

*Request for Proposals
State Energy Program (SEP)
April 10, 2009*



American Recovery and Reinvestment Act (ARRA)



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

405-815-6552

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PART I - FUNDING OPPORTUNITY DESCRIPTION

INTRODUCTION

This Request for Proposal (RFP), details the submission requirements for proposed renewable energy and energy efficient technology projects to the Oklahoma Department of Commerce State Energy Office (SEO). Funding for this opportunity has been allocated to the Oklahoma SEO from the U. S. Department of Energy (DOE) State Energy Program (SEP) Formula Grants, *American Recovery and Reinvestment Act (ARRA) of 2009*.

American Recovery and Reinvestment Act (ARRA)

President Barack Obama signed into law the ARRA on February 17, 2009. The ARRA appropriates funding for DOE to issue formula-based grants under SEP.

In the energy arena, the ARRA requires states to work with utilities to implement a general policy that ensures utilities provide financial incentives to help customers use energy more efficiently; adopt residential and commercial building codes and exceed specified standards; give priority to projects that include an expansion of existing energy efficiency programs; expand existing support for renewable energy projects and deployment activities; and cooperate in joint activities among states to support energy efficiency priorities.

DOE is responsible for overseeing and managing the allocation and the use of ARRA funds distributed to the states through the SEO. The results achieved with SEP ARRA funds will be assessed according to the following performance metrics:

- Jobs created
- Energy (kwh/therms/gallons/BTUs/etc) saved
- Renewable energy installed capacity and generated
- GHG emissions reduced (CO2 equivalents)
- Energy cost savings
- Funds leveraged

A working group was created to assist the Oklahoma SEO in developing the best plan for the state to meet the criteria of ARRA. Participants are the Oklahoma Secretaries of Commerce, Energy and Environment and industry experts. This committee established project priorities for the State of Oklahoma which promote economic recovery in the state that will create jobs, save energy and reduce greenhouse gas emissions.

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

BACKGROUND

The Oklahoma SEO receives congressionally appropriated funding from the DOE for SEP. Funds are distributed according to a formula that depends on the state's size, population, energy use, etc. States must submit an annual plan that describes energy conservation, efficiency and renewable energy goals including proposed project activities while meeting both mandatory and optional activities set by DOE. The mission of SEP is to:

- Increase energy efficiency to reduce energy costs and consumption for consumers, businesses and government.
- Reduce reliance on imported energy.
- Improve the reliability of electricity and fuel supply and the delivery of energy services.
- Reduce the impacts of energy production and use on the environment.

One of the primary objectives of SEP is for states to plan for and maximize efforts toward achieving the specific goal of reducing per capita energy consumption by at least 25% of the State's 1990 per capita energy use by 2012. Taking steps in reducing energy consumption via the actions as outlined above will help Oklahoma realize this objective.

The Oklahoma SEO has been allocated \$46,704,000 in SEP ARRA funds. Shown below is the projected funding and event timetable:

Oklahoma SEP ARRA Funding and Event Timetable		
Date	Amount	Funding / Event
3/12/2009	N/A	Issue date of U.S. DOE Funding Opportunity Announcement for SEP ARRA Formula Grants. Funding # DE-FOA-0000052.
3/20/2009	N/A	SEP ARRA Formula Grants Initial Application submitted by Oklahoma SEO to DOE.
Estimated 4/01/2009	\$4,670,400	Initial Award of SEP ARRA funds (10% of eligible funds) from DOE to Oklahoma SEO.
4/10/2009	N/A	Release date of Oklahoma State Energy Office Request for Proposal soliciting applications for SEP ARRA.
4/27/2009	N/A	Project Proposals due to Oklahoma SEO for SEP ARRA funding.
5/12/2009	N/A	Oklahoma SEO application due date for SEP ARRA Formula Grants Comprehensive Application to DOE.
5/12/2009	N/A	Oklahoma SEO announces award list for SEP ARRA projects to be funded. This will be a three phase funding allocation.
Estimated 7/12/2009	\$18,681,600	Second allocation of SEP ARRA funds (40% of eligible funds) to Oklahoma SEO upon DOE approval of Oklahoma SEP plan.
Estimated 7/12/2009	N/A	Oklahoma SEO enters into Grant Agreement with first phase of projects funded by SEP ARRA
(pending)	\$9,340,800	Third allocation of SEP ARRA funds (20% of eligible funds) to Oklahoma SEO when Oklahoma demonstrates that is has obligated 50% of SEP ARRA funds awarded previously, complying with all requirements, and that jobs are being created.
(pending)	N/A	Oklahoma SEO enters into Grant Agreement with Second phase of projects funded by SEP ARRA
(pending)	\$14,011,200	Final allocation of SEP ARRA funds (30% of eligible funds) to Oklahoma SEO when Oklahoma demonstrates continued progress in obligating SEP ARRA funds previously provided, complying with all reporting requirements and creating jobs.
(pending)	N/A	Oklahoma SEO enters into Grant Agreement with Third and final phase of projects funded by SEP ARRA
(pending)	\$46,704,000	Total allocation of SEP ARRA funds (100% of eligible funds to Oklahoma SEO.
3/31/2012	N/A	End date of Oklahoma State Energy Office SEP ARRA funding. Close out of grants.

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

PART II - AWARD INFORMATION

TYPE OF AWARD INSTRUMENTS

The Oklahoma SEO will be awarding both grant and loan agreements under this program announcement. All recipients will be required to comply with the provisions identified in either grant or loan documentation.

ESTIMATED FUNDING

The Oklahoma SEO anticipates awarding a total of approximately \$42,033,600 under this announcement, subject to the availability of funds and the quality of applications received. Of this total, it is estimated that \$21,016,800 will be allocated in grant awards to public entities and that \$21,016,800 will be allocated to private entities in loan funds. The Oklahoma SEO will be funding all projects in a three-phase process in coordination with the timeline established by DOE (as shown in table on page 5).

The Loan Funds are made available at a low interest rate of three (3) percent and the loan term will be no longer than fifteen (15) years.

AWARD MAXIMUM

There is no grant or loan maximum.

PERIOD OF PERFORMANCE

The estimated project period for the first round of awards resulting from this solicitation should begin by August 2009. The other dates are unknown at this time and dependent on both performance by the Oklahoma SEO and DOE approval. The end date for all projects funded by SEP ARRA is March 31, 2012.

BASIS FOR PAYMENT

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

NUMBER OF PROPOSALS PER APPLICANT

No limit.

AWARD NOTICES

The Oklahoma SEO will announce projects selected for funding on May 12, 2009. Projects will be funded when the Oklahoma SEO receives the phased allocations from DOE. The anticipated timeframe is shown in the table on page five (5) of this document.

PART III – ELIGIBILITY INFORMATION

ELIGIBLE APPLICANTS

Eligible applicants include the entities as listed below:

Nonprofit Organizations	Commercial Facilities
Units of Local Government	Utilities
Educational Institutions	Industries
State Agencies	Indian Tribes

Eligible Grant Applicants: Public Entities
Eligible Loan Applicants: Private Entities

ELIGIBLE ACTIVITIES

As previously stated, an advisory committee was selected to assist the Oklahoma SEO in establishing project priorities for the State of Oklahoma which promote economic recovery in the state by creating jobs, saving energy and reducing greenhouse gas emissions. Members of this committee included the Oklahoma Secretary of Energy, the Office of the Secretary of Environment, and industry experts.

Discussion and consideration was given to various sectors and needs within the State. It was the consensus of the group that the priorities for the State of Oklahoma are the activities listed below:

Alternative Fuels: Alternative fuel vehicle projects (including CNG, propane, electric, solar, ethanol, biodiesel, etc.). This category is for the funding of dedicated alternative fuel vehicles (AFV's) and/or the development of fueling infrastructure.

Demand Management: Implementation of solutions to cut or decrease electricity consumption or demand.

Building Energy Efficiency: Energy efficiency retrofits of buildings and industrial facilities. Eligible buildings are institutions of higher education, K-12 schools, commercial buildings, state and local government facilities. Activities could include installation of energy efficient lighting, HVAC units, and thermal energy efficiency.

DOE and the Oklahoma SEO encourage the use of energy savings performance contracting when implementing this activity. Projects must provide records of energy saved from the energy efficient improvements made.

Carbon Capture: Technologies implemented to help make CO₂ capture and geological storage (CCS) a practical reality for reducing global CO₂ emissions and tackling climate change.

Education: Curriculum development for renewable energy technologies such as wind energy or alternative fuel conversion technical training. Green Power outreach activities provided to the public via the use of informational publications, internet postings, conferences, workshops or training conducted. Stimulating the creation or increased retention of jobs is a measurement.

Renewable Energy Projects: Renewable energy applications including wind energy, biomass power, geothermal, solar power, hydropower, demand reduction, combined heat and power, fuel cells and distributed energy generation or other renewable sources relating to the generation of electricity, etc.

PROHIBITED USE OF FUNDS

In accordance with federal regulations SEP applicants are prohibited from using SEP financial assistance:

- For construction, such as construction of mass transit systems and exclusive bus lanes, or for the construction or repair of buildings or structures;
- To purchase land, a building or structure or any interest therein;
- To subsidize fares for public transportation;
- To subsidize utility rate demonstrations or State tax credits for energy conservation or renewable energy measures; or
- To conduct or purchase equipment to conduct research, development or demonstration of energy efficiency or renewable energy techniques and technologies not commercially available.

LEVERAGE

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

SELECTION PROCESS

Applications must be submitted to the Oklahoma SEO by April 27, 2008. Once the application is received and the SEO determines all appropriate documentation has been submitted, the SEO shall convene an advisory group comprised of the Secretary of Commerce, the Secretary of Energy, the Secretary of Environment, the Executive Director of EDGE and two representative of the business community. The advisory group shall review all the applications deemed complete by the SEO; award points using the criteria set forth herein and make recommendations for funding. The list shall then be submitted to the Governor for approval. Such list shall then be submitted to the U.S. Department of Energy.

PART IV - APPLICATION AND SUBMISSION INFORMATION

SUBMISSION INFORMATION

Submit three (3) hard copies of the completed application and an electronic copy (sent via E-mail). All hard copies and the electronic copy must be received in our office no later than 4:30 p.m. CST on **Monday, April 27, 2009**.

Please submit only one (1) executed Assurances and Certifications document (shown on pages 26 – 36). It is not necessary to submit this document with other application copies.

Submit To:

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

E-mail electronic version to carolyn_sullivan@okcommerce.gov

In addition, we require applicants to:

- Organize the application in the sequence outlined in instructions.
- Include all components noted.
- Adhere to the font size, format, and length.
- Do not submit any other supplementary materials such as annual reports, videos, brochures, letters of support, or any supplementary material not requested in the application.

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

QUESTIONS

If you have questions concerning the forms or application process please contact Carolyn Sullivan at 405-815-5347 or 1-800-879-6552, extension 5347.

PART V - APPLICATION REVIEW INFORMATION

PROJECT SELECTION

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

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

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

Energy Savings (kwh equivalents)

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

Job Creation/Retention

- Number
- Type
- Duration

Renewable Energy Capacity and Generation

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

Emissions Reductions (tons) (CO2 equivalents)

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

REVIEW CRITERIA

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

Project Details (70 possible points)

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

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

Organizational Capacity (20 possible points)

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

Oklahoma Business (5 or 10 possible points)

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

Additional Criteria

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

LEVERAGE (25 possible points)

- **Leverage or Cost Share Percentage:** Cash match committed to the total project cost by applicant rated on a sliding scale basis as shown below:

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

OTHER REQUIREMENTS UNDER ARRA

Section 1605, Buy American

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

Exceptions are allowed for cases

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

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

Federal Wage Rate Requirements (Davis-Bacon Act)

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

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

Reporting Requirements

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

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

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

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

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

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

HELPFUL RESOURCES

HELPFUL RESOURCES

PROGRAM REGULATIONS

The federal regulations for this program include the Code of Federal Regulations **Title 10 – Energy, Part 420** – State Energy Program; **Title 10 – Energy, Part 600** – Financial Assistance Rules; and the Office of Management and Budget **OMB Circulars**. To review these provisions, please refer to the links provided.

http://www.access.gpo.gov/nara/cfr/waisidx_01/10cfr420_01.html

http://www.access.gpo.gov/nara/cfr/waisidx_01/10cfr600_01.html

<http://www.whitehouse.gov/omb/circulars/>

APPLICABILITY & FLOWDOWN OF ADMINISTRATIVE REQUIREMENTS FROM OMB CIRCULARS

Type of recipient	Must comply with
State, unit of local government or Indian tribal government	<p>OMB Circular A-102, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments</p> <p>OMB Circular A-87, Cost Principles for State, Local and Indian Tribal Governments</p> <p>OMB Circular A-133, Audits of States, Local Governments and Nonprofit Organizations.</p>
nonprofit organization	<p>OMB Circular A-110, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and Other Non-Profit organizations.</p> <p>OMB Circular A-122, Cost Principles for Nonprofit Organizations</p> <p>OMB Circular A-133, Audits of States, Local Governments and Nonprofit Organizations</p>
educational institution	<p>OMB Circular A-110, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations</p> <p>OMB Circular A-21, Cost Principles for Education Institutions</p> <p>OMB Circular A-133, Audits of States, Local Governments and Nonprofit Organizations</p>

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

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

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

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

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

**ATTACHMENT “A”
APPLICATION FORMS**

APPLICATION CHECKLIST

If you have questions about completing the forms or about the program in general, please contact Carolyn Sullivan or Kylah McNabb at the Oklahoma State Energy Office at 1-800-879-6552 or 405-815-6552.

Use the following checklist as guidance to confirm you have all documentation needed for a Grant Application from Public Entities:

- Part I - Application for Assistance
- Part II – Project Narrative
- Part III – Project Budget
- Part IV – Assurances and Certifications (only one original required)

Use the following checklist as guidance to confirm you have all documentation needed for a Loan Application from Private Entities:

- Part I - Application for Assistance
- Part II – Project Narrative
- Part III – Project Budget
- Part IV – Assurances and Certifications (only one original required)
- Existing Debt Obligation
- Pending Litigation
- Legal Opinion
- Resolution

Please note: Application documents will be available on line no later than 4/14/2009 on the Oklahoma Department of Commerce website. Documents will be located at the following site: <http://www.okcommerce.gov/stimulus/> See Community Resources – State Energy Program



PART I - APPLICATION FOR ASSISTANCE

Oklahoma Department of Commerce - State Energy Office State Energy Program - American Recovery and Reinvestment Act (ARRA)

APPLICANT INFORMATION					
Applicant Name:					
Address:					
City:		St:		Zip Code:	
Applicant FEID #:		Contact Name:			
Email:					
Phone:		Fax:			
PROJECT INFORMATION					
Funds Requested	<input type="checkbox"/> Grant	<input type="checkbox"/> Loan	Term Requested		
Project Title:					
Project Location:					
Activity:	<input type="checkbox"/> Alternative Fuels <input type="checkbox"/> Demand Management <input type="checkbox"/> Building Energy Efficiency <input type="checkbox"/> Carbon Capture <input type="checkbox"/> Education <input type="checkbox"/> Renewable Energy Projects <input type="checkbox"/> Other				
PROJECT CONTACT INFORMATION					
Project Contact:					
Email:					
Phone:		Fax:			
ESTIMATED FUNDING					
State Energy Program ARRA Funding					
Applicant Funds (amount of leverage or match - if any)					
Other (specify)					
Project Total					
CERTIFYING OFFICIAL					
Certifying Official's Signature					
Certifying Official's Name (printed):					
Title:					
Organization:					

PART II – PROJECT NARRATIVE

NOTE: The following sections have page limit restrictions. The application must not exceed the specified page limits when printed using standard 8.5” by 11” paper. **Start each section on a new page.** One page is equivalent to one side of paper.

SECTION I: Project Summary (Limit: 1 page)

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

SECTION II: Project Objectives (Limit: 1 page)

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

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

SECTION III: Project Description (Limit: 2 pages)

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

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

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

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

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

ECM No.	ECM DESCRIPTION	IMPLEMENTATION EXPENSE	Monthly Demand Savings (kW)	Annual Electric Savings (kWh)	Annual Fossil Fuel Savings (mmBtu)	Annual Water Savings (gal)	Annual Utility Cost Savings	Annual O&M Cost Savings	Total Cost Savings	Estimated Incentive	Simple Payback (yrs)
1.											
2.											
3.											
4.											
5.											
6.											
7.											
8.											
9.											
10.											
11.											
12.											
13.											
14.											
15.											

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

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

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

PART III – PROJECT BUDGET

Budget Summary

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

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

Budget Detail

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

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

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

PART IV - ASSURANCES AND CERTIFICATIONS

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

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

Organization Name: _____

Program Name: _____

Name and Title of Authorized Representative: _____

Signature: _____

Date: _____

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

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

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

Legal Applicant: _____

Program Name: _____

Name and Title of Authorized Representative: _____

Signature: _____

Date: _____

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

Applicant: _____

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

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

Standard Form 424B, Assurances – Non-Construction Programs

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

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

Representation of Limited Rights Data and Restricted Computer Software

SF-LLL Disclosure of Lobbying Activities

Complete the SF-LLL Disclosure of Lobbying Activities only if payment or agreement to make payment has been made to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal action.

ASSURANCES - NON-CONSTRUCTION PROGRAMS

OMB Approval No. 0348-0040

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

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

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

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

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

Printed Name and Title of
Authorized Representative: _____

SIGNATURE

DATE

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

Nondiscrimination in Federally Assisted Programs

OMB Burden Disclosure Statement

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

(Hereinafter called the "Applicant")

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

Applicability and Period of Obligation

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

Employment Practices

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

Subrecipient Assurance

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

Data Collection and Access to Records

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

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

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

Applicant Certification

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

Designated Responsible Employee

Name and Title (Printed to Typed) () -

Telephone Number

Signature _____
Date

Applicant's Name () -

Telephone Number

Address: _____
Date

Authorized Official:
President, Chief Executive Officer
or Authorized Designee

Name and Title (Printed to Typed) () -

Telephone Number

Signature _____
Date

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

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

1. LOBBYING

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

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

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

2. ADDITIONAL LOBBYING REPRESENTATION

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

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

Check the appropriate block:

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

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

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

3. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
 - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
 - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

4. DRUG-FREE WORKPLACE

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

ALTERNATE I (GRANTEES OTHER THAN INDIVIDUALS)

- (1) The grantee certifies that it will or will continue to provide a drug-free workplace by:
 - (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
 - (b) Establishing an ongoing drug-free awareness program to inform employees about:
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
 - (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
 - (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace not later than five calendar days after such conviction;

- (e) Notifying the agency, in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
 - (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:
 - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local health, law enforcement, or other appropriate agency;
 - (g) Making a good faith effort to continue to maintain a drug- free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).
- (2) The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

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

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

ALTERNATE II (GRANTEES WHO ARE INDIVIDUALS)

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

5. SIGNATURE

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

Name of Applicant: _____

Printed Name and Title of

Authorized Representative: _____

SIGNATURE

DATE

Representation of Limited Rights Data and Restricted Computer Software

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

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

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

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

ATTACHMENT 'B'

ADDITIONAL DOCUMENTS FOR LOAN APPLICANTS

EXISTING DEBT OBLIGATIONS

EXISTING DEBT SCHEDULE:

The applicant is to provide a listing of all-outstanding loans or debt obligations. The information will assist ODOC/SEO in making a favorable decision on the Loan/Lease application. For any outstanding debts against the borrowing trust or authority, provide the following. Use additional paper if necessary.

	Loan #1	Loan #2	Loan #3
Lender Name:			
Origination Date:			
Date of Last Renewal:			
Original Loan Amount:			
Current Balance:			
Date Next Payment Due:			
Date Last Payment Made:			
Proceeds Used For:			
Current Interest Rate:			
Collateral:			
Maturity Date:			

PENDING LITIGATION STATEMENT

The applicant is requested to provide a clear and concise narrative statement that no pending litigation exists that may preclude them from using the Loan/Lease funds in the manner prescribed in the Project Implementation Statement, nor in any way places the Loan/Lease proceeds in jeopardy, and thus subject to loss.

I certify that the above statement is true and correct to the best of my knowledge.

Signature of Authorized Representative

Title of Authorized Representative

LEGAL OPINION

This is to be a statement by the applicant school that it meets all legal requirements for entering into a debt obligation with the Oklahoma Department of Commerce, State Energy Office to implement the project. The applicant is required to cite the statutory authority or requisite legal authority that allows or permits them to enter into a debt obligation for the purpose indicated in the Loan/Lease application.

I hereby Certify that the _____ (Business Name) has the legal authority to enter into a debt obligation to affect the proposed Energy Conservation Measure reduction improvement project as indicated in the Project Implementation Statement of the application.

Signature of Legal Advisor

Title of Legal Advisor

Date Signed

APPENDIX E

RESOLUTION

(Sample)

Whereas, the Oklahoma Department of Commerce (ODOC) has initiated an Energy Loan/Lease Fund for Schools K-12 to plan, design, develop and implement energy conservation measures in their school building, facility, or related complex.

Whereas, cost reductions that result from the efficient use and management of energy sources is a legitimate approach to maximizing the use of public school funds,

Now, therefore be it resolved by the Board of Education for the _____
_____ (Name of School) authorizes
_____ (Name of Authorized Representative) to apply for funds
from the Energy Loan/Lease Fund for Schools K-12 administered by ODOC in the amount of
_____ to implement Energy Conservation Measure reduction
_____ improvements,
as specified in the Project Implementation Statement

Be it further resolved that if approved for a Loan/Lease by ODOC, the Board of Education for the
_____ (Name of School) authorizes
_____ (Name of Authorized Representative) to accept the
Loan/Lease for the school.

Be it also resolved, that the amount of the Loan/Lease will be paid in full, plus interest, under the specific terms and conditions of the Loan/Lease agreement and promissory note entered into with the Oklahoma Department of Commerce.

Be it also resolved, that _____
(Name of Authorized Representative is hereby authorized and empowered to execute in the name of the Board of Education all necessary documents to implement and carry out the intent and purpose of this resolution.

Passed, Approved and adopted this _____ day of _____ 2009

Chairman, Board of Education

(Signature)