Build to Scale

FY2024
Notice of Funding Opportunity

U.S. Economic Development Administration

U.S. Department of Commerce

KEY NOTICE OF FUNDING OPPORTUNITY (NOFO) INFORMATION

U.S. Department of Commerce (DOC), U.S. Economic Development Administration (EDA) 2024 Build to Scale Program (EDA-B2S-2024)	
Assistance Listing Number	11.024 Build to Scale
Key Dates	The application deadline is 4:59pm Eastern Time on October 28, 2024. Applications received after this deadline will not be reviewed or considered. Please carefully read the application and submission information provided in section D at p. 6 and Appendix B.6.a.ii at p. 22 for full details.
Funding Instrument	Grant
Funding Amount	Up to $5,000,000 in Federal funds per award
Program Overview	The Build to Scale (B2S) program aims to increase the capacity of entrepreneurs in regions throughout the United States to demonstrate, deploy, and deliver new technologies by starting and growing new companies and creating and sustaining new, good jobs.
Goals and Objectives	EDA is committed to furthering technology- and innovation-based economic development initiatives that accelerate high-skill and high-wage job growth, create economic opportunity, and support the next generation of industry leading companies. Funding is available for organizations that aid companies in developing, demonstrating, and deploying new, emerging, and critical technologies.
Cost Sharing and Matching	Applicants must provide matching share equal to at least 50 percent of the total project cost, i.e., applicants must match each dollar requested with at least one dollar of applicant match. See section C.3 at p. 5 and Appendix B.6.b.ii.C at p. 25.
Eligible Projects	Projects should include • operational and programmatic activities to build public and private capacity for entrepreneurs and innovators to invent, improve, and bring to market new products and services in critical, emerging, and transformative sectors and industries; • accelerate the growth of regional economies that are focused on industries of the future; • empower communities to provide proof-of-concept and commercialization assistance to technology innovators and entrepreneurs; and • equitably and inclusively increase access to capital for technology-enabled entrepreneurs.
Eligible Applicants	Eligible applicants for EDA financial assistance under this NOFO include: • A State; • An Indian tribe; • A city or other political subdivision of a State; • An entity whose application is supported by a State or a political subdivision of a State, and that is—

	- a nonprofit organization; - an institution of higher education; - a public-private partnership; - a science or research park; - a Federal laboratory; - a venture development organization; - an economic development organization or similar entity that is focused primarily on improving science, technology, innovation, or entrepreneurship; or - a consortium of any of the aforementioned entities. EDA is not authorized to provide grants or cooperative agreements to individuals under this Program. Applications from individuals will not be considered for funding.
Review and Selection Process	Merit reviewers will score applications competitively based on seven criteria, including: project quality and ability to execute; economic impact; commitments; talent and workforce; capital formation, deployment, and access; equity and diversity; and Tech Hubs designation or NSF Engines award. See section E.1 at p. 11 for a detailed list of evaluation criteria. EDA will sort applications into tiers based on scores, and those in the highest tiers will be forwarded to the Selection Official, who will select a portfolio of projects for funding based on the Selection Factors set forth in section E.2.c at p. 15.
Estimated Number of Awards	40-50, with expected award amounts spanning low hundreds of thousands of dollars to the maximum of $5 million.
Award Project Period	EDA anticipates awards will typically have a period of performance of 24 to 60 months.
How to Apply	Applications will only be accepted electronically through the Economic Development Grants Experience (EDGE) at sfgrants.eda.gov (unless an applicant requests a paper application as a reasonable accommodation).
Informational Webinar	EDA plans to conduct an informational webinar for this NOFO and expects to make available scheduling information and a link to a recording on its website.
Award Notification	Subject to the availability of funding, EDA will notify successful applicants of their awards via email.
Agency Contacts	Economic Development Administration Email: oie@eda.gov

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B2S

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PRIOR TO REVIEWING THIS NOFO, please note that Appendix B contains important information on application and program requirements. Information previously included in the NOFO text in prior years has now been moved to Appendix B. <u>As a result, a comprehensive review of Appendix B is critical prior to beginning the application process.</u> Appendix section and page numbers are cross-referenced throughout this NOFO.

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A. PROGRAM DESCRIPTION

1. Overview

Entrepreneurs, especially technology entrepreneurs, flourish in healthy ecosystems with the assets, resources, and institutions that help them overcome the many barriers that exist between an idea and a marketable technology. Technology-based economic development (TBED) strengthens these ecosystems through strategic investments that better enable entrepreneurs to build and scale technology-driven businesses, which in turn create good jobs[1], economic opportunity, and the industries of the future. TBED increases organizations' capacity to produce and deliver new technology products and services across the United States. EDA makes grants through the Build to Scale (B2S) Program to advance innovation economies that can accelerate the adoption and delivery of new technologies; with the ultimate goal of increasing regional and global competitiveness.[2]

EDA invites organizations that support technology- and innovation-centric, high-growth companies (including but not limited to startups) as they develop, demonstrate, and deploy the next generation of critical and emerging technologies to apply for Build to Scale funding. The Build to Scale program aims to:

- build public and private capacity for entrepreneurs and innovators to invent, improve, and bring to market new products and services in critical, emerging, and transformative sectors and industries[3];
- accelerate the growth of regional economies that are focused on industries of the future;
- empower communities to provide proof-of-concept and commercialization assistance to technology innovators and entrepreneurs; and
- equitably and inclusively increase access to capital for technology-enabled entrepreneurs.

This grant program supports organizations that may be operating initiatives to unlock investment capital across a region or sector, operating programs to accelerate company growth, empowering the next generation of entrepreneurs, or otherwise enabling technology commercialization. Frequently, entrepreneurs working in one or a set of related industries and technologies benefit from complementary resources, facilities, and labor markets. Applicants will strengthen their applications by centering their

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[1] See the Department of Commerce's workforce best practices, https://www.commerce.gov/issues/workforce-development; U.S. Dept. Comm., Strategic Plan 2022 – 2026: Innovation, Equity, and Resilience, Strengthening American Competitiveness in the 21st Century, Strategic Objective 2.2 at 33-34 (Mar. 2022). For more information on what constitutes a good job, see https://www.dol.gov/general/good-jobs/principles.

[2] Through the Build to Scale program, EDA "award[s] grants, on a competitive basis . . . for activities designed to develop and support . . . regional innovation initiative[s]." 15 U.S.C. § 3722(c)(1). "The term 'regional innovation initiative' means a geographically-bounded public or nonprofit activity or program that addresses issues in the local innovation systems in order to— (A) increase the success of innovation-driven industry; (B) strengthen the competitiveness of industry through new product innovation and new technology adoption; (C) improve the pace of market readiness and overall commercialization of innovative research; (D) enhance the overall innovation capacity and long-term resilience of the region; (E) leverage the region's unique competitive strengths to stimulate innovation; and (F) increase the number of full-time equivalent employment opportunities within innovation-based business ventures in the geographic region." 15 U.S.C. § 3722(a)(2). *See also* 15 U.S.C. §§ 3720, 3722.

[3] These sectors and industries include but are not limited to the key technology focus areas set forth at 42 U.S.C. § 19107(c) and as updated pursuant to § 19107(e).

strategies on one or a combination of the key technology focus areas that the National Science Foundation (NSF) updates annually.[4]

Awards made under Build to Scale may only fund operational and programmatic costs related to developing and supporting regional innovation initiatives. Award funds may not be passed or transferred directly to beneficiaries (i.e., participant startup companies and individuals) served by the program being funded by award funds, but recipients may use award funds to facilitate access to equipment, facilities, expertise, or other resources critical to commercializing technologies via an objective, unbiased process. In addition, funds may not be used to subsidize such companies' expenses that are unrelated to program activities, including general operating expenses. A provider of matching share, including an entity providing cash or in-kind contributions, may not serve as a contractor under the same award, and may not be paid with award funds to provide goods or services to the award recipient. Funding may not duplicate other Federal funding, including funding awarded under other TBED-centric EDA programs (e.g., STEM Talent Challenge, Tech Hubs), other Department of Commerce programs, or other Federal agency programs (e.g., NSF Regional Innovation Engines (NSF Engines)). EDA will not fund activities that already are or will be paid for with other Federal funds or that are or will be counted as cost share on another Federal award.

2. Program Information

Entrepreneurs adopting, developing, demonstrating, and deploying new technologies encounter numerous challenges and barriers along their journeys. These challenges and barriers often vary based on region, technology area, market, current economic conditions, and many other factors. Build to Scale provides flexible financial support for projects that enable entrepreneurs to face and overcome the particular challenges and barriers they face in a specific region and technology area. To maximize that flexibility, this iteration of Build to Scale combines the former Venture Challenge and Capital Challenge into a single Implementation Challenge, which will allow projects to increase access to capital alongside other activities.

3. Implementation Challenge

The Implementation Challenge focuses on technology entrepreneurship and is designed to accelerate company growth in a specific technology area and specific region with aligned assets, resources, and capabilities. Competitive proposals will outline how the project will strengthen U.S. economic competitiveness through new product or service innovation or new technology adoption; enhancing research commercialization processes and outcomes; remediating structural barriers that inhibit regional innovation capacity and resilience; or leveraging regional competitive strengths to stimulate innovation and the creation of high-skill and high-wage jobs. Companies served by the applicant organization should be challenging the status quo of established markets or commercializing technologies, as well as furthering job creation within their businesses. Applicants should provide empirical evidence that illustrates how funds leveraged through this competition will not only launch or scale programming, but also generate sustainable added value for the region's entrepreneurial ecosystem by augmenting existing regional assets for innovation and commercialization.

Applications may also encompass activities that support the formation, launch, or scale of investment funds that seek to raise equity-based capital to deploy in scalable startups (e.g., angel, seed, or venture funds); or that expand equity-based capital access and deployment within a community, region, or regional industry (e.g., angel networks or investor training programs). These proposals may:

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[4] 42 U.S.C. § 19107.

- identify, educate, and connect investors and other potential sources of equity-based capital (whether traditional, hybrid, or new structures) within a regional technology cluster;
- identify sources of potential investments (*i.e.,* deal flow) and build capacity to conduct due diligence and close investment deals;
- raise and deploy equity or equity-based capital, whether through traditional or hybrid models, within a regional technology cluster via a fund or other collaborative investment framework; or
- deploy investment capital into technology startups based on an investment thesis that clearly supports and fosters the growth of a regional technology cluster and its entrepreneurship ecosystem.

Award funding or matching share may not be used as investment capital but may be used to operate or support one or more investment vehicles; B2S does not support purely debt-focused funds.

Project profiles of past B2S awardees may be found via https://www.eda.gov/funding/programs/build-to-scale.

4. Equity Investment Priority

Consistent with Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities through the Federal Government, and EDA's Equity Investment Priority, EDA expects projects to advance equity to underserved populations to the extent practicable. In this context, EDA is seeking projects that directly benefit: (1) one or more traditionally underserved populations or (2) underserved communities within geographies that have been systemically and/or systematically denied a full opportunity to participate in aspects of economic prosperity such as Tribal Lands, Persistent Poverty Counties, and rural areas with demonstrated, historical underservice.

A successful project will articulate which populations or communities will benefit (as noted above and at https://www.eda.gov/funding/investment-priorities) and include a plan for inclusive community engagement in the project and ensuring that economic benefits of the project will be shared by all communities in the project region, including any underserved communities. Your explanation should address the communities affected, barriers those communities may face in accessing benefits of the project, contemplated outreach efforts, and other planned steps to address identified barriers, as appropriate.

5. Statutory Authority

The statutory authority for the Build to Scale program is section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. § 3722). The regulations governing the Build to Scale program are located at subparts A and B of 13 CFR part 312.

B. FEDERAL AWARD INFORMATION

1. What Funding is Available Under this Announcement?

Funding in the total amount of $50,000,000 has been appropriated for grants authorized by section 27 of the Stevenson-Wydler Technology Innovation Act of 1980, pursuant to the Consolidated Appropriations Act, 2024 (Public Law 118-42). EDA expects to make 40-50 awards with expected award amounts spanning low hundreds of thousands of dollars to the maximum Federal share of $5 million.

The funding periods and funding amounts referenced in this NOFO are subject to the availability of funds at the time of award as well as to DOC and EDA priorities at the time of award. DOC and EDA will not be held responsible for application preparation costs. Publication of this announcement does not obligate DOC or EDA to make any specific grant award or to obligate all or any part of available funds.

2. What Funding Instrument is Used, and What is the Period of Performance?

Under this NOFO, EDA may award grants to eligible applicants to support project activities. Periods of performance are dependent on the type of project and the scope of work of the grant award. See Appendix B.8.a at p. 31 for award notification information. EDA anticipates Implementation Challenge awards will have periods of performance of 24-60 months with an estimated start date in winter 2025.

EDA expects all projects to proceed efficiently and expeditiously, and EDA expects applicants to document clearly in their applications a reasonable and appropriate timeline that includes the start and completion dates of the proposed scope of work. As a condition of their respective award, recipients will be required to provide timely periodic progress reports and performance data as set forth at Appendix B.8.c at p. 32.

C. ELIGIBILITY REQUIREMENTS

1. What Entities are Eligible to Apply for a B2S Implementation Grant?

Eligible applicants for and eligible recipients of EDA investment assistance under this NOFO include:

- a State;
- an Indian tribe;
- a city or other political subdivision of a State;
- an entity whose application is supported by a State or a political subdivision of a State and that is—
    - a nonprofit organization;
    - an institution of higher education;
    - a public-private partnership;
    - a science or research park;
    - a Federal laboratory;
    - a venture development organization[5];
    - an economic development organization or similar entity that is focused primarily on improving science, technology, innovation, or entrepreneurship; or
    - a consortium of any of the aforementioned entities.

Refer to Appendix B.3.a at p. 21 for key information on some of these categories of eligibility.

EDA is not authorized to provide assistance to individuals or other entity types that are not eligible under this NOFO, and such requests will not be considered for funding.

If an organization is currently implementing one or more prior-year Build to Scale or Regional Innovation Strategies program awards and is submitting an application under this NOFO, EDA will not consider that application for award unless either (i) all activities under the prior-year award, including but not limited to final reporting requirements, are completed and submitted to EDA prior to December 1, 2024, or (ii) the application shows that proposed activities are clearly and explicitly not only nonduplicative of the prior-year award(s) but also complementary to and aligned with its or their activities and goals.

2. What are the Different Types of Federally Funded Program Partners?

Under the Build to Scale program, lead applicants may choose to partner with co-applicants, subrecipients, or contractors, which can all potentially serve as Federally funded partners under the grant. ("Federally

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[5] "The term 'venture development organization' means a State or nonprofit organization that contributes to regional or sector-based economic prosperity by providing services for the purposes of accelerating the commercialization of research." 15 U.S.C. § 3722(a)(4).

funded" means that part of the Federal budget requested in the application would go to these partner entities.) Applications may also include unfunded project partners (entities who would not receive Federal funds from this grant). Please note the definitions in Appendix B.3 at 21 for help determining a partner's legal classification under this grant. Before disbursing any program funds, a case-by-case determination must be made as to whether the partner or party receiving the funds has the role of subrecipient or contractor, pursuant to factors listed in 2 CFR § 200.331, ("Subrecipient and contractor determinations").

Refer to Appendix B.3.b at p. 22 for information on how to determine whether an entity should be considered a co-applicant, subrecipient, or contractor.

3. **What Are the Cost Sharing or Matching Requirements?**

A minimum one-to-one (1:1) match is required for Build to Scale awards. Applicants must demonstrate at the time of application a matching non-Federal share of at least 50 percent of the total project cost; *i.e.*, for every dollar of Federal funds requested, applicants must demonstrate a commitment of at least one dollar of matching share. **Matching share greater than the 1:1 requirement will be accepted but is not necessary to qualify for funding and** *will not make an application more competitive*. EDA in its sole discretion may agree to reduce the matching share prior to, at, or during an award to no lower than 1:1.

Applicants must provide documentation (*e.g.*, a signed letter, resolution, MOU, etc.) **directly from each entity providing any portion of the matching share** to show that all matching share is committed, whether provided by the applicant or a third party. EDA will not accept matching share commitment letters from an applicant *on behalf of* a third party; the entity committing the matching share must be the entity that signs the match letter.

Refer to Appendix B.6.b.ii.C at p. 25 for full details on what is required and allowed to meet match requirements.

4. **What are the Prohibitions and Restrictions on Use of Award Funds and Match?**

The following activities are not allowable, and associated costs are not allowable costs, under any Build to Scale award. Such costs may not be charged to the Federal share or to the matching share of a Build to Scale award.

- **Construction**: Construction activities are not allowable. For the purposes of an award made pursuant to this NOFO, construction includes any activity that disturbs the ground or modifies a structure. The purchase of equipment and equipment-related installation in a facility may be considered allowable, but only to the extent that such equipment and any related modifications are used to support another eligible activity under the award. Equipment installation costs require prior approval.
- **Equity Investments & Loans**: The use of funds to make equity investments or issue debt is not an allowable cost. Neither Federal nor matching share funds may be invested in startups or other companies, whether through equity, debt, hybrid, or another mechanism.
- **Subsidies to Participant Firms**: Award funds may not be passed or transferred to non-eligible entities, including companies, startups, and individuals being served by the applicant organization, nor may they be used to subsidize such expenses that are unrelated to program activities, including general operating expenses. Neither Federal nor matching share funds may be used for such costs.
- **Advertising & Marketing**: In accordance with 2 CFR § 200.421(b) and (d), the costs of promotional items and memorabilia, including models, gifts, and souvenirs, as well as the costs of advertising and public relations designed to promote the applicant are not allowable. However, certain costs related specifically to recruiting participants and conducting program outreach (ex: social media ads, press releases, flyers, etc.) may be allowable.

- **Internships & Wages/Stipends**: Establishing and administering an internship or similar work experience program are not allowable activities. Stipends, wages, and other payments to interns or similar work experience program participants are not allowable costs.
- **Cloud Service Credits**: Credits to be distributed to companies (i.e., startups and individuals) being served by the applicant organization are not allowable costs and thus are not an allowable source of matching share.

Additionally, a provider of matching share, including an entity providing cash or in-kind contributions, may not serve as a contractor under the same award, and may not be paid with award funds to provide goods or services to the award recipient.

Funding may not duplicate other Federal funding, including funding awarded under other TBED-centric EDA programs (e.g., STEM Talent Challenge, Tech Hubs), other Department of Commerce programs, or other Federal agency programs (e.g., NSF Engines).

It is DOC policy that award funds may not be used to pay for management fees in excess of costs or profits, unless statutorily authorized.

D. APPLICATION AND SUBMISSION INFORMATION

1. Where Can I Find and Submit an Application?

To be eligible for funding, an applicant must obtain, complete, and timely submit a complete application electronically through the Economic Development Grants Experience (EDGE) at sfgrants.eda.gov. The deadline for the receipt of **an application** is **4:59pm Eastern Time on October 28, 2024**. Applications received after this deadline will not be reviewed or considered. **Applications** will only be accepted electronically through EDGE at sfgrants.eda.gov.

Ensure that your organization and any required individuals are registered with required systems as soon as possible. Before submitting an application under this NOFO, each applicant must register its organization with EDGE. **Applicants should note that this process can be lengthy, requires interaction with multiple organizations (*e.g.*, SAM.gov), and requires confirmation at each step. Applicant organizations that have not previously completed any of the above steps may require three to four weeks to accomplish these tasks due to system processing requirements.** EDA **strongly encourages** prospective applicants to begin the pre-submission process as early as possible in the application period. **Absent an EDGE systems issue as described in Appendix B.6.a.iv at p. 24, incomplete applications or applications received after the submission deadline will not be considered for funding.**

Refer to Appendix B.6 at p. 22 for important information on the timing and form of application submission, including information on alternatives to submission through EDGE. Please also refer to Appendix B.6.b.iv.B at p. 30 for important information on the pre-submission process.

2. Content of Application

a. What are the Required and Optional Documents?

All Build to Scale applications must include the following required documents to be considered for funding; as noted in the chart below optional documents may also be included (also, see Appendix A at p. 18 for application checklists):

Application Documents, Forms, and Supporting Information	Required or Optional?
Project Narrative	Required, one per application
Budget Narrative and Staffing Plan	Required, one per application
Excel Budget Narrative and Staffing Plan Template	Optional, one per application
Matching Share Commitment Letters	Required, one per match source
State/Local Government Support (required from applicants who are non-public entities)	Required if applicable, one per non-public entity applicant
Letter from the Regional Innovation Officer or Lead Consortium Member from an Aligned Tech Hub or NSF Engines awardee (Type 2)	Optional, one per application
SF-424 (Application for Federal Assistance)	Required, one per applicant
SF-424A (Budget Information Non-Construction Programs)	Required, one per applicant
CD-511 (Certification Regarding Lobbying)	Required, one per applicant
SF-LLL (Disclosure of Lobbying Activities)	If applicable, one per applicant[6]
State Single-Point-of-Contact (SPOC)/Executive Order 12372 Compliance Documentation	If applicable, for each participating State in primary service area[7]
Organizational Documentation (if applicable, depending on your organization type)	If applicable, for each applicant (depending on entity type)
Indirect Cost Rate (ICR) Documentation (if applicable)	If applicable, for each applicant
Project Service Area and FIPS Codes	Required, one per application
Environmental and Historic Preservation Documentation, including Certification Clause (Appendix A to Environmental Narrative)	If applicable, i.e., equipment installation requires building modifications, one per application

    b. Project Design and Substance

        i. Project Narrative

All applicants must provide a Project Narrative of **no more than ten (10) total pages with margins no less than one-half inch (0.5") using Arial, Calibri, Times New Roman, or a similar font of size no less than eleven (11) points to be considered for funding**. Material beyond the tenth page will not be read or considered. Any appendices/attachments will not be considered in scoring. Each application should include a clear and concise narrative that includes a compelling justification for the project and articulates a clearly defined regional economic gap, how the proposed project will uniquely meet this need, and the expected outcome(s) that will result from the proposed project. Lengthy applications will not receive greater consideration.

Project Narratives must address the following areas:

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[6] A form SF-LLL is required if an applicant has retained a registered lobbyist in conjunction with the proposed project.

[7] Only certain States participate in the SPOC compliance process. See Appendix B.6.b.iii.B.1 at p. 27.

A. Section 1: Project Description and Overview

1. Section 1a: Executive Summary

Provide an executive summary of no more than 100 words. The executive summary must include a project title and the applicant's name. EDA may publish this executive summary, including but not limited to on its or other websites and via social media.

2. Section 1b: Vision, Mission, Goals, Roles

What are your organization's vision and mission for this project? How are you positioned to support a technology entrepreneurship ecosystem and lead this project work? What are the program goals? Describe the roles you currently play in the innovation ecosystem, and how those roles enable you to achieve those goals. How are you positioned to support a technology entrepreneurship ecosystem? Will other organizations be involved in this work and if so, what roles and responsibilities will they have? Please include any funded partners' organizational type, formal relationship, and Unique Entity Identifier (UEI) number (Ex: 501(c)(3) non-profit, subrecipient, UEI: ABC12345) Describe how the proposed programming leverages and builds upon regional assets and include data to support the approach and its projected outcomes.

B. Section 2: Regional Resources and Assets

Describe the project's location and region, including its primary service area, the communities or regions served (e.g., assets, financial and business resources, workforce, and infrastructure), stakeholders leveraged, and the region's assets and opportunities. The location and region should directly correspond to Questions 14 and 16 of the SF-424. If the applicant expects impacts beyond the noted region, the applicant should note the region of expected impact.

In addition, if the project's geography substantially aligns with a region designated as a Tech Hub by EDA pursuant to 15 U.S.C. § 3722a(d) or with a region encompassed by an NSF Engines award and the proposed project is supported by that Hub or Engine and aligned with that Hub's or Engine's strategy, (a) describe how the proposed project will align and advance the Tech Hub's or Engine's strategy and (b) provide evidence of the Tech Hub's or Engine's support of the project via a letter from the Hub's Regional Innovation Officer or Lead Consortium Member or the Engine's lead organization.

C. Section 3: Proposed Solution and Scope of Work

1. Section 3a: Problems and Solutions

What problems are you trying to solve? What are your proposed solutions? To what extent do your solutions align with any of EDA's investment priorities?[8] To what extent have you identified evidence to suggest that your proposed solutions will address the problems identified? Describe in detail how the solutions align with specific regional opportunities or tackle structural challenges.

2. Section 3b: Achievability

Explain how achievable the solution is. For example, has the idea already been piloted in the area? Do you have examples of where this or similar solutions have been implemented before? If the solution is completely new, what research or evidence has been identified that leads you to believe the outcomes are achievable? How will the project prepare participants for employment in the industries or businesses driving

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[8] U.S. Econ. Dev. Admin., Investment Priorities, https://www.eda.gov/funding/investment-priorities.

innovation in the project's region? To what extent have those businesses committed to hiring your project's clients?

3. Section 3c: Affected Groups

What specific stakeholder groups will the solution serve and affect? How will you target participants? Provide an estimate of how many people, organizations, and communities will be affected by the project either directly or indirectly, and indicate to what extent, if any, you expect the solution to serve and benefit historically underserved populations and increase the diversity, equity, inclusion, and accessibility of regional innovation economy. Specify, if applicable, how the solution will bring financial security or economic opportunity for historically underserved populations.

4. Section 3d: Region-Opportunity Alignment

Why is this opportunity ripe for the region? Identify the factors through data that contribute to the region's innovation and job creation strengths and challenges (e.g., ecosystem resources, emerging sectors, R&D systems and infrastructure, other regional assets). How will the lead applicant leverage available regional resources to support ecosystem efforts? What technology area(s) will your project focus on? How do the area(s) align with the NSF-identified key technology focus areas (see section A.1 at p. 1)?

5. Section 3e: Scope of Work (1 page)

Applicants must submit **no more than 1 page** as the scope of work for the project. What activities will you undertake? What milestones and deliverables indicate positive progress, i.e., substantiate your performance? The scope of work should include work performed by the applicant, any subrecipient(s), any co-applicant(s), and any unfunded project partner(s), and should outline roles and responsibilities. The scope of work should align with and support claims made in the project narrative and the budget narrative. If EDA selects your project, EDA may incorporate this section or an amended version thereof into the award.

D. Section 4: Collaboration

1. Section 4a: Partnerships

What is your current partner network? Describe any former, current, or future partnerships or working relationships with public and private entities at the national, State, regional, and local level that will be working on this project. Provide a brief description of each entity and specific detail on the roles and responsibilities of these collaborators including effectiveness of past collaboration efforts.

2. Section 4b: Equity and Inclusion

How will you reach out to new and diverse stakeholders and program participants? How will you aim to reach historically underserved populations and areas. How will this project broaden participation in technology entrepreneurship and broad access to the economic opportunities thereof? How will you engage stakeholders from target populations, including Historically Black Colleges and Universities, Tribal Colleges and Universities, or Minority-Serving Institutions? Consider these prompts in light of EDA's Equity Investment Priority, described in section A.4 at p. 3.

E. Section 5: Measurable Goals and Outcomes

What are the anticipated goals you hope to achieve (i.e., outcomes) and what outputs do you plan to measure to assess to demonstrate progress towards those outcomes? Anticipated outcomes should be specific, measurable, attainable, relevant and timebound (SMART), and the application should indicate why and how these outcomes were selected, including existing evidence that suggests these outcomes are

appropriate. Include baseline measures that describe the current state to help you assess any potential changes. How will your organization achieve those outcomes? Applicants should also be prepared to participate in program evaluation activities required by EDA.

1. Section 5a: Data Infrastructure

Applicants selected for funding must employ a data and client management system to track their metrics in a machine-readable format; applicants should include a description of their respective systems and, if no such system exists, should include their acquisition and implementation in the project narrative and budget.

F. Section 6: Sustainability Plan

Provide a sustainability plan for post-Federal award, including anticipated challenges, potential barriers, a forecast of post-award period operations, and a specific plan to become self-sustaining once grant funds have been expended.

ii. Budget Narrative and Staffing Plan

A budget narrative describing how funds will be used and a staffing plan showing what staff will be required to implement the project are both required. **Refer to Appendix B.6.b.ii.B at p. 24 for important information and instructions on how to prepare and submit the budget narrative and staffing plan.**

iii. Matching Share Commitment Letters

For **all matching funds** (whether cash or in-kind) from **all sources** (*i.e.*, applicant, co-applicants, subrecipients, and any third-party sources), applications must include commitment letters or equivalent documents that demonstrate, to the satisfaction of EDA, that the matching funds (whether cash or in-kind) referenced in the application will be unencumbered, unrestricted, and committed at the time of award. **Refer to Appendix B.6.b.ii.C at p. 25 for important information and instructions on how to prepare and submit matching share commitment letters, along with restrictions on matching share and the prohibition on contractors providing matching share.**

iv. State/Local Government Support Letters

Applicants that are a non-public entity (e.g., non-profits, private institutions of higher education) must submit one or more resolutions or letters that demonstrate that the application is supported by one or more States or political subdivisions of a State (e.g., counties or, municipalities) that encompass all or a substantial portion of the communities served by this project. If an applicant or co-applicant is a State, an Indian tribe, a city or other political subdivision of a State, or an institution of higher education that is 100% publicly controlled, this requirement does not apply. **Refer to Appendix B.6.b.ii.D at p. 26 for important information on requirements for these support letters.**

v. Optional Letter from the Regional Innovation Officer or Lead Consortium Member from an Aligned Tech Hub or NSF Engines Awardee (optional)

Your application can be strengthened through the inclusion of an optional letter from the Regional Innovation Officer or Lead Consortium Member from an Aligned Tech Hub or NSF Engines awardee. **Refer to Appendix B.6.b.ii.E at p. 26 to learn more.**

c. Forms and Supporting Documentation

See the table in section D.2.a at p. 6 and the checklists in Appendix A at p. 18 for lists of required and optional forms and supporting documentation. **Refer generally to Appendix B.6.b at p. 24 for important information on content.**

d. What are the Other Submission Requirements?

Refer to Appendix B.6.b.iv at p. 30 for important information on other submission requirements related to Unique Entity Identifiers (UEIs) and the System for Award Management (SAM) and pre-submission registration.

E. APPLICATION REVIEW INFORMATION

Throughout the review and selection process, EDA, at its sole discretion, may seek clarification, including but not limited to written clarifications and corrected or missing documents, from applicants whose applications are being reviewed. EDA, in its sole discretion, may continue the review process for applications with non-substantive issues that may be easily rectified or cured. **An applicant's failure to provide complete and accurate supporting documentation in a timely manner when requested by EDA may result in the removal of that application from consideration.**

1. What are EDA's Project Evaluation Criteria?

Applications under this NOFO will be reviewed against the following seven criteria. Merit Reviewers will score applications competitively using the following criteria. The number of points that can be earned for each category of criteria is listed below, with 50 points the maximum total that can be earned.

Summary of Criteria
Project Quality and Ability to Execute (10 points)
Economic Impact (10 points)
Capital Formation, Deployment, and Access (10 points)
Talent and Workforce (5 points)
Commitments (5 points)
Equity and Diversity (5 points)
Tech Hubs Designation or NSF Engines Award (5 points)

a. Project Quality and Ability to Execute—10 Points

Under this criterion, EDA will assess the evidence and analyses that underlie the projects' design, the applicant's ability to execute the project (e.g., are staffing plans, timelines, and goals realistic, subawards logical and uncomplicated, and benchmarks based in data), the interconnections and interfaces among the project and other regional efforts, and the role of the private sector, including how the project leverages private capital. In evaluating proposals against this criterion, EDA will consider questions such as—

- How likely is it that the applicant can successfully execute the proposed work to completion?
- How strongly does the project align with and complement regional assets, resources, and capacities and with other relevant Federally funded work?
- To what extent does the project accelerate technology innovation, development, and maturation?
- Has the applicant identified customers for the technology products and services likely to be made and delivered by regional entrepreneurs and relevant companies in the supply chain?
- To what extent has the applicant provided rigorous research evidence that their proposed project is likely to be successful?

b. Economic Impact—10 Points

Under this criterion, EDA will assess the extent to which the applicant's and region's strategy will likely lead to inclusive growth and long-term stability in the chosen geography and to a globally competitive industry cluster. In evaluating proposals against this criterion, EDA will consider questions such as—

- How does the region's increased competitiveness increase economic resilience and stability of the chosen geography?
- How does it propose to inclusively increase the economic prosperity and opportunity of individuals within the region across communities and populations?
- What is the forecasted relevance and importance of the region's technology focus in the future of the global economy?
- How likely is it that both the innovation and manufacturing of these technologies will remain in the United States?
- To what extent does the plan address national priorities ranging among climate change, supply chain resiliency, accelerating the pace of innovation in critical technologies[9], and beyond?
- What types of and how many new good jobs[10] in the region's innovation and technology economy will these entrepreneurs create?

c. Capital Formation, Deployment, and Access—10 Points

Under this criterion, EDA will assess the region's current capital ecosystem, how the project proposes to address gaps in that ecosystem that affect companies in the region, and the feasibility that component projects and commitments will materially improve access to capital. In evaluating proposals against this criterion, EDA will consider questions such as—

- How much and what types of capital can entrepreneurs and growing companies access in the region?
- What magnitudes or types of capital are easily accessible, and which are difficult to access or nonexistent?
- Do entrepreneurs and businesses have access to enough capital to start and grow? How will the region overcome the identified gaps?

d. Commitments—5 Points

Under this criterion, EDA will assess the commitments' relevance to and alignment with project and the region's strategy, the magnitude or significance of the commitments, and their expected and likely impacts. In evaluating proposals against this criterion, EDA will consider questions such as—

- How specific, timely, and relevant are the commitments that the region's partners across organizational types and sectors (e.g., public, private, nonprofit, labor, etc.) have made?
- How strongly is the private sector engaged, how many quality firms are participating, and is their engagement and participation aligned with and key to the underlying strategy?
- How much additional investment will the project attract and crowd in?
- What are the nature (for-profit, patient, first-loss, philanthropic, etc.) and magnitude of the intended impacts of the commitments, and how likely will these commitments result in those impacts?

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[9] *See, e.g.*, National Science and Technology Council, Critical and Emerging Technologies List Update (Feb. 2022); Department of Defense, Office of the Under Secretary of Defense for Research and Engineering, USD(R&E) Technology Vision for an Era of Competition (Feb. 2022); Office of the Director of National Intelligence, FY2022-2026 ODNI S&T Investment Landscape.

[10] The Department of Commerce and Department of Labor Good Jobs Principles define "good jobs" and set forth principles of job quality: recruitment and hiring; benefits; diversity, equity, inclusion, and accessibility; empowerment and representation; job security and working conditions; organizational culture; pay; and skills and career advancement. Applications that describe how new jobs will fulfill these principles will be responsive to this question. See also footnote 1.

As a companion to this NOFO, EDA will publish a commitment guide, and we expect applicants and partners to use the included template to demonstrate and submit investment and policy commitments.

e. Talent and Workforce—5 Points

Under this criterion, EDA will assess the region's current talent pool alongside the nature and feasibility of its strategy to maintain, strengthen, and grow that pool. In evaluating proposals against this criterion, EDA will consider questions such as—

- What is the region's current market of researchers, entrepreneurs, financiers, inventors, and workers?
- Where are the largest skill needs?
- How will the project or region address those skill needs, what is the capacity of the region's workforce and education systems to address those needs—including through Registered Apprenticeships[11]—, and how can EDA be confident these approaches are likely to succeed?[12]
- How will the region continuously and iteratively evolve talent development, recruitment, and retention strategies alongside evolving demand for talent and while improving job quality?
- How will employers support the retention of workers and training participants?
- How will the region ensure equitable access to workforce training programs and good jobs[13], including through recruitment for training programs and wraparound services[14]?

f. Equity and Diversity—5 Points

Under this criterion, EDA will assess proposed strategies, approaches, key metrics, and projects that increase equitable economic growth and ensure that underserved communities are represented in and benefit from the project. In evaluating proposals against this criterion, EDA will consider questions such as—

- Who benefits from the project's activities and the desired economic growth?
- How meaningfully does the project engage underserved communities (including but not limited to women, Black, Latino, and Indigenous and Native American persons, Asian Americans, and Pacific Islanders), and how will benefits of the region's growth be shared equitably (including but not limited to the extent to which the project's activities will increase the number of high-wage, high-quality domestic jobs available to residents)?

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[11] See Executive Order 14119, Scaling and Expanding the Use of Registered Apprenticeships in Industries and the Federal Government and Promoting Labor-Management Forums (Mar. 6, 2024), 89 F.R. 17265, *available at* https://www.federalregister.gov/documents/2024/03/11/2024-05220/scaling-and-expanding-the-use-of-registered-apprenticeships-in-industries-and-the-federal-government.

[12] Regional capacity may include demonstrations of universities, community colleges, workforce boards, labor-management partnerships, registered apprenticeship programs, sector programs, and organizations that offer or connect participants with wraparound services,

[13] See footnotes 1 and 10.

[14] Wraparound services, also called supportive services, help individuals, and especially people facing systemic barriers to employment, enroll in and successfully complete training and access employment opportunities. Supportive services include, but are not limited to, childcare and long term services and supports, linkages with community services, tools or equipment required to train for a job, specialized work clothing, application fees and other costs of apprenticeship or required pre-employment training, transportation and travel to training and work sites, housing, internet access, mental health counseling, legal assistance, educational testing, financial counseling, direct support professionals, drug treatment, needs-related payments or emergency cash assistance, reasonable accommodations, and services aimed at helping to retain underrepresented groups such as mentoring, support groups, and peer networking. By removing these barriers to employment, employers and training programs also gain access to new pools of talent, especially those from underserved populations. See also footnote 10.

- Will the project create new opportunities for and address barriers faced by economically disadvantaged and underrepresented populations (including rural populations), through, e.g., new career paths increased participation of underserved businesses or communities, or wraparound or supportive services?
- What approaches are being used to build and retain wealth for underserved and disadvantaged populations to support equitable and inclusive development?
- How likely will the project result in more entrepreneurial opportunities for all underserved populations?

g. Tech Hubs Designation or NSF Engines Award—5 Points

The Tech Hubs Program aims to strengthen U.S. economic and national security with investments in regions across the country that have the potential to become globally competitive in the future. EDA determined Tech Hubs designees by assessing whether applicants had the assets, resources, and capabilities to emerge as globally competitive in a particular technology area within 10 years. On October 23, 2023, President Biden announced the designation of the inaugural 31 Tech Hubs.

The NSF Engines program envisions supporting multiple flourishing regional innovation ecosystems across the U.S., spurring economic growth in regions that have not fully participated in the technology boom of the past few decades, advancing transdisciplinary, collaborative, use-inspired and translational research and technology development in key technology focus areas. In January 2024, NSF Director Panchanathan announced the 10 inaugural Engines awards.

Under this criterion, EDA will consider the nature and strength of the applicant's and project's affiliations with a Tech Hub designated pursuant to 15 U.S.C. § 3722a(d) under the FY 2023 Regional Technology and Innovation Hub Program Phase 1 Notice of Funding Opportunity (EDA-TECHHUBSPHASE1-2023 NOFO) or a subsequent NOFO or with a region encompassed by an NSF Engines award[15] and the project's alignment with the respective Tech Hub's or Engine's strategy. To be eligible for any points under this criterion, an applicant must submit a letter or other documentation from the Regional Innovation Officer or authorized official from a Tech Hub's Lead Consortium Member or from an authorized official from the Engine's lead organization that definitively demonstrates that Tech Hub's or Engine's endorsement of the application. Applications deemed ineligible will receive no points under this criterion. In evaluating eligible proposals against this criterion, EDA will consider questions such as—

- How does the proposed project align with and complement the identified Tech Hub's or Engine's strategy for increased competitiveness in a specific technology area?
- To what extent would realizing the impacts of the proposed project further the Tech Hub's or Engine's overall strategy or specific elements of that strategy?
- What is the nature of the interconnections between specific ongoing projects in the identified Tech Hub or Engine and this proposed project?

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[15] NSF made 10 inaugural Engines awards—also referred to as "Type 2" Engines—in January 2024 (see https://new.nsf.gov/funding/initiatives/regional-innovation-engines/portfolio). These 10 Engines are eligible for points under this criterion at the time of publication. If NSF makes other Engines awards prior to the Application Deadline for this NOFO, those subsequently awarded Engines would also be eligible.

2. Review and Selection Process

a. Technical Review (for Eligibility and Completeness)

EDA staff will initially conduct an eligibility and technical completeness review (the "Technical Review") of all applications received by the application deadline. **Refer to Appendix B.7.b.i at p. 31 for important information on EDA's technical review process under this NOFO.**

b. Merit Review

At least three Merit Reviewers will evaluate each application against the evaluation criteria at section E.1 at p. 11. EDA, in its sole discretion, may use a statistical technique to normalize, aggregate, and group Merit Reviewers' quantitative evaluations (i.e., scores) and may consider qualitative Merit Reviewer evaluation information. EDA will sort the applications into tiers based on their scores, and those in the highest tiers will be forwarded to the Selection Official. The Selection Official will determine a final portfolio of projects based on those tiers and the Selection Factors set forth below, including by justifying the selection of any applications that fall outside the top tier pursuant to one or more Selection Factors. EDA also may, in its discretion and including at the Selection Official's request, consult experts outside of EDA on the merits of proposed component projects.

c. Selection Official and Grants Officer's Decision

The Selection Official, who may also serve as the Grants Officer, has been delegated the authority to make the final decision on whether to fund an application. The Selection Official will select projects from the highest tiers of applications based on any of the following Selection Factors. Where applicable, the Selecting Official may select certain projects from other tiers, as justified by the Selection Factors, or use Selection Factors to break a tie for applications that are otherwise considered substantially equal in merit:

1. the extent to which the application meets the overall objectives of section 27 of the Stevenson-Wydler Technology Innovation Act of 1980, as amended (15 U.S.C. § 3722);
2. the extent to which the selection of the application, alone or in the context of other applications, supports EDA's compliance with appropriations law requirements and report language guidance;
3. the ability of a project to start quickly, realistically achieve project goals, and catalyze additional resources;
4. the comparative financial or management capacity of the applicant;
5. the applicant's performance under previous Federal financial assistance awards, including whether the awardee submitted required performance reports and data;
6. for previous and current grantees, the extent to which the application builds upon and creates synergies with previously funded work;
7. the extent to which the application leverages complementary public or private sector programs, grants, or policies, including but not limited to those operated or managed by the Federal Government;
8. whether and to what extent the proposed project is aligned with and complements a Designated Tech Hub under the FY 2023 Regional Technology and Innovation Hub Program Phase 1 Notice of Funding Opportunity (EDA-TECHHUBSPHASE1-2023 NOFO) or under a future NOFO that designates hubs pursuant to 15 U.S.C. § 3722a(d) or with a region encompassed by an NSF Engines award[16], or whether the applicant and proposal otherwise is affiliated with such a Hub or Engine and complements that Hub's or Engine's strategy;

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[16] See footnote 15.

9. the availability of program funding;
10. the extent to which the project supports EDA's goals of balance in distribution of program funds within the overall portfolio of EDA's awards granted under the Stevenson-Wydler Technology Innovation Act of 1980, including geographic balance (including but not limited to geographic diversity among urban and rural States and diversity among regions of the United States), project type balance (including but not limited to diversity among the nature of funded activities and the type of project), sectoral focus balance (including but not limited to advanced wood products; advanced manufacturing; artificial intelligence; bioscience; commercial space; energy; marine energy; nanotechnology; telecommunications, including broadband; etc.), and organizational type balance (including but not limited to organization size and stage of development);
11. the extent to which any budget flaws or legal issues in the application may impact an applicant's ability to execute the project or achieve the desired impacts;
12. the extent to which the project incorporates innovative strategies or untested models and may build evidence for new approaches; and
13. the extent to which the project demonstrates support from and involvement with regional stakeholders, e.g., private, public, and non-profit entities, civil rights and equity-focused organizations, community-based organizations, civil society and consumer-focused groups, labor unions and worker organizations, workforce boards, economic development organizations, schools, community colleges, neighborhood and housing associations, and communities that stand to benefit.

The final decision of the Selection Official must be consistent with this NOFO and applicable law. **There is no appeal process for denied applications.**

F. FEDERAL AWARD ADMINISTRATION INFORMATION

Please review Appendix B.8 at p. 31, which covers **each of the following four topics** in detail:

1. Federal Award Notices
2. Administrative and National Policy Requirements
3. Reporting
4. Requirements for Recipients with more than $10 million in Federal-wide funding

G. FEDERAL AWARDING AGENCY CONTACT

For questions concerning this NOFO, you may contact the EDA by email at oie@eda.gov.

H. OTHER INFORMATION

Please review Appendix B.10 at p. 33, which covers **each of the following ten topics** in detail:

1. Right to Use Information
2. Disclosure of Information
3. Freedom of Information Act
4. Notice of Government-Wide Procurement Restriction
5. Past Performance and Non-Compliance with Award Provisions
6. EDA's Non-Relocation Policy
7. NOFO Changes Communicated on Grants.gov
8. Audit Requirements
9. Office of Inspector General Rights and Responsibilities

10. Certifications Required by Annual Appropriations Acts for Corporations and for Awards over $5 Million

APPENDIX A.   CHECKLIST-STYLE GUIDE FOR REQUIRED DOCUMENTS FOR APPLICATION

1.   PUBLIC ENTITIES

For States, Indian Tribes, Cities, Other Political Subdivisions of States, and Institutions of Higher Education That Are 100% Publicly Controlled

The following checklist table is meant to assist applicants that are States, Indian tribes, cities, other political subdivisions of States, and Institutions of Higher Education that are 100% publicly controlled (including consortia of one or more of these types of entities). As set forth at section D.2 at p. 6, all documents are required for a complete application.

Note that this list **does not apply** to nonprofit organizations, institutions of higher education that are not 100% publicly controlled, public-private partnerships, science or research parks, Federal laboratories, Venture Development Organizations, and economic development or similar organizations. For these organizations, see the next page of this APPENDIX A.

Document Checklist for States, Indian tribes, Cities, Other Political State Subdivisions, and Institutions of Higher Education That Are 100% Publicly Controlled Applicants/Co-Applicants		
Document	**Title/Description/Reference**	**Checklist**
Project Narrative	See section D.2.b.i at p. 7; Appendix B.6.b.ii.A at p. 24.	*One per Application*
Budget Narrative and Staffing Plan	See section D.2.b.ii at p. 10; Appendix B.6.b.ii.B at p. 24.	*One per Application*
Matching Share Commitment Letters	See section D.2.b.iii at p. 10; Appendix B.6.b.ii.C at p. 25.	*One per match source*
Letter from Regional Innovation Officer or Lead Consortium Member from an Aligned Tech Hub or NSF Engine Awardee	See section D.2.b.v at p. 10; Appendix B.6.b.ii.E at p. 26.	*Optional, one per Application*
Form SF-424	Application for Federal Assistance	*One per Applicant or Co-applicant (not needed for subrecipients)*
Form SF-424A	Budget Information-Non-Construction Programs	*One per Application*
Form CD-511	Certification Regarding Lobbying	*One per Applicant or Co-applicant (not needed for subrecipients)*
Form SF-LLL	Disclosure of Lobbying Activities *(required if an Applicant has retained a registered lobbyist in conjunction with the proposed project)*	*If applicable, one per Applicant or Co-applicant (not needed for subrecipients)*
SPOC/EO 12372 Compliance Documentation	See Appendix B.6.b.iii.B.1 at 27 and https://www.whitehouse.gov/wp-content/uploads/2023/06/SPOC-list-as-of-2023.pdf	*If applicable, one per State served*
Indirect Cost Rate (ICR) Documentation	See Appendix B.6.b.iii.B.3 at p. 28.	*One per Applicant*

Project Service Area and FIPS Codes	See Appendix B.6.b.iii.B.4 at p. 29. Add as an attachment to the SF-424.	*One per Application*
Environmental and Historic Preservation Documentation, including Certification Clause (Appendix A to Environmental Narrative)	See Appendix B.6.b.iii.B.5 at p. 29.	*If applicable, one per Application*

2. NON-PUBLIC ENTITIES

For Nonprofit Organizations, Institutions of Higher Education That Are Not 100% Publicly Controlled, Public-Private Partnerships, Science or Research Parks, Federal Laboratories, Venture Development Organizations, and Economic Development or Similar Organizations

The following checklist table is meant to assist applicants that are nonprofit organizations, institutions of higher education that are not 100% publicly controlled, public-private partnerships, science or research parks, Federal laboratories, venture development organizations, or economic development or similar organizations (as well as consortia that include one or more of these). As set forth at section D.2 at p. 6 of this NOFO, all documents are required for a complete application.

Document Checklist for Nonprofit Organizations, Institutions of Higher Education That Are Not 100% Publicly Controlled, Public-Private Partnerships, Science or Research Parks, Federal Laboratories, Venture Development Organizations, and Economic Development or Similar Organization Applicants/Co-Applicants		
Document	**Title/Description/Requirements**	**Checklist**
Project Narrative	See section D.2.b.i at p. 7; Appendix B.6.b.ii.A at p. 24.	*One per Application*
Budget Narrative and Staffing Plan	See section D.2.b.ii at p. 10; Appendix B.6.b.ii.B at p. 24.	*One per Application*
Matching Share Commitment Letters	See section D.2.b.iii at p. 10; Appendix B.6.b.ii.C at p. 25.	*One per match source*
State/Local Government Support	See section D.2.b.iv at p. 10; Appendix B.6.b.ii.D at p. 26.	*One per Application*
Letter from Regional Innovation Officer or Lead Consortium Member from an Aligned Tech Hub or NSF Engine Awardee	See section D.2.b.v at p. 10; Appendix B.6.b.ii.E at p. 26.	*Optional, one per Application*
Form SF-424	Application for Federal Assistance	*One per Applicant or Co-applicant (not needed for subrecipients)*
Form SF-424A	Budget Information-Non-Construction Programs	*One per Application*
Form CD-511	Certification Regarding Lobbying	*One per Applicant or Co-applicant (not needed for subrecipients)*
Form SF-LLL	Disclosure of Lobbying Activities (required if an Applicant has retained a registered lobbyist in conjunction with the proposed project)	*If applicable, one per Applicant or Co-applicant (not needed for subrecipients)*

SPOC/EO 12372 Compliance Documentation	See Appendix B.6.b.iii.B.1 at 27 and https://www.whitehouse.gov/wp-content/uploads/2023/06/SPOC-list-as-of-2023.pdf	*If applicable, one per State in the project's service area*
Organizational Documentation	At minimum: certificate of good standing; articles of incorporation; and bylaws; other establishing authorities as needed.	*If applicable, one set per Applicant or Co-applicant (not needed for subrecipients)*
Public Private Partnership Documentation	If applicable, documentation defining the public private partnership which contains details of the agreement, including roles and responsibilities, and is signed by all parties. See Appendix B.3.a at p. 21.	*One per Application*
Indirect Cost Rate (ICR) Documentation	See Appendix B.6.b.iii.B.3 at p. 28.	*One per Applicant*
Project Service Area and FIPS Codes	See Appendix B.6.b.iii.B.4 at p. 29. Add as an attachment to the SF-424.	*One per Application*
Environmental and Historic Preservation Documentation, including Certification Clause (Appendix A to Environmental Narrative)	See Appendix B.6.b.iii.B.5 at p. 29.	*If applicable, one per Application*

APPENDIX B.   SUPPLEMENTAL REQUIREMENTS AND INFORMATION

1.   PROGRAM DESCRIPTION

No supplemental requirements or information. See section A at p. 1 for complete details.

2.   FEDERAL AWARD INFORMATION

No supplemental requirements or information. See section B at p. 3 of the NOFO for complete details.

3.   ELIGIBILITY REQUIREMENTS

a.   Eligible Applicants

The term "State" means one of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or any other territory or possession of the United States. 15 U.S.C. § 3722(a)(3). Departments within the State government (e.g., State's Department of Labor, etc.) are considered part of the State.

A "political subdivision of a State" is a unit of government created by and under the authority of a higher level of government. For example, counties, cities, etc.

For purposes of the Build to Scale program, EDA defines a public-private partnership (PPP) as a relationship formalized by contractual agreement between a public agency and a private-sector entity that reasonably defines the terms of collaboration in the delivery and financing of a public project. EDA will typically review agreements for items such as the purpose and objectives of the partnership, the binding/contractual nature of the relationship, the duties and responsibilities of each party, and the duration of the agreement. The scope of the relationship documented in the agreement may be limited to the proposal set forth in a given partnership's grant application or may encompass a broader program, initiative, or other set of activities or goals.

Organizations that plan to apply to this NOFO as a PPP may structure their applications in one of four ways: (1) The private entity that is party to the PPP applies on behalf of the PPP that includes the contractual agreement establishing the PPP, and that clearly documents the roles and responsibilities of each member of the PPP; (2) The public entity that is party to the PPP applies on behalf of the PPP that includes the contractual agreement establishing the PPP and that clearly documents the roles and responsibilities of each member of the PPP; (3) The PPP applies as a single entity if the PPP is an established entity, independent of the parties to the PPP and with its own organizational structure and clearly defined management team; and the application includes the contractual agreement establishing the PPP, and clearly documents the roles and responsibilities of each member of the PPP; or (4) If the public and private partners are equally involved in the management and/or carrying out of the grant, then the entities of the PPP should submit as co-applicants. The application should include the contractual agreement establishing the PPP and clearly document the roles and responsibilities of each member of the PPP.

A venture development organization must be a State or nonprofit organization that contributes to regional or sector-based economic prosperity by providing services for the purposes of accelerating the commercialization of research. 15 U.S.C. § 3722(a)(4).

For purposes of the Build to Scale program, EDA defines an economic development organization as an organization with a primary purpose to support the economic development of a community or region. To evaluate an organization's eligibility as an economic development organization or similar entity, EDA will

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look to the organization's Articles of Incorporation, Charter, Resolutions, Bylaws, and other documents that may be relevant to establish the primary purpose of the organization. Applicants are encouraged to submit all relevant documentation to EDA for evaluation. EDA reserves the right to request additional information from applicants to establish eligibility, as necessary.

A consortium is two or more eligible entities jointly applying for an award as co-applicants.

b. Definitions of Types of Federally Funded Program Partners

*Co-applicants***:** Each co-applicant must be an eligible entity under this NOFO (see section C.1 at p. 4). Generally, co-applicants jointly manage and implement the scope of work of an award. Co-applicants have a significant role in the project scope of work. Co-applicants are generally required to submit the same forms that the primary applicant must submit. See section D.2 at p. 6 and Appendix A at p. 18 for specific application requirements and a comprehensive checklist of the documents required for all co-applicants. Co-applicants that receive award funding will be considered "co-recipients."

*Subrecipients***:** To be considered a subrecipient, an organization must be an eligible entity under this NOFO (see section C.1 at p. 4). A subrecipient is an entity that receives a subaward from a pass-through entity (*i.e.*, the lead applicant) to carry out part of a Federal award but does not include an individual that is a beneficiary of such award. Subrecipients generally carry out a portion of project activities on behalf of the applicant or co-applicant(s), to achieve a project goal. Additional documentation may be required for each potential subrecipient. Please note: When deciding between applying as a co-applicant or relying on subrecipients to perform part of the scope of work, EDA prefers subrecipients.

*Contractors***:** Contractors are entities that receive a contract, defined as a legal instrument by which a recipient or subrecipient purchases property or services needed to carry out a project or program under a Federal award (for definition of "contractor" see 2 CFR § 200.1). Contractors do not have to meet eligibility requirements under this NOFO; however, all contracts (including with contractors listed in application materials) **must be procured in accordance with the procurement standards at 2 CFR §§ 200.317-327**.

Contractors that receive Federal funds under a Build to Scale award cannot provide match or cost share for the same award.

4. Cost Sharing or Matching

Refer to section C.3 at p. 5 for full details on what is required and allowed to meet match requirements.

5. Prohibitions and Restrictions on Use of Award Funds

No supplemental requirements or information. See section C.4 at p. 5 for complete details.

6. APPLICATION AND SUBMISSION

a. Application Package and Submission

i. Alternatives to Submission through EDGE

To accommodate applicants' accessibility requirements, a paper version of the application may be obtained by contacting EDA via email at oie@eda.gov.

ii. Timing of Submission

The date and time that an application will be deemed to be electronically received will be determined in accordance with the electronic submission instructions provided through EDGE. See section D.1 at p. 6 for information regarding electronic submissions. **Absent an EDGE systems issue as described below in**

Appendix B.6.a.iv at p. 24, applications received after the application deadline will not be considered for funding. EDA strongly suggests that applicants submit applications substantially before the deadline. In addition, please note the following:

- EDA will not accept any unsolicited changes, additions, revisions, or deletions to applications or supporting documents after the submission deadline.
- Throughout the review and selection process, EDA reserves the right to seek clarification from applicants whose applications are being reviewed and considered.
- Applicants may be asked to clarify objectives and work plans and modify budgets or other specifics as necessary to comply with Federal requirements and provide supplemental information required by the agency before award. Regardless of any such requests, any unallowable costs or expenses that are included in any application materials, all expenses and activities must confirm to the terms and conditions of the award. See section E.2 at p. 15 for application review and selection information.
- Applicants are strongly encouraged to start early and not to wait until near the application deadline before logging on and reviewing the instructions for submitting an application. Applicants should **save and print written proof** of an electronic submission.

Late applications will not be accepted for any reason, including but not limited to late submissions caused by issues with EDGE or SAM. In situations described in this subsection, applications must have email or facsimile receipt timestamps no later than the application deadline or must be postmarked or the equivalent on or before the application deadline. **An application that is not timestamped or postmarked, as applicable, by the application deadline will not be reviewed.**

EDA intends to review each application promptly after receiving the complete application. EDA may request additional documentation or information from the applicant to make an eligibility determination. EDA will reject any documentation that the agency determines is inaccurate or incomplete, which may cause the application to be rejected.

EDA will not accept paper, facsimile, or email transmissions of applications except as provided below. To obtain and submit an application through EDGE, an applicant must register for an EDGE account at sfgrants.eda.gov. As part of the registration process, you will register one Authorized Representative for your organization, however, multiple points of contact may be registered or added by the lead applicant to the application workspace to view or work on completing the application. The Authorized Representative will be the only official with the authority to submit applications. The required electronic file format for attachments is text-searchable Portable Document Format (PDF) and, where appropriate, Microsoft Excel.

iii. Verify that Your Submission was Successful

Applicants should save and print written proof of an electronic submission made through EDGE. Applicants, specifically the Authorized Representative submitting the application and materials, will receive a time and date-stamped email from EDGE confirming the submission and receipt of the application and other required documents.

Applicants should save and print both the confirmation screen provided on EDGE after the applicant has submitted an application and the confirmation email sent when the application has been successfully submitted.

It is the applicant's responsibility to verify that your submission was submitted successfully through EDGE on or before October 28, 2024, and to ensure that the submission was complete as to form and content. Absent an EDGE systems issue as described directly below, incomplete

iv. EDGE Systems Issues

If you experience a systems issue with EDGE (*i.e.*, a technical problem or glitch with the webpage) that you believe threatens your ability to complete a submission before a deadline, please (i) print any error message received; (ii) email the help desk at GrantHDSupport@eda.gov; and (iii) contact EDA at oie@eda.gov. Please be sure to track your issue using a case number given to you by the help desk regarding their communications with EDGE. Please note that problems with an applicant's computer system or equipment are not considered systems issues. Similarly, an applicant's (i) failure to complete the required registration, (ii) failure to ensure that a registered Authorized Representative submits the application, or (iii) failure to receive a notice receipt of an email message from EDGE are not considered systems issues. An EDGE issue is an issue occurring in connection with the operations of the website itself, such as the temporary loss of service due to unexpected volume of traffic or failure of information technology systems, both of which are highly unlikely. In the event of a confirmed systems issue, EDA reserves the right to accept an application in an alternate format.

Applicants should go to sfgrants.eda.gov and click on the Resources page for assistance in navigating EDGE and for a list of useful resources.

b. Content of Application (Forms and Supporting Documentation)

i. Table of Required and Optional Documents

No supplemental requirements or information. See section D.2.a at 6 for complete details.

ii. Project Design and Substance

A. Project Narrative

No supplemental requirements or information. See section D.2.b.i at p. 7 of the NOFO for complete details.

B. Budget Narrative and Staffing Plan

Applicants must provide a clear budget narrative document (Word document or PDF) that identifies and justifies each budget line item (including both the Federal share and matching non-Federal share). The narrative total should match the total project costs listed in both the SF-424, Question 18, Line g ("TOTAL") and the appropriate totals fields of the SF-424A. As part of the budget narrative, **applicants also must submit a staffing plan** that lists all positions that would be charged to the Federal and non-Federal portions of the budget for each year of the period of performance.

The budget narrative should include an itemized list of the matching share sources (consistent with the match commitment letters from each source of match; see Appendix B.6.b.ii.C at p. 25), the total match contribution per each matching share source, and whether the match is cash or in-kind.

In addition to providing a stand-alone narrative budget document, applicants may use the optional budget and staffing plan template available at https://www.eda.gov/funding/programs/build-to-scale to **supplement** the budget narrative. Each line item in the budget narrative should clearly indicate:

1. the budget category (from the SF-424A) to which the line item corresponds;
2. a description of the intended use of funds for each line item; and

3. if any matching share is allocated to a given line item, a citation to the one or more commitment letters that documents each relevant matching organization's commitment to provide the matching share of the given line item.

Recipients generally must expend non-Federal share, whether in cash or in-kind, at the same general rate as the Federal share. However, if the applicant's budget narrative proposes otherwise (*e.g.*, if the project's implementation depends on a higher proportion of Federal share expenditure upfront), the applicant must clearly explain why project implementation requires different expenditure rates.

The budget narrative should include specific, clear, itemized valuations of all project costs, including any in-kind matching funds (which, for personnel costs, should be supported by the staffing plan). Each cost should be placed in the appropriate budget category. For example, a program "event" may consist of contracts for services, supplies, and local transportation. Each of these items needs to be described adequately. The "Other" category should only be used for costs that cannot be categorized as personnel, fringe benefits, supplies, equipment, contractual, or indirect costs.

The budget narrative should also clearly explain how each line-item cost ties into specific element(s) of the proposed scope of work.

The staffing plan must include position titles, maximum annual salaries, percentage of time dedicated to the project, and the total amount of annual salaries that would be charged to the project. The total amount of annual salaries that would be charged to the project must be consistent with the amount reflected on the "Personnel" budget line item on the Form SF-424A for each project year.

C. Matching Share Commitment Letters

Each match commitment letter must be **signed by a person with authority to commit funds on behalf of** the contributing/donor organization. In other words, if any entity besides the application will be donating match, please obtain and submit a match letter from that entity.

In-kind contributions may be used for the required matching share and must consist of contributions directly related to the proposed project, such as services, equipment, or space. An in-kind contribution is a non-monetary contribution. Goods or services offered free or at less than (discounted) the usual charge can be considered an in-kind contribution and still require a signed letter of commitment. EDA will fairly evaluate all in-kind contributions, which must be eligible project costs and meet applicable Federal cost principles and uniform administrative requirements. As with other match sources, a commitment letter is required for both applicant-provided and third-party sources of in-kind match.

For all sources of in-kind match, the letter should include details on what the in-kind contribution will consist of and an itemized valuation. Match letters simply stating an in-kind match amount without providing a description and an itemized valuation will be deemed insufficient. Each item of in-kind match must be categorized appropriately within the budget (*e.g.*, as contractual costs, equipment costs, supplies costs, etc.).

Each matching share commitment letter must:

1. be from the entity making the contribution (e.g., from the applicant or from the third-party match source). Applicants cannot pledge match that is contributed/donated by a third-party entity unless a match letter is signed by an authorized representative of that entity;
2. state whether each element of the match contribution is cash or in-kind;
3. **if in-kind, provide a valuation and description for each element of in-kind**
4. contributions;
5. confirm that the contribution is from a non-Federal source or from a Federal source that is explicitly authorized by statute to be used as matching share; and
6. reflect, to EDA's satisfaction, that the match is committed, unencumbered, and available as needed.

> **TIP:** See these examples of how to state valuations for in-kind match:
>
> - 40 hours of consulting time during the project, at $100 hourly rate, for a total in-kind contribution of $4,000 across the period of performance.
> - 1,000 square feet of donated event space valued at $2,000 per event for six events over the course of the project, for a total in-kind contribution of $12,000 across the period of performance.
> - 10 3D printers valued at $4,000 per printer, for a total in-kind contribution of $40,000 across the period of performance.

A provider of matching share, whether cash or in-kind contributions, **may not** serve as a contractor under the award for which it provides matching share. Funds from other Federal financial assistance awards can serve as matching share funds **only** if authorized by statute, which may be determined by EDA's reasonable interpretation of the statute.

Please note that all project funds—both Federal funds and matching funds—are subject to the funding restrictions set forth at section C.4 at p. 5. If your project is awarded, every activity and cost must be allowable under 2 CFR part 200.

Finally, any proposed use of unrecovered indirect costs as match must conform to the requirements of 2 CFR § 200.306(c). For more information on required documentation for indirect costs, see section Appendix B.6.b.iii.B.3 at p. 28.

D. State/Local Government Support

State/local government support letters should be signed by executives from the State or political subdivision of the State. Examples of authorities who may indicate such support include State and local executive branch officials (e.g., State governors, State cabinet members, mayors, city managers, city finance directors, county executives, or other municipal executives) or State and local legislators (e.g., State legislators, city councilpersons).

Support from Federal officials, including but not limited to members of the United States Congress, does not meet this requirement. Other examples of organizations that do NOT meet this requirement include letters from non-profits, chambers of commerce, public universities, etc.

E. Letter from the Regional Innovation Officer or Lead Consortium Member from an Aligned Tech Hub or NSF Engine Awardee (optional)

Applicants whose projects are supported by a Tech Hub or NSF Engine and aligned with that Hub's or Engine's strategy are encouraged to submit an optional letter from the Hub's Regional Innovation Officer or

Lead Consortium Member or from the Engine's lead organization. This evidence of support may strengthen an applicant's competitiveness in the merit review and selection processes, as discussed in sections E.2.b at p. 15 and E.2.c at p. 15.

iii. Forms and Supporting Documentation

A. Forms

See the table in section D.2.a at p. 6 and Appendix A at p. 18 for a complete list of the required and optional application forms.

B. Supporting Documentation

The table in section D.2.a at p. 6 lists the following 5 addenda that applicants must submit *in addition to* the other required forms:

1. State Single-Point-of-Contact (SPOC) Compliance (if applicable) for each participating State in the proposed project's primary service area;
2. Organizational documentation (if applicable) for each applicant, depending on entity type;
3. Indirect cost rate documentation (if applicable);
4. Project Service area and FIPS codes; and
5. Environmental documentation (if applicable).

Here is a detailed explanation of each of the above 5 addenda:

1. SPOC Compliance

If the proposed project is covering a service area in a State that has adopted a process under Executive Order (EO) 12372, "Intergovernmental Review of Federal Programs," the applicant must give State and local governments a reasonable opportunity to review and comment on the proposed project, including review and comment from area-wide planning organizations in metropolitan areas. For a list of participating states as of June 2023, see https://www.whitehouse.gov/wp-content/uploads/2023/06/SPOC-list-as-of-2023.pdf . Applicants with a project service area that is within a participating State(s) **must** submit documentation demonstrating compliance with that State's or those States' processes. To ensure compliance, applicants should reach out to their State's Single Points of Contact (SPOC) to understand that State's specific processes. EDA strongly encourages applicants to contact SPOCs early in the application period to determine the relevant State's or States' processes. Based on the applicant's State, EDA requires the following documentation:

State does not participate	No documentation required—check SF-424 box 19(c).
State participates; this grant program not subject to review	Documentation (*e.g.*, a State executive order, a signed letter from the SPOC, or other written guidance from the SPOC) showing that this grant program is not subject to review—provide the documentation as an attachment and check SF-424 box 19(b).
State participates; this grant program subject to review	Documentation (*e.g.*, a signed letter from the SPOC) with comments or indicating that this project was not selected for review, or, if the comment period has expired or comments were not received, a copy of the applicant's request for comments—provide the documentation as an attachment and check SF-424 box 19(a).

Applicants with any questions about SPOC compliance (*i.e.*, intergovernmental review) may contact the respective State's SPOC representative listed in the SPOC list linked above.

2. *Organizational Documentation*

Each *non-public* applicant and co-applicant must provide documentation that supports each applicant's or co-applicants' **organizational status as an eligible entity**, depending on the type of organization:

- Nonprofit organizations must submit documentation that demonstrates their status as nonprofit organizations, including, at minimum: (1) articles of incorporation; (2) current certificate of good standing, and (3) current bylaws. EDA may request additional documentation as needed to ascertain the nonprofit entity's status.
- Applicants applying as (a) institutions of higher education that are not 100% publicly controlled, (b) science or research parks, (c) Federal laboratories, (d) venture development organizations, or (e) economic development organizations or similar entities must provide documentation that demonstrates their organization's status as the relevant entity type as discussed in Appendix B.3.a at p. 21.
- Entities applying as public-private partnerships must submit documentation of their contractual relationship. See the discussion of documentation for public-private partnerships in Appendix B.3.a at p. 21.
- States, Indian tribes, cities or other political subdivisions of States, and institutions of higher education that are 100% publicly controlled are not required to submit organizational documentation.
- EDA strongly encourages applicants that may be eligible under this entity category to contact the representative listed in section G at p. 16 with any questions regarding eligibility.
- If the application names any specific subrecipient(s) that are not 100% publicly controlled, please provide documentation that supports each named subrecipient's organizational status as an eligible entity, depending on the type of organization (see bullet-point list directly above).
- Regardless of entity type, EDA reserves the right to request documentation or additional proof of organizational status.

3. *Indirect Cost Rate Documentation*

If indirect costs are included in the budget, the applicant must include documentation to support the indirect cost rate it is using (unless claiming the 15 percent de minimis indirect cost rate, discussed below[17]). The applicant must submit a copy of its current, approved, and negotiated indirect cost rate agreement (NICRA), if it wishes to rely on the NICRA. The maximum dollar amount of allocable indirect costs for which EDA will reimburse a recipient will be the lesser of the (i) line-item amount for the Federal share of indirect costs contained in the EDA approved budget for the award, or (ii) Federal share of the total allocable indirect costs of the award based on either (i) the indirect cost rate approved by EDA (or applicable cognizant Federal agency), provided that the cost rate is current at the time the costs were incurred and provided that the rate is approved on or before the award end date, or (ii) other acceptable documentation as indicated below.

If the applicant does not have a current or pending NICRA, it may propose indirect costs in its budget; however, the applicant must prepare and submit an allocation plan and rate proposal for approval within ninety calendar days from the award start date (unless claiming the 15 percent de minimis indirect cost rate, discussed below). See 2 CFR part 200 Apps. III, IV, V, VI, VII for guidance. The allocation plan and the rate proposal shall be submitted to EDA_Indirect@ibc.doi.gov (or the applicable cognizant Federal

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[17] Along with other controlling law, awards made under this NOFO will be governed by the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) as set forth in 2 CFR part 200, as updated and revised by the final rule published in the Federal Register on April 22, 2024 (89 FR 30046). Among other changes, the revised regulations increase the de minimis indirect cost rate from 10% to 15% of modified total direct costs.

agency). The applicant should include a statement in its Budget Narrative that it does not have a current or pending NICRA and will submit an allocation plan and rate proposal to EDA or the applicant's cognizant Federal agency for approval.

In accordance with 2 CFR § 200.414(f), an applicant that does not have a current negotiated or provisional NICRA, may elect to charge a de minimis rate of 15 percent of modified total direct costs (subject to the exceptions of § 200.414(f)). No documentation is required to justify the 15 percent de minimis indirect cost rate; however, an applicant electing to charge a de minimis rate of 15 percent must include a statement in its Budget Narrative that it does not have a current negotiated (including provisional) rate and is electing to charge the de minimis rate.

If the applicant is a State or local unit of government that receives less than $35 million in direct Federal funding per year it may submit any of the following:

- Negotiated indirect cost rate agreement (NICRA);
- a Certificate of Indirect Costs from the Department of the Interior (DOI) or EDA (https://www.eda.gov/grant-resources/grantee-guidance/indirect-costs/how-to);
- an acknowledgment received from EDA and a Certificate of Indirect Costs in the form prescribed at 2 CFR part 200, app. VII; or
- a Cost Allocation Plan approved by a Federal agency (note that cost allocation plans or indirect cost rates approved by State agencies are not acceptable).

4. Project Service Area and FIPS Codes

Applicants **must** identify their proposed primary service area(s) by county or counties. **Counties should be identified by both name and 5-digit FIPS codes.** See 2020 State, County, Minor Civil Division, and Incorporated Place FIPS Codes available at https://www.census.gov/geographies/reference-files/2020/demo/popest/2020-fips.html.

Please find an optional spreadsheet template at https://www.eda.gov/funding/programs/build-to-scale.

5. Environmental Narrative

If any project equipment, whether funded by EDA or provided as match, requires minor modifications to structures, e.g., removal of drywall or installation of wiring, applicants must provide environmental information. An environmental narrative that details required components may be accessed in EDA's website at https://www.eda.gov/sites/default/files/2022-01/07_Environmental-Narrative-Template-and-Application-Certification-Clause.docx. The documentation should reflect whether the component project is categorically excludable or should be a draft environmental assessment or environmental impact statement, as funded by the technical assistance award. Applicants should consult with agency contacts listed in section G at p. 16 to ensure the appropriate documentation is prepared. This includes filling out the environmental narrative and the Certification Clause found on Appendix A to the environmental narrative. This Certification Clause must be completed separately and signed by the applicant's authorized representative.

Each application will be reviewed by EDA for compliance with the National Environmental Policy Act (NEPA) of 1969, as amended. During the NEPA review process, applicants may be instructed to contact the designated State and/or Tribal Historic Preservation Officer (SHPO/THPO), provide approvals from other governmental agencies, or provide more detailed environmental information. EDA, after compliance with requirements for consultation with Federally recognized Indian Tribes, may require applicants to participate in Tribal consultation, as necessary. The implementing regulations of NEPA require EDA to

provide public notice of the availability of project-specific environmental documents, such as environmental impact statements, environmental assessments, findings of no significant impact, and records of decision, to the affected public.

iv. Other Submission Requirements

A. *Unique Entity Identifier and System for Award Management (SAM)*

Applicants are required to: (i) be registered in SAM before submitting an application; (ii) provide a valid unique entity identifier (UEI) in the application (UEI is also required for subrecipients); (iii) make certain certifications (see also Appendix B.10.j at p. 36), and (iv) continue to maintain an active SAM registration with current information at all times during which they have an active Federal award or an application or plan under consideration by a Federal awarding agency. EDA may not make a Federal award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements, and, if an applicant has not fully complied with the requirements by the time the EDA is ready to make an award, EDA may determine that the applicant is not qualified to receive an award and use that determination as a basis for making an award to another applicant. Recipients will be subject to reporting requirements, as identified in OMB guidance published at 2 CFR parts 25 and 170. All subrecipients must have a UEI before any subawards are made.

B. *Pre-Submission Registration*

- How to register your organization with SAM.gov (or how to renew your organization's registration), visit SAM.gov's Getting Started with Registration page.
- How to check an organization's current SAM.gov registration status, visit SAM.gov's Check Entity Registration Status page.
- PLEASE NOTE: Before making a Federal award with a total amount of Federal share greater than the simplified acquisition threshold (currently $250,000 but periodically adjusted), EDA is required to review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (formerly FAPIIS). See 41 U.S.C. § 2313. Each applicant, at its option, may review information in the designated integrity and performance systems accessible through SAM and comment on any information about itself that a Federal awarding agency previously entered and is currently in the designated integrity and performance system accessible through SAM. EDA will consider any comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as described in 2 CFR § 200.206.
- How to create an EDGE account, visit sfgrants.eda.gov.
- The hyperlinks to (i.e., the URLs of) these resources are up to date as of the date of publication of this Appendix B, but please note that EDA does not control these systems, and they may change without notice. If you encounter problems or questions that are not answered by the pages linked above, please visit the respective system's entry page (e.g., SAM.gov) and navigate to its respective "Help," "Support," or similar section.

7. APPLICATION REVIEW INFORMATION

a. Evaluation Criteria

No supplemental requirements or information. See section E.1 at p. 11 for complete details.

b.   Review and Selection Process

Throughout the review and selection process, EDA reserves the right to seek clarification from applicants whose applications are being reviewed. EDA may ask applicants to clarify application materials, objectives, and scope of work, or modify budgets or other specifics necessary to comply with Federal requirements.

i.   Review for Eligibility and Completeness (Technical Review)

EDA staff will initially conduct an eligibility and application completeness review (the "Technical Review") of all applications received by the application deadline. Applications received from ineligible entities will not be considered for funding. Applications that do not contain all forms and required documentation listed at section D.2 at p. 6 may be deemed non-responsive and excluded from further consideration. (See also Appendix A at p. 18 for application checklists.) EDA expects all applicants to complete and include all required forms and documentation. However, EDA, in its sole discretion, may determine that an omission is a non-substantive technical deficiency if it can easily and quickly be rectified and therefore may continue its consideration of the application despite the deficiency. Technical Review will be conducted separately for each application.

ii.   Merit Review

No supplemental requirements or information. See section E.2.b at p. 15 for complete details.

iii.   Selection Official or Grants Officer's Decision

No supplemental requirements or information. See section E.2.c at p. 15 for complete details.

8.   FEDERAL AWARD ADMINISTRATION INFORMATION

a.   Federal Award Notices

Under this NOFO, EDA expects to notify applicants of its decision via email. If an application is selected for funding, the EDA Grants Officer will issue a signed grant award (Notice of Award), which is the authorizing financial assistance award document and includes the DOC Financial Assistance Standard Terms and Conditions (DOC ST&Cs) and Specific Award Conditions as described in Appendix B.8.b at p. 31.

By accepting the Notice of Award, the applicant agrees to comply with all award provisions. EDA will provide the Notice of Award to the applicant's Authorized Representative through EDGE. The applicant's Authorized Representative must review and accept the Notice of Award without modification within 30 calendar days of the date of receipt. **Failure to sign and return the Notice of Award during this timeframe may be considered grounds for appropriate enforcement action pursuant to 2 CFR § 200.339 ("Remedies for noncompliance"), <u>including award termination.</u>**

If an applicant is awarded funding, neither DOC nor EDA is under any obligation to provide any additional future funding in connection with that award or to make any future awards. Amendment or renewal of an award to increase funding or to extend the period of performance is at the discretion of DOC and EDA.

EDA will provide written notice to all applicants informing them whether their application was selected for funding. EDA will retain unsuccessful applications in accordance with EDA's record retention schedule.

b.   Administrative and National Policy Requirements

Recipients of an EDA award will be bound by the DOC Standard Terms & Conditions and by the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) as set forth in 2 CFR part 200.

For all funded projects, DOC will apply the DOC ST&Cs applicable on the date of the award. The DOC ST&Cs may be accessed at the following website: https://www.commerce.gov/oam/policy/financial-assistance-policy. Recipients of DOC financial assistance are obligated to comply with Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color or national origin, and Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination against people with disabilities, in Federally assisted programs or activities.

DOC will apply the Pre-Award Notification Requirements for Grants and Cooperative Agreements effective December 26, 2014, 79 Fed. Reg. 78,390. The Pre-Award Notice may be accessed at http://www.gpo.gov/fdsys/pkg/FR-2014-12-30/pdf/2014-30297.pdf.

c. Reporting

i. Financial, Performance, and Outcomes Reports

All recipients are required to submit progress reports and financial status reports generally <u>no less than semi-annually</u>, in accordance with the terms and conditions of the grant award. In addition, all recipients will be required to track and submit performance data on EDA-sponsored outputs and resulting outcomes, semi-annually and annually, respectively. All reports must be submitted in electronic format as specified in the terms of the award. As part of its administration of the Build to Scale Implementation Challenge, EDA may conduct program evaluations. If so, **EDA may share performance data with evaluators and** recipients of grants under this program may need to furnish performance data to evaluators, including but not limited to EDA staff and outside parties contracted by EDA. Note: costs related to data and evaluation are allowable. EDA may also, for research purposes linked to improving economic outcomes, choose to share data with other Federal partners, including but not limited to statistical agencies.

ii. Federal Funding Accountability and Transparency Act of 2006

The Federal Funding Accountability and Transparency Act of 2006 includes a requirement for awardees of applicable Federal grants to report information about first-tier subawards and executive compensation under Federal assistance awards issued in FY 2011 or later. All awardees of applicable grants and cooperative agreements are required to report to the Federal Subaward Reporting System (FSRS) available at www.FSRS.gov on all sub-awards over $30,000. Please see the OMB guidance published at 2 CFR part 170.

iii. Government Performance and Results Act

EDA will require additional data on activities, outputs, and actual outcomes of the funded investment, in part to fulfill the requirements of the Government Performance and Results Act (GPRA).

Award recipients must submit Outputs Questionnaires (Form ED-916) to EDA on a semi-annual basis during the period of performance or as otherwise directed by EDA. The first Outputs Questionnaire must be submitted to EDA six months after the date the period of performance starts. The Outputs Questionnaire must be submitted to EDA every six months thereafter through the end of the Period Performance, or any portion thereof if applicable, or as otherwise directed by EDA.

Award recipients must submit Outcomes Questionnaires (Form ED-917) to EDA on an annual basis for a total of five years after the date the period of performance starts. The first Outcomes Questionnaire must be submitted to EDA one year after the date the period of performance starts. The Outcomes Questionnaire must be submitted to EDA at the end of every year thereafter for a total of five years, or as otherwise directed by EDA.

For more information, please refer to https://www.eda.gov/performance/.

d. Requirements for Recipients with more than $10 Million in Federal-Wide Funding

As required by appendix XII to 2 CFR part 200, a recipient with more than $10 million in Federal-wide funding must maintain the currency of information reported to SAM that is made available in the designated integrity and performance system (formerly FAPIIS) about civil, criminal, or administrative proceedings.

9. FEDERAL AWARDING AGENCY CONTACT(S)

No supplemental requirements or information. See section G at p. 16 for complete details.

10. OTHER INFORMATION

a. Right to Use Information

The applicant acknowledges and understands that information and data contained in applications for financial assistance, as well as information and data contained in financial, performance and other reports submitted by applicants, may be used by the Department of Commerce in conducting reviews and evaluations of its financial assistance programs. For this purpose, applicant information and data may be accessed, reviewed and evaluated by Department of Commerce employees, other Federal employees, and also by Federal agents and contractors, and/or by non-Federal personnel, all of whom enter into appropriate conflict of interest and confidentiality agreements covering the use of such information. As may be provided in the terms and conditions of a specific financial assistance award, applicants are expected to support program reviews and evaluations by submitting required financial and performance information and data in an accurate and timely manner, and by cooperating with Department of Commerce and external program evaluators. In accordance with 2 CFR § 200.303(e), applicants are reminded that they must take reasonable measures to safeguard protected personally identifiable information and other confidential or sensitive personal or business information created or obtained in connection with a Department of Commerce financial assistance award.

b. Disclosures of Information

For the purposes of achieving rigorous program evaluations, all applications (including those that are not selected for funding) may be shared with EDA staff, outside parties contracted by EDA for the purposes of evaluation, and other Federal agencies.

c. Freedom of Information Act

EDA may publish any applications it receives, including any supporting documentation, on its website or through other means.

In addition, Department of Commerce regulations implementing the Freedom of Information Act (FOIA) (5 U.S.C. § 552), may be found at 15 CFR part 4, Public Information. These regulations set forth rules for the Department regarding making requested materials, information, and records publicly available under the FOIA. Applications submitted in response to this NOFO may be subject to requests for release under FOIA. In the event that an application contains information or data that the applicant deems to be confidential commercial information that should be exempt from disclosure under FOIA, that information should be identified, bracketed, and marked as Privileged, Confidential, Commercial, or Financial Information. In accordance with 15 CFR § 4.9, the Department of Commerce will protect from disclosure confidential business information contained in financial assistance applications and other documentation provided by applicants to the extent permitted by law.

d. Notice of Government-Wide Procurement Restriction

The general rule for Federal financial assistance is that contractors that develop draft specifications, requirements, statements of work, invitations for bids, or requests for proposals are prohibited from competing for the final procurement. In accordance with 2 CFR §§ 200.317 and 200.319, only State and Indian Tribe recipients are expressly exempt from this prohibition; States and Indian Tribes must follow the same policies and procedures they use for procurements from their non-Federal funds. Local governments may also take advantage of the exemption in two narrow circumstances: (i) if they are required (by statute, for example) to follow the State's procurement rules in full and without exception; or (ii) if they are required to follow a specific State procurement rule that creates an explicit conflict with the prohibition in 2 CFR § 200.319(b) (*i.e.*, there is a statute that requires or permits the local government e to award the final procurement to the same contractor that developed the draft specifications). Absent one of these two scenarios, the local government must comply with the prohibition. Applicants are encouraged to contact the applicable EDA representative listed in section G at p. 16 with any questions regarding application of this regulation.

e. Past Performance and Non-Compliance with Award Provisions

Unsatisfactory performance under prior Federal awards may result in an application not being considered for funding. Failure to comply with any or all of the provisions of an award may have a negative impact on future funding by DOC (or any of its operating units) and may be considered grounds for any or all of the following actions: (1) establishing an account receivable; (2) withholding payments to the recipient under any DOC award(s); (3) changing the method of payment from advance to reimbursement only; (4) imposing other specific award conditions; (5) suspending any active DOC award(s); and (6) terminating any active DOC award(s).

f. EDA's Non-Relocation Policy

Applicants are advised that, should an application be selected for award, the recipient will be required to adhere to a specific award condition relating to EDA's non-relocation policy as follows:

In signing this award of financial assistance, Recipient(s) attests that EDA funding is not intended by the Recipient to assist its efforts to induce the relocation of existing jobs within the U.S. that are located outside of its jurisdiction to within its jurisdiction in competition with other U.S. jurisdictions for those same jobs. If EDA determines that its assistance was used for those purposes, EDA retains the right to pursue appropriate enforcement action in accord with the Standard Terms and Conditions of the Award, including suspension of disbursements and termination of the award for convenience or cause, which may include the establishment of a debt requiring the Recipient to reimburse EDA.

For purposes of ensuring that EDA assistance will not be used merely to transfer jobs from one location in the United States to another, each applicant must inform EDA of all employers that constitute primary beneficiaries of the project assisted by EDA. EDA will consider an employer to be a "primary beneficiary" if: (i) the employer is specifically named in the application as benefitting from the project, and the applicant estimates that the employer will create or save 100 or more permanent jobs as a result of the investment assistance (if the jobs in question were originally located in a smaller community, EDA may extend this policy to the relocation of 50 or more jobs); or (ii) the employer is or will be located in an EDA-assisted building, port, facility, or industrial, commercial, or business park constructed or improved in whole or in part with investment assistance prior to EDA's final disbursement of funds.

g. NOFO Changes Communicated on Grants.gov

EDA may make changes or additions to this NOFO. All changes will be communicated on Grants.gov. It is recommended that applicants set up a Grants.gov account and subscribe to this funding opportunity ("EDA-B2S-2024") in order to be notified of any updates or changes. DOC or EDA may cancel, modify, or withdraw this NOFO at any time. EDA is not obligated to make any Federal award or commitment as a result of this announcement.

h. Audit Requirements

Single or program-specific audits shall be performed in accordance with the requirements contained in the OMB Uniform Guidance (see 2 CFR part 200, Subpart F, "Audit Requirements"). The OMB Uniform Guidance requires any non-Federal entity (*e.g.*, nonprofit organizations, including nonprofit institutions of higher education and hospitals; States; local governments; and Indian tribes) that expends Federal awards of $1,000,000 or more in the recipient's fiscal year to conduct a single or program-specific audit in accordance with the requirements set out in the OMB Uniform Guidance. Applicants are reminded that EDA or the DOC's Office of Inspector General (OIG) also may conduct an audit of an award at any time.

i. Office of Inspector General Rights and Responsibilities

The DOC OIG seeks to improve the efficiency and effectiveness of the Department's programs, including deterring and detecting fraud, waste, abuse and mismanagement. The OIG accomplishes this mission primarily through investigations, audits, and inspections of Department activities, including grants, cooperative agreements, loans, and contracts.

i. Disclosures

Recipients of financial assistance originating from the U.S. Department of Commerce, including EDA, shall timely disclose, in writing, to the OIG and awarding agency, whenever, in connection with the award, performance, or closeout of this grant or sub-award thereunder, the recipient has credible evidence that a principal, employee, agent, or sub-recipient has committed:

1. A violation of Federal criminal law involving fraud, conflict of interest, bribery, or gratuity violations found in Title 18 of the United States Code; or
2. A violation of the civil False Claims Act (31 U.S.C. §§ 3729-3733).

ii. Reporting

The OIG maintains a hotline to receive allegations of fraud, waste, or abuse. To report such allegations, please visit https://www.oig.doc.gov/Pages/Hotline.aspx. Upon request, the OIG will take appropriate measures to protect the identity of any individual who reports misconduct, as authorized by the Inspector General Act of 1978, as amended. Reports to the OIG may also be made anonymously.

iii. Whistleblower Protection

Recipients, sub-recipients, and employees working on this grant award will be subject to the whistleblower rights and remedies established under 41 U.S.C. § 4712.

An employee of a recipient or sub-recipient may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing information that the employee reasonably believes is evidence of: gross mismanagement of a Federal contract or award; a gross waste of Federal funds; an abuse of authority (*i.e.*, an arbitrary and capricious exercise of authority that is inconsistent with the mission of EDA or the U.S. Department of Commerce or the successful performance of a contract or grant awarded by EDA or the Department) relating to a Federal contract or award; a substantial and specific danger to public health or

safety; or a violation of a law, rule, or regulation related to a Federal contract (including the competition for or negotiation of a contract) or grant.

The recipient or sub-recipient shall inform its employees and contractors, in writing, in the predominant language of the workforce or organization, of employee whistleblower rights and protections under 41 U.S.C. § 4712, as described above and at https://www.oig.doc.gov/Pages/Whistleblower-Protection-Program.aspx.

j. Certifications Required by Annual Appropriations Acts for Corporations and for Awards over $5 Million

As discussed in Appendix B.6.b.iv.A at p. 30, all applicants are required to be registered in SAM before applying under this NOFO. SAM requires registering entities to certify compliance with all limitations imposed by annual appropriation acts. For corporations, this certification includes that the corporation:

a. Was not convicted of a felony criminal violation under a Federal law within the preceding 24 months, unless a Federal agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government; and/or

b. Does not have any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, unless a Federal agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

For financial assistance awards in excess of $5 million, this certification includes that the entity:

a. To the best of its knowledge and belief, has filed all Federal tax returns required during the three years preceding the certification;

b. Has not been convicted of a criminal offense under the Internal Revenue Code of 1986; and/or

c. Has not been notified, more than 90 days prior to certification, of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding