementation contractor and other service provider costs/contract management; data review and reporting.
- Contractor training for **\$2,650,000.00** or **\$18.83** per project.
  - Contractor training and/or review of a contractor's certification(s) will be required before a contractor is placed on the qualified contractor list.
  - Training specifically to assist contractors in participating in the rebate program.
- Activities to improve access to rebates, facilitating leverage of private funds and financing mechanisms (e.g., loan loss reserves, interest rate reductions) where beneficial to efficiency and/or electrification projects for **\$11,055,012.50** or **\$78.57** per project.
  - Depending on availability of resources, the state will engage financing organizations (e.g., green banks) to assist in making low-cost financing (or other incentives including the potential to establish and apply loan loss reserves) available to rebate applicants and providers (e.g., contractors).
- Technical assistance for **\$4,000,000.00** or **\$28.43**.
  - Depending on availability of resources, SECO and/or its implementation contractor(s) may provide technical assistance either directly or through specialized organizations to assist entities focused on serving disadvantaged communities and/or other priorities.



Texas certifies that costs will not be duplicated on the Home Efficiency Rebates (Section 50122) award, or other awards, and are not duplicative from costs captured in the Indirect Rates.

Texas plans to use **rebate funds** to cover the following types of activities, for a total rebate fund annual cost of **\$280,435,000.00** or **\$1,993.17** per project.

- a. Provide the total amount of estimated administrative funds to be expended annually:

**\$10,595,265.00** based on **\$63,571,590.00** divided by **six (6) years**. September 1, 2025, through September 30, 2031.

- b. The total amount of estimated project-related costs as a portion of the rebate funds to be expended annually.

**\$0.00**

- c. If requesting additional funds for project-related activities, describe and justify each activity and associated budget in the budget justification worksheet as well as below.

N/A

- d. Confirm that the state will have a process for handling returns of rebated items as applicable in the Consumer Protection Plan.

Yes, the state confirms the above statement.

#### Section 4.1.2 Rebate Conditions and Levels

- e. Describe how the state will manage and ensure that rebate minimums and administrative maximums are adhered to over the duration of the program.

##### DOE Rebate Tracking System

Texas plans to use DOE-approved tools and systems to track recipient rebate statuses, work within established program spending limits, minimize costs and errors, maintain databases, and ensure rebate amounts comply with program requirements. Texas is motivated to utilize resources that provide real-time data and reporting to maintain program quality and efficiency. The details for what specific methods Texas will employ will be included in the State Implementation Blueprint.

##### Administrative Controls

Texas understands the importance of developing methods to ensure administrative maximums are adhered to over the duration of the program. Once an Implementor is selected, the State Energy Conservation Office (SECO) will approve forecasting tools and accounting practices in order to reduce administrative costs where possible. Texas will closely track and report this spending bucket as well as rebate funds and contractor incentive funds and aims to follow Generally Accepted Accounting Principles and conduct internal audits. These expectations will be extended to the selected Implementor and will be included in the Blueprint following SECO approval.

- f. Describe how the state will monitor contractor costs and ensure that costs are not artificially inflated compared with market averages.

Texas plans to closely monitor contractor costs through program participation requirements, risk-based and/or randomly selected project audits, and a Corrective Action Plan that will establish

remedies for qualified contractors not adhering to market averages or other instances of noncompliance. The Corrective Action Plan will include measures such as requiring contractors to increase or improve their reporting, refunding of rebate funds, and as well as corrections for improper costing to end-users. The selected Implementor will provide more details in the Blueprint and Consumer Protection Plan with the processes approved by SECO.

- g. Identify the maximum rebate amounts that will be offered to eligible entities and eligible entity representatives if lower than the allowed amounts.

Texas plans to use the maximum rebate amounts allowed by federal law (as defined in Table 7 of the Program Requirements and Application Instructions document) but reserves the right to alter rebate amounts based on participation of eligible participants and real-world program implementation. The details for exact rebate amounts to eligible actors will be included in the Blueprint after the Implementor is selected for Texas and the process is approved by SECO.

- h. Identify the maximum allowable project costs for determining project cost rebate levels.

Texas plans to use the maximum allowable project costs allowed by federal law (as defined in Table 7 of the Program Requirements and Application Instructions document) but reserves the right to adjust allowable project costs with DOE approval and Implementor-guidance. The details for how Texas will determine project cost rebate levels will be included in the Blueprint after the Implementor is selected for Texas and the process is approved by SECO.

- i. Describe the documentation requirements related to project costs from eligible entities and eligible entity representatives.

For each project, the eligible entity or eligible entity representative must provide an invoice with (at a minimum) the following information:

- Line-item costs of rebated equipment and materials
- Model numbers
- Labor costs of specific work performed and any onsite pre-assessment work
- Contractor name and contact information
- Dates of work performed
- Total project costs prior to rebate and rebate amount
- Other project costs (as applicable)

Texas will detail any additional project cost proof requirements in the Blueprint after the Implementor is selected for Texas and the process is approved by SECO.

- j. List the installation incentives the state will provide eligible entity representatives for each eligible product or service up to \$500 (in total).

Texas will use the federal maximum incentive amounts allowed for qualifying activities (as defined in Table 9 in the Program Requirements and Application Instructions document) and will further detail Texas' approach to installation incentives in the Blueprint after an Implementor is selected and the method is approved by SECO.

- k. Describe the approach for ensuring that eligible entities will not receive multiple federal rebates or grants for the same Qualified Electrification Project (QEP).

Texas plans to use the DOE Rebate Tracking System to safeguard against duplicative rebates for the same product and households. Texas plans to utilize the system to query a database to see if the specific type of rebate has already been issued for that address when an eligible entity or eligible entity representative applies to reserve a rebate. If a rebate has already been issued, the request will be rejected, and the applicant will be informed. Texas plans to have a resolution process for applicant disputes and will include this process and protections against multiple rebate awards in the Blueprint after the Implementor is selected and the process is approved by SECO.

- i. Confirm that the state will provide information via API or DOE-provided spreadsheet to the DOE central database to ensure that rebates limited to a single or a combination of products are tracked and managed, and no duplicate rebates are awarded.

- State will provide information via API.
- State will provide information via a DOE-provided spreadsheet.

- m. Describe how the state will approach providing rebates to multifamily building owners and qualified households who live in multifamily units.

- Defer response to State Implementation Blueprint.

Texas will encourage and facilitate 50122 rebates access to various types of eligible recipients and multifamily households. The details for how Texas will approach providing rebates to multifamily building owners and qualified multifamily unit households will be included in the Blueprint after the Implementor for Texas is selected and the process is approved by SECO.

- n. Identify the date after which upgrade projects must be completed for the purposes of being eligible for a rebate under the state program.

- Defer response to State Implementation Blueprint.

Qualified electrification projects (QEP) must be initiated after Texas receives DOE approval for program launch, i.e., retroactive rebates will not be applicable. Specific timelines, coupon details, and contractor deadlines will be included in the Blueprint after the Implementor for Texas is selected and the process is approved by SECO.

- o. Describe how eligible rebate recipients will be informed of additional program funding available from non-federal funds and grants.

- Defer response to State Implementation Blueprint.

Eligible rebate recipients will be informed by a variety of means, including, but not limited to, contractor marketing, mail, emails, retailer placements, and local organization involvement. The Education and Outreach Plan will be critical in designing effective workflows to properly inform eligible recipients; this will be included in the Blueprint after the Implementor for Texas is selected and the process is approved by SECO.

#### Section 4.1.3 Low-Income Households

- p. Identify the portion of the rebate funds the state will reserve for low-income and low-income multifamily households.

Texas plans to reserve, at a minimum, 40% and 10% of rebate funds for low-income households and multifamily households, respectively. 40% meets and exceeds the percentage of low-income households in Texas, which is 38.7% as reflected in Program Requirements Table 13.

- q. Provide a brief description of the procedures and penalties the state will provide to ensure that renters are not subject to unjustified rent increases.

Defer response to State Implementation Blueprint.

In accordance with Program Requirements, Texas will require building owners to sign renter protection agreements which will mandate that the owner, at a minimum, cannot evict a tenant to obtain a higher paying tenant after improvements are completed and/or cannot increase the rent as a result of the energy improvements outside of specified expenses. If the owner does not comply, rebate refunds, fines/penalties, legal fees, etc. are all possible penalties Texas will issue to owners. Further details and procedures will be included in the Blueprint after the Implementor for Texas is selected and the process is approved by SECO.

- r. Describe how the state program will define a disadvantaged community. If not using the default disadvantaged community definition of low-income households located in a disadvantaged community identified by the CEJST, a state must explain how the proposed definition will meet the following three criteria as described in DOE J40 implementation guidance:<sup>1</sup>

- The communities of concern identified by the state tool or definition must conform to the definition of communities established in U.S. Office of Management and Budget (OMB) guidance:
  - a group of individuals living in geographic proximity to one another that experiences common conditions.
  - a geographically dispersed set of individuals (such as migrant workers or Native Americans) that experiences common conditions.
- The state tool or definition must consider two or more of the following indicators when identifying communities that should be classified as disadvantaged for the purposes of directing federal investments under Justice40:
  - Low income, high and/or persistent poverty
  - High unemployment and underemployment
  - Racial and ethnic residential segregation, particularly where the segregation stems from discrimination by government entities
  - Linguistic isolation
  - High housing cost burden and substandard housing
  - Distressed neighborhoods
  - High transportation cost burden and/or low transportation access
  - Disproportionate environmental stressor burden and high cumulative impacts
  - Limited water and sanitation access and affordability
  - Disproportionate impacts from climate change
  - High energy cost burden and low energy access

- Jobs lost through the energy transition
- Access to healthcare
- The communities of concern identified by the state tool or definition must be currently mapped in software or must be easily overlaid in GIS so that communities can be easily identified by stakeholders.

Texas will use the DOE-provided definition of disadvantaged communities and use the federally issued CEJST map to identify disadvantaged communities.

- s. Identify the tool(s) the state will provide for eligible entity representatives to identify households that qualify for the installer incentive available for work in disadvantaged communities.

Defer response to State Implementation Blueprint.

Texas will provide contractors location-specific data to determine if an address qualifies for the disadvantaged community incentive. Texas will be using the DOE Rebate Tracking System and the CEJST to identify disadvantaged communities. Any additional tools and details will be included in the Blueprint after the Implementor for Texas is selected and the process is approved by SECO.

- t. Confirm that the state's intake system for users to provide income information will compare household income to 80% and 150% AMI values associated with that household's county and household size to determine rebate levels prior to signing statements regarding their income.

Texas plans to use the DOE provided API to compare an applicant's household income, occupancy number, and address to the appropriate AMI level (80% or 150% AMI) to determine income eligibility and rebate levels prior to signing statements regarding their income.

- u. If the state does NOT intend to use a federally provided web-based tool to determine whether a home is in a disadvantaged community, confirm that the state will provide the ZIP codes or a preferred more granular geography (e.g., census tract) with all disadvantaged communities as defined by the state to the DOE system.

Yes, the state confirms the above statement.

N/A. The state will use a federally provided web-based tool to determine whether a home is in a disadvantaged community.

#### Section 4.1.4 Community Benefits Plan

- v. Confirm that the state will develop and submit a Community Benefits Plan prior to program launch.

Yes, the state confirms the above statement.

#### Section 4.1.5 Processing and Delivering Rebate Funds to Eligible Rebate Recipients

- w. Describe what types of systems will be put into place to allow effective processing of rebates, including ensuring the ability to apply rebates at point of sale and/or as part of an invoice. And confirm that the system will link to federally provided systems via API.

Yes, the system will link to federally provided systems via API OR information will be

sent as part of DOE-provided spreadsheet.

Defer response to State Implementation Blueprint.

- x. Describe how the state will ensure processing of rebates within 4 weeks of receipt (e.g., through a processing company, through program implementers, or other entities or methods). Include information on corrective actions that the state will implement in the event of lengthier processing times.

Defer response to State Implementation Blueprint.

Texas will use an Implementor to carry out rebate processing. The state will require rebate processing to occur within 4 weeks or shorter of receipt of required and acceptable information and require the Implementor to develop a method for obtaining updates on processing times. Should processing time exceed those detailed above, the Implementor will institute a resolution plan. Details of this process will be further explained in the Blueprint.

- y. Describe how the proposed processing system will be integrated with a system for processing rebates under Section 50121. Note if the state plans to use separate systems.

Defer response to State Implementation Blueprint.

N/A State is not planning to run 50121.

Texas plans to work with an Implementor to develop an effective, integrated system for processing rebates both under Section 50121 and Section 50122 and apply the DOE/PNNL provided workflows as approved by SECO. Further details regarding the rebate processing system will be included in the Blueprint after the Implementor is selected and the system is approved by SECO.

#### Section 4.1.6 Verify Income Eligibility

- z. Describe how the state will define household income for verification purposes.

Texas will use categorical eligibility to establish participation eligibility in the program. In the case of auditing or monitoring the effectiveness of the program, Texas will define household income as cash receipts earned and/or received by all Household members 18 years of age and older before taxes during applicable tax year(s), but not the excluded income listed in subsection Texas Administrative Code Title 10, Part 1, Chapter 6, Subchapter A, Rule §6.4. Income will be based on the Gross Annual Income.

- aa. For single-family households, how will claimants be able to establish their household income for income qualification? States may select from the following options:

Documentation of household income (for example, 1040)

Documentation of enrollment in a pre-qualifying program

Self-attestation of income level

Self-attestation of enrollment in a pre-qualifying program

Texas' selected Implementor will apply a variety of means to verify categorical enrollment which may include visual review of documentation, technological automation, and communication with the programs. Further details will be included in the Blueprint.

Listed below are the following programs Texas is considering (at a minimum) to allow categorical eligibility (Tables A-3 and A-4 in DOE-provided appendix):

- Medicaid
- Supplemental Nutrition Assistance Program (SNAP)
- Head Start
- Lifeline Support for Affordable Communications (Lifeline)
- Food Distribution Program on Indian Reservations (FDPIR)
- National School Lunch Program – Free (NSLP)
- Housing Improvement Program (HIP)
- Housing Opportunities for Persons with AIDS
- Supplemental Security Income (SSI)
- Weatherization Assistance Program (WAP)
- Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)
- Verified government or non-profit program serving Asset Limited income Constrained Employees (ALICE) persons or households
- For multifamily buildings:
  - Public Housing (housing owned and operated by Public Housing Authorities)
  - Privately-owned multifamily buildings receiving project-based assistance (Section 8, Section 202, Section 811)
  - Privately-owned multifamily buildings that house residents receiving tenant-based assistance
- Section 42 Low Income Housing Tax Credit (LIHTC)

The Implementor will confirm this list with SECO approval.

- bb. For multifamily buildings, describe what combination of methods will be used to verify that at least 50% of dwelling units consist of households with incomes less than 80% AMI.

Provide documentation that demonstrates that one of the following categories applies to 50% of the units in the multifamily building:

- Public Housing (housing owned and operated by Public Housing Authorities)
- Privately owned multifamily buildings receiving project-based assistance (Section 8, Section 202, Section 811)
- Privately-owned multifamily buildings that house residents receiving tenant-based assistance
- Section 42 Low Income Housing Tax Credit (LIHTC)

These programs align with what is outlined in the federal guidance. ODOE may add additional state programs in the Implementation Blueprint. For buildings that are not qualified for a pre-existing program, applicants will have to provide household income documentation for at least 50% of dwelling units impacted by the upgrade. Tenants must be given the option to submit this information directly to the implementer, without having to disclose this information to the building owner or contractor.

- a. For multifamily buildings, describe what combination of methods will be used to verify that at least 50% of dwelling units consist of households with incomes less than 150% AMI (but not less than 80% AMI).

Unless the building pre-qualifies as a low-income property, applicants will be required to have at least 50% of dwelling units impacted by the upgrade submit household income documentation.

cc. Confirm the following:

- Claimant will be required to note the number of individuals who occupy the dwelling unit.
- Claimant will be required to sign a statement affidavit attesting to the validity of all information provided (e.g., enrollment documents, household income, number of full-time occupants) irrespective of the method of income qualification (e.g., categorical eligibility, self-attestation).

Yes, the state confirms the above statements.

dd. Describe how the 80% AMI and 150% AMI levels for each location will be kept up-to-date and linked to DOE systems. Provide additional information if proposing NOT to use a federally provided link or API.

Defer response to State Implementation Blueprint.

Confirm that these levels will correspond to:

- The address of the home at which rebates will be applied
- The applicable number of household occupants

Yes, the state confirms the above statements.

Texas plans to use the DOE provided API to compare an applicant's household income, occupancy number, and address to the appropriate 80% or 150% AMI level to determine income eligibility and level of rebate.

ee. Confirm that the state will do the following:

- Review information provided to support income eligibility for all applicants applying for rebates;

Yes, the state confirms the above statement.

- Take steps to verify income eligibility for all applications (100%) that use self-attestation to support income eligibility (e.g., confirm enrollment in at least one program that the applicant asserted enrollment in; confirm household income via IVES; calls to employers);

Yes, the state confirms the above statement.

- After six months and not longer than one year after program launch, report to DOE the percentage and number of applicants that received rebates but were subsequently found to not meet eligibility requirements; and

Yes, the state confirms the above statement.

- Work with the state's DOE project officer to institute additional safeguards or determine if a lesser level of review for applicants using self-attestation is justified depending on the percentage/number of rebates issued without meeting eligibility requirements.

Yes, the state confirms all the statement.

If applicable, propose the types of information that the state will provide to DOE to warrant reducing these requirements (e.g., allowing implementers to verify income of a



subset of claimants through random sampling).

- N/A. The state will not reduce this requirement.
- Defer response to State Implementation Blueprint.

ff. Provide additional information as needed to demonstrate that the proposed approaches for income verification will address all types of households; not create undue burden for claimants; and include safeguards to minimize error and abuse in the process of verifying income.

- Defer response to State Implementation Blueprint.

Texas is aware of the importance of verifying income of recipients for program integrity and that guardrails need to be implemented. Equally as important, though, is the ease of applying to the program and not creating an unnecessary burden to applicants that may be a barrier to the application process. Texas is looking into the balance of these two needs to understand what approach will suit the need of Texas. The details for how, when, and what exact items Texas will require to verify income will be included in the Blueprint after the Implementor for Texas is selected and the process is approved by SECO.

gg. Describe how the state will verify (confirm legitimacy) of income information for all claimants (e.g., verification within 2 days through IRS, cross-check with enrollment databases of approved programs, calls to employers). If applicable, a state may propose the types of information that it will provide to DOE to warrant reducing this requirement (e.g., allowing implementers to verify income of a subset of claimants through random sampling).

- Defer response to State Implementation Blueprint.

As stated in the proposed response to question 25, Texas is aware of the importance of verifying income of recipients for program integrity and that guardrails need to be implemented. Equally as important, though, is the ease of applying to the program and not creating an unnecessary burden to applicants that may be a barrier to the application process. Many of the approaches to verify income are resource intensive and Texas is looking into the balance of these needs to understand what approach will suit the need of Texas. The selected Implementor will provide more details of the income verification requirements in The State Implementation Blueprint with the processes approved by SECO.

hh. Identify how the state will resolve instances when rebates are provided to those who have falsified their incomes.

- Defer response to State Implementation Blueprint.

If Texas determines that a rebate recipient has provided falsified income information, a variety of correction procedures may be utilized, including, but not limited to, cancelling the rebate coupon, inform the applicant of cancellation, and/or request a refund. More details will be included in the Blueprint after the Implementor is selected and the process is approved by SECO.

ii. If proposing to allow self-attestation as a means for initial income qualification, provide a

detailed description of how and when this approach will be used. Include statements, language, and detailed information regarding follow-up steps that will be used for this process. Additional topics to address include:

- Describe how those applying for rebates will be warned of potential liability associated with falsifying information.
  - Explain how signed statements of self-attestation will be securely stored.
  - Identify what level of falsified attestations will signal that the system needs to shut down either permanently or be restarted only after sufficient improvements.
- Defer response to State Implementation Blueprint.
- N/A. The state has chosen not to allow self-attestation.

jj. Describe how the state program will verify, where applicable, that at least one member of a household has been enrolled in a program within the [Federal Programs Approved for Categorical Eligibility](#) document, or other state-proposed program approved by DOE, within the prior 12 months.

- Defer response to State Implementation Blueprint.

The selected Implementor will apply a variety of means to verify categorical enrollment which may include visual review of documentation, technological automation, and communication with the programs. If verification documentation is insufficient or unclear, Texas will have a review process to investigate further into eligibility determination. The details for this process will be included in the Blueprint after the Implementor is selected and the process is approved by SECO.

kk. Identify the federal or other programs by which the state plans to allow categorical eligibility.

- Defer response to State Implementation Blueprint.

Texas' selected Implementor will confirm this list with SECO approval. Listed below are the following programs Texas is considering (at a minimum) to allow categorical eligibility (Tables A-3 and A-4 in DOE-provided appendix):

- Low Income Home Energy Assistance Program (LIHEAP)
- Medicaid
- Supplemental Nutrition Assistance Program (SNAP)
- Head Start
- Lifeline Support for Affordable Communications (Lifeline)
- Food Distribution Program on Indian Reservations (FDPIR)
- National School Lunch Program – Free (NSLP)
- Housing Improvement Program (HIP)
- Housing Opportunities for Persons with AIDS
- Supplemental Security Income (SSI)
- Weatherization Assistance Program (WAP)
- Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)

- Verified government or non-profit program serving Asset Limited income Constrained Employees (ALICE) persons or households
- For multifamily buildings:
  - Public Housing (housing owned and operated by Public Housing Authorities)
  - Privately-owned multifamily buildings receiving project-based assistance (Section 8, Section 202, Section 811)
  - Privately-owned multifamily buildings that house residents receiving tenant-based assistance
  - Section 42 Low Income Housing Tax Credit (LIHTC)

ii. If applicable, propose any additional federal and other programs to be considered for categorical eligibility. For any programs not already approved, describe how the program’s eligibility aligns with the Section 50122 income requirements (Section 4.1.6 of the [Program Requirements & Application Instructions](#)).

- Defer response to State Implementation Blueprint.
- N/A. The state will not propose additional federal or other programs to be considered for categorical eligibility.

mm. Identify whether the state requests authorization to allow use of categorical eligibility determinations based on program participation outside of a one-year period (e.g., proof of enrollment within the past 12 months). If so, explain the state’s proposal and describe the rationale.

- Yes, the state requests authorization to allow use of categorical eligibility determinations based on program participation outside of a one-year period. (Explain the state’s proposal and describe the rationale.)
- No, the state will only allow for categorical eligibility determinations based on program participation within a one-year period.
- Defer response to State Implementation Blueprint.

Texas is inclined to only allow for categorical eligibility determinations based on program participation within a one-year period but will be deferring the decision to the Blueprint to include Implementor guidance and allow for program changes based on need and participation.

nn. Identify whether the state requests authorization to allow categorical eligibility for a program in a way that is not consistent with the “level of categorical eligibility” listed in the document [Federal Programs Approved for Categorical Eligibility](#). For each deviation requested, propose, and provide documentation to justify the requested change. Documentation must demonstrate that the state imposes income requirements equivalent to or less than 80% AMI.

Defer response to State Implementation Blueprint.

- N/A. The state will not allow categorical eligibility for a program in a way that is not consistent with the “level of categorical eligibility” listed in the document [Federal Programs Approved for Categorical Eligibility](#).



#### Section 4.1.7 Data Collection and Evaluation

oo. Explain how data will be protected, specifically addressing security measures and privacy measures.

- Defer response to State Implementation Blueprint.

Texas understands the importance of data protection and will extend expectations to the selected Implementor and program team. Per program requirements, the state will not sell any collected data and will retain data and records for at least 3 years after the state submits the final expenditure report to DOE. More details of security and privacy measures will be addressed in the Blueprint after Texas selects an Implementor and the process is approved by SECO.

pp. Include documentation of the processes to monitor, identify, and address security and privacy threats.

- Defer response to State Implementation Blueprint.

Texas will include details, such as data monitoring methods, privacy/data breach remedies, contractor and Implementor data security expectations, in the Privacy and Security Risk Assessment which will be included in the Blueprint.

qq. Certify that the state will submit a Privacy and Security Risk Assessment in the State Implementation Blueprint.

- Yes, the state confirms the above statement and will include it with this narrative document.
- Yes, the state confirms the above statement but defers a response to State Implementation Blueprint.

Texas understands the importance of privacy protection and implementing a quality Security Risk Assessment will ensure personal data and other protected information are protected. Texas will extend expectations to the selected Implementor, and the details of The Security Risk Assessment will be included in the Blueprint after Texas selects an Implementor and the process is approved by SECO.

rr. Confirm that the state will collect required data and cooperate in program evaluation processes as listed in Section 4.1.7.2 of the [Program Requirements & Application Instructions](#).

- Yes, the state confirms the above statement.

ss. Confirm that the state will gain access to billing data when requested by DOE for program requirements and program evaluation.

- Yes, the state confirms the above statement.

Describe how the state will gain access to billing data when requested by DOE for

program evaluation.

Texas will initiate work on utility data sharing agreements and has already engaged with Texas utilities. Texas will require rebate applicants to state in their reservation whether they consent for Texas to access their billing data through data sharing agreements we have established with utilities. Consent will be a requirement for all participants. Texas will provide more detail on this in the State Implementation Blueprint.

tt. Confirm whether the state is planning to conduct its own evaluation, and if so, what type(s) of evaluations.

- Yes, the state will conduct its own evaluation. (Describe below).
- No, the state will participate in the DOE-led impact and evaluation process.

If yes, what type(s) of evaluations. If no, leave blank.

If the state plans to conduct evaluations on its programs, confirm that the state will:

- Cooperate with DOE to meet the requirements listed in Section 4.1.7.2 of the [Program Requirements & Application Instructions](#).
  - Yes, the state agrees to meet the evaluation requirements.
- Submit an evaluation plan for DOE review within three months of program launch.
  - Yes, the state will submit an evaluation plan within three months of program launch.
- Provide results to DOE.
  - Yes, the state will provide results to DOE.

uu. If the state plans to conduct evaluations on its programs, describe the evaluation objectives, high level work plan, and timing of the evaluations and whether the state would request to be excluded from DOE-led evaluations.

- Yes, the state agrees to meet the evaluation requirements.
- N/A. The state will not conduct its own evaluation.

## Consumer Experience

### Section 4.2.1: Education and Outreach Strategy

vv. Confirm that the state will develop and submit an Education and Outreach Strategy consistent with Section 4.2.1 of the [Program Requirements & Application Instructions](#).

- Yes, the state confirms the above statement.
- Defer response to State Implementation Blueprint.

## Section 4.2.2 Qualified Electrification Projects

ww. Describe how the state will verify that rebates are provided only for qualified electrification projects, including that each of the following conditions are met for each project:

- Project includes the purchase and installation of a qualifying product, as described in Section 4.2.2 of the [Program Requirements & Application Instructions](#)
- The qualifying product is installed as part of new construction; or to replace a non-electric appliance; or as a first-time purchase with respect to that appliance
- The installation occurs at a single-family home or eligible multifamily building

Texas will use the DOE-approved tracking system. In conjunction with the selected Implementor, Texas will ensure coupons are only generated for QEPs. If selected retailers choose to use the API, they will be responsible for only accepting coupons applied to qualifying products. All other retailers will be informed through retailer outreach of qualifying products and coupon details. Other details regarding QEP verification will be included in the Blueprint after the Implementor is selected and the process is approved by SECO.

xx. Describe how the state will collect and retain documentation to demonstrate how each criterion in Section 4.2.2 of the [Program Requirements & Application Instructions](#) was met for each installation.

- Defer response to State Implementation Blueprint.

Texas will use the DOE Rebate Tracking System to collect and report required information. Texas will also require documentation and geotagged photos prior to reimbursement. There will be different requirements and processes for QEPs and point-of-sale purchasing, and Texas will establish a quality assurance process to randomly audit the processes. Further detail will be included in the Blueprint after the Implementor is selected and the process is approved by SECO.

yy. If applicable, identify any additional types of “materials to improve ventilation” that the state plans to make eligible for rebates.

Defer response to State Implementation Blueprint.

- N/A. The state will not include any additional types of “materials to improve ventilation” in the rebates.

## Section 4.2.3 Installation Incentives

zz. Describe how eligible entity representatives will be determined to be eligible for installation incentives, and how and when incentives will be paid.

- Defer response to State Implementation Blueprint.

Texas will use the DOE Rebate Tracking System to establish and manage requirements for coupons. More detail regarding incentives payout timelines and structures will be included in the Blueprint after the Implementor is selected and the process is approved by SECO.

aaa. Confirm that the state program will provide a clear incentive schedule commensurate with the scale of the upgrades installed not to exceed the maximum allowable values.

Yes, the state confirms the above statement.

bbb. Describe what tool(s) the state will provide for eligible entity representatives to identify households that qualify for an installer incentive for substantial installation located within a disadvantaged community.

Defer response to State Implementation Blueprint.

Texas will use the DOE Rebate Tracking System and will use the CEJST maps to identify disadvantaged communities.

ccc. Confirm that the state program will automatically provide the incentive to eligible entity representatives in an amount not to exceed \$500 per dwelling unit or multifamily building in a 12-month period.

Yes, the state confirms the above statement.

#### Section 4.2.4 Home Assessments

ddd. Determine and describe a pre-defined set of home pre-condition(s) and/or scope of work scenario(s) that will constitute unacceptable risk of raising utility bills.

Defer response to State Implementation Blueprint.

Texas will work with the selected Implementor to select a tool that will assess utility bill impact based on the following criteria (at a minimum):

- Building age, size, climate, level of insulation, and level of air sealing/duct sealing
- Existing fuel type and if the home is switching from gas to electric
- Cost of existing fuel and cost of the fuel used after replacement
- Average annual energy use of home and anticipated energy use after installation

More detail as to home assessment guidelines will be provided in the Blueprint by the Implementor with SECO approval.

eee. Identify if the state will allow remote or virtual assessments in place of field-based assessments in cases of limited home assessments and if so, describe process.

Yes, the state will allow remote or virtual assessments (describe below).

No, the state will not allow remote or virtual assessments.

Defer response to State Implementation Blueprint.

Texas will allow remote or virtual home assessments prior to installation of any qualified 50122 projects. Various requirements, both on the part of the contractor and the eligible entity, will be developed by Texas and the Implementor. Texas will regularly assess the process for remote/virtual assessments pending real-world program implementation and user effectiveness. Further detail will be provided in the Blueprint after the Implementor is selected and the process is approved by SECO.

fff. Describe what processes will be put in place for home energy assessments for multifamily buildings, including for energy used by common areas.

Defer response to State Implementation Blueprint.

Texas will work with the selected Implementor to develop additional requirements/guidelines that will be included in the home assessment procedure for multifamily buildings, specifically requirements regarding common areas. These procedures will be included in the Blueprint with SECO approval.

#### Section 4.2.5 Consumer Protection Through Quality Assurance

ggg. Confirm that the state will prepare and implement a Consumer Protection Plan in accordance with these requirements in Section 4.2.5 of the [Program Requirements & Application Instructions](#).

Yes, the state confirms the above statement.

### Requirements to Maximize Rebate Impact

#### Section 4.3.1 Supporting the Clean Energy Economy Through Market Transformation

hhh. Certify that the state will prepare and implement a Market Transformation Plan within the first year after receiving the financial assistance award.

Yes, the state confirms the above statement and will provide the plan with this narrative document.

#### Section 4.3.2 Integrating with Other Programs

iii. Identify whether the state plans to take proactive steps to encourage integration with other programs. If so, identify with which programs the state will actively seek to integrate. The state may include letters of support or other indicators of commitment from existing program partners. If the state does not plan to integrate the rebates into any existing programs, note this as “not applicable” within the application. Applications should identify whether programs will be integrated in any or the following areas:

- Integration into existing program administration, website, materials.
- Adoption of existing program standards, quality assurance (QA), workforce standards, or other practices.
- Braiding or co-funding of upgrades within individual households.
- Other integration elements, as applicable.

N/A. The state does not plan to integrate the rebates into any existing programs.

jjj. Describe how the state program will support households, contractors, and other stakeholders in understanding how the state program may leverage other program resources.

Defer response to State Implementation Blueprint.

Texas will engage contractor and industry organizations through outreach to increase awareness and community participation. Additionally, Texas plans to work with community-based organizations, retailers, homeowners, and building owners, and utility partners will be encouraged to promote the rebates and address disadvantaged communities. The Blueprint, with



Implementor guidance and SECO approval, will include more details.

kkk. Describe the method(s) the state will use to ensure the total combination of all immediate upfront funding sources (federal grants, federal loans, and non-federal funding) provided to a project does not exceed the total project cost.

Defer response to State Implementation Blueprint.

Texas understands that fiscal management is a key component in grant management. Texas will put in place a system to reconcile all grants to ensure not over, double, or comingling of funds occurs during the course of the program. The selected Implementor will provide more details of how Texas will adhere Grant Management Standards in the State Implementation Blueprint with the processes approved by SECO.

lll. Describe how the state program will support contractors and retailers in preparing acceptable invoices that may be kept as program records. The state must also describe how its implementer(s) will produce this documentation in a timely manner upon request in the event of an audit by DOE, the DOE's inspector general, a state's inspector general, or another entity.

Defer response to State Implementation Blueprint.

Customer support is an important piece of Grant Management to ensure proper documentation is received from the participants in any program. The details for how Texas will provide these services will be included in The State Implementation Blueprint after the Implementor for Texas is selected and the process is approved by SECO.

mmm. Describe how the state will ensure rebate recipients will be made aware of the portion of the funding received from the DOE Home Electrification and Appliance Rebates.

Defer response to State Implementation Blueprint.

Texas understands the importance of the rebate recipients knowing that the funds they receive are from the DOE Home Efficiency Rebates. Aggregators/Contractors will be required to provide a line item showing the level of rebate applied on invoices that must be signed by the homeowner or building owner. The selected Implementor will provide more details of how Texas will notify recipients in the State Implementation Blueprint with the processes approved by SECO.

#### Section 4.3.3 Quick Starts

nnn. Identify whether the application is for a Quick Start program. For Quick Start programs, identify the timeline for program launch.

Yes, this is for a Quick Start Program (provide timeline below).

No, this is not for a Quick Start Program.

**Please add your name, title, signature, and date.**

---

Name (printed)

---

Organization and Title

---

Signature

---

Date



**Successful Respondent Reimbursement Request Document Submittal Checklist**  
 (Successful Respondent to submit checklist and all of the following documents with each reimbursement request)

#	Document	Description/Details	Who Completes the Form?	Yes/No
<b>A</b>	<b>Cover Letter</b>	Signed cover letter	Successful Respondent	
<b>B</b>	<b>Voucher Information Summary Sheet (VISS) Forms</b>	The VISS forms must be completely filled out, signed and dated.		
		1 Administrator VISS Form	Successful Respondent	
		2 VISS Forms from each Subcontractor	Subcontractor	
<b>C</b>	<b>Disbursement Summary Spreadsheet</b>	The disbursement summary sheet must be completely filled out and signed by the appropriate authority.		
		1 Administrator Disbursement Summary Spreadsheet	Successful Respondent	
		2 Disbursement Summary Spreadsheets from each Subcontractor	Subcontractor	
<b>D</b>	<b>Invoice Support Documentation</b>	All invoices from <b>Administrator</b> supporting the reimbursement amount must be submitted. The invoices must:	Successful Respondent	
		1 Be on Administrator letterhead		
		2 Be clearly itemized		
		3 Show amounts being billed/paid		
		4 Give a description of the work performed for all applicable activities		
		All invoices from <b>Subcontractors</b> supporting the reimbursement amount must be submitted. The invoices must:	Subcontractor	
		1 Be on Subcontractor letterhead		
		2 Be clearly itemized		
3 Show amounts being billed/paid				
4 Give a description of the work performed for all applicable activities				
<b>E</b>	<b>Contract Attachment C-2</b>	Successful Respondent to submit all Contract Attachment C-2 (Subcontractor Nondiscrimination) Forms from each Subcontractor.	Subcontractor	
<b>F</b>	<b>Texas Historical Commission (THC)</b>	THC requirements must be met before project commencement. If applicable, Successful Respondent must compile and provide THC approval or exemption documentation from each Subcontractor.	Subcontractor	
<b>G</b>	<b>National Environmental Policy Act (NEPA)</b>	NEPA requirements must be observed and carried out prior to project implementation. Subcontractor shall contact SECO to receive a NEPA document. Subcontractor shall review pages 2 and 3 of the document to determine Bounded Category of their project. After your review, email a statement to SECO stating your category. Successful Respondent must compile and provide NEPA acknowledgements from each Subcontractor.	Subcontractor	
<b>H</b>	<b>Flood Map of Project Site</b>	Subcontractor shall enter their project location into the FEMA website at <a href="https://msc.fema.gov/portal">https://msc.fema.gov/portal</a> . If the project is located in a flood plain, that location will be highlighted. Subcontractor shall submit a screenshot of the map to the Successful Respondent. Successful Respondent must compile and provide Flood Maps from each Subcontractor.	Subcontractor	
<b>I</b>	<b>Wetland Map of Project Site</b>	Subcontractor shall enter the project location address into the U.S. Fish and Wildlife Service website at <a href="https://fwprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/">https://fwprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/</a> . If the project is located in a wetland, that location will be highlighted. Subcontractor shall submit a screenshot of the map to the Successful Respondent. Successful Respondent must compile and provide Wetland Maps from each Subcontractor.	Subcontractor	
<b>J</b>	<b>Waste Disposal</b>	Successful Respondent to compile and provide letters confirming proper disposal of waste from each Subcontractor.	Subcontractor	