

# Manufacture of Advanced Key Energy Infrastructure Technologies Prize (MAKE IT) Strategies Track



July 2023

# Preface

The U.S. Department of Energy's (DOE's) Manufacture of Advanced Key Energy Infrastructure Technologies (MAKE IT) Prize will be governed by 15 U.S.C. §3719 and this Official Rules document. This is not a procurement under the Federal Acquisitions Regulations and will not result in a grant or cooperative agreement under 2 CFR 200. The prize administrator reserves the right to modify this Official Rules document if necessary and will publicly post any such notifications, as well as notify registered prize participants.

Date	Modification

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# 1 Executive Summary

DOE aims to catalyze domestic manufacturing to enable replication and commercial liftoff of clean energy demonstration projects, moving manufacturing facilities of critical clean energy technology components from planning to shovel-ready and enabling communities to prepare strategies for vibrant manufacturing activity in their area. The MAKE IT Prize offers a total prize pool of approximately \$30 million in cash prizes across two tracks. Each track has different submission requirements, timelines, and prize amounts. Winning teams may win up to \$400,000 across three phases of the Strategies track.

As part of the Bipartisan Infrastructure Law (BIL) Technology Commercialization Fund (TCF), the DOE Office of Technology Transitions (OTT), Office of Clean Energy Demonstrations (OCED), and the Office of Energy Efficiency and Renewable Energy (EERE) are launching the MAKE IT Prize. The MAKE IT Prize has two tracks:

**Strategies Track:** Collaborative teams working to promote manufacturing activity, economic development, growth, and quality of life in their region or community will prepare a credible roadmap to establishing clean energy manufacturing activity. Successful competitors will also demonstrate interest by a manufacturing entity in establishing additional clean energy manufacturing capacity in their region. The objective of this track is to build interest, engagement, and community involvement around clean energy manufacturing, economic development, and job creation, particularly within disadvantaged communities.

**Facilities Track:** U.S.-based entities and teams successfully complete the necessary work leading to shovel-ready facilities for manufacturing eligible components that will support clean energy infrastructure. The goal is to establish a robust and secure domestic supply chain for components deemed critical for the commercialization of clean energy technologies. This track is open to entities interested in construction of new facilities, the revitalization of shuttered facilities, brownfield development, and repurposing existing facilities, with particular interest in the latter three.

**This rules document is specifically for the Strategies Track.** If you are interested in establishing manufacturing facilities for eligible clean energy technology components, refer to the [Facilities Track rules](#).

## 1.1 MAKE IT Prize Strategies Track

The MAKE IT Prize Strategies Track is structured into three phases. DOE anticipates offering prizes of \$50,000 each in Phase 1: Engage, \$100,000 each in Phase 2: Create, and \$250,000 each in Phase 3: Activate. DOE anticipates running this prize twice, with Phase 1 of the second round opening alongside Phase 2 of the first round. The Strategies Track aims to incentivize teams to develop a roadmap for establishing clean energy manufacturing activity in their region to promote equitable and sustainable regional economic development, growth, and quality of life.

Competitors will develop a roadmap and pitch deck detailing opportunities to make the region attractive for clean energy manufacturing and benefit local communities and the environment. Examples of roadmap elements may include but are not limited to customized business services for manufacturers, regional infrastructure that can be leveraged, unique regional resources (educational, industrial, social, cultural, etc.), or workforce development programs. To win the Phase 3: Activate prize, competitors will show the impact of their work through the submission of the roadmap and at least one letter of commitment from a manufacturer interested in establishing a facility in their region. Competitors are also

encouraged to submit letters of support from impacted communities, tribes, and workers, as well as evidence of any planned or negotiated Workforce or Community Agreements.<sup>1</sup>

The table below outlines the total prizes DOE anticipates offering across the two rounds:

Contest	Winners (across two rounds)	Prizes
Phase 1: Engage	Approximately 30	\$50,000 each
Phase 2: Create	Approximately 20	\$100,000 each
Phase 3: Activate	Approximately 8	\$250,000 each

In Phase 1: Engage, competitors submit a brief narrative describing the team, region, potential elements for their roadmap, and a plan to engage the potentially impacted communities, tribal entities, and workers and to incorporate their input into the roadmap as it is developed.

In Phase 2: Create, competitors submit a concept roadmap and provide a comprehensive list of stakeholders with whom they plan to meet to present opportunities for clean energy manufacturing in their region. Competitors are strongly encouraged to work with [Facilities Track](#) competitors to identify synergies; [HeroX](#) will have a page to facilitate collaboration.

In Phase 3: Activate, competitors submit their final roadmap, consolidated feedback the team received from manufacturers and impacted communities, and provide at least one letter of commitment from a manufacturer interested in establishing a clean energy manufacturing facility in the region.

Guided by the Justice40 Initiative principles<sup>2</sup>, one of the main objectives of this prize is to support creating economic and job opportunities related to clean energy for all Americans. See Section A.14 for a list of factors the judge may consider as part of the selection process.

## 1.2 Key Dates

Visit [HeroX](#) for a list of deadlines and key dates.

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<sup>1</sup> “Workforce and Community Agreements” include a range of formal agreements between a project developer/owner, impacted community groups, and relevant labor unions, such as Community Benefits Agreements, Community Workforce Agreements, Good Neighbor Agreements, Project Labor Agreements, Collective-Bargaining Agreements, and other similar contractual tools. They are used in project development and/or execution to ensure benefits promised to communities and workers are realized. This could be an agreement specifying a project’s commitments to the community; a collective-bargaining agreement specifying wages, benefits, health and safety standards, workforce education and training, and other terms of employment with a labor union; or include both community and workforce provisions. The enforcement mechanism varies depending on the provisions of the agreement. Project Labor Agreements, which may include Community Workforce Agreements, are covered under the National Labor Relations Act and fall under the oversight of the National Labor Relations Board. Community Benefits Agreements and Good Neighbor Agreements are legally binding agreements that are negotiated directly between community coalitions and project developers. Learn more: [www.energy.gov/infrastructure/about-community-benefits-plans](http://www.energy.gov/infrastructure/about-community-benefits-plans).

<sup>2</sup> <https://www.whitehouse.gov/environmentaljustice/justice40/>.

# STRATEGIES TRACK

AMERICAN  
**MADE**  
U.S. DEPARTMENT OF ENERGY

**MAKE IT  
Prize**



## 1.3 Eligibility and Competitors

### All Phase Eligibility

The competition is open to entities that work to promote clean energy technology manufacturing, economic development, and growth in their region. This includes, but is not limited to, private entities (for-profits and nonprofits), consortia, academic institutions, nongovernmental organizations, and nonfederal government entities (such as tribes, states, counties, and municipalities) in the United States, subject to the following requirements:

- Private entities must be incorporated in and maintain a primary place of business in the United States.
- Academic institutions must be based in the United States.

### Phase 1: Engage Eligibility

- A single entity may only submit one application as the lead competitor to this track. Entities may participate as part of a team on multiple applications in this track. Competitors who submit to but do not win Phase 1: Engage awards in Round 1 may submit to Round 2; however, DOE recommends that competitors prepare their second submission considering the feedback provided from their first submission.

### Phase 2: Create Eligibility

- Only Phase 1: Engage winners may compete in Phase 2: Create. Winners of either round of Phase 1: Engage may compete in Round 2 of Create.

### Phase 3: Activate Eligibility

- Only Phase 2: Create winners may compete in Phase 3: Activate. Winners of either round of Phase 2: Create may compete in Round 2 of Phase 3: Activate.

### Ineligible Applications

- DOE employees, employees of sponsoring organizations, members of their immediate families (e.g., spouses, children, siblings, or parents), and persons living in the same household as such persons, whether related, are not eligible to participate in the prize.
- Individuals who worked at DOE (federal employees or support service contractors) within 6 months prior to the submission deadline of any contest are not eligible to participate in any prize contests in this program.
- Federal entities and federal employees are not eligible to participate in any portion of the prize.
- DOE national laboratory employees cannot compete in the prize.
- Individuals participating in a foreign government talent recruitment program<sup>3</sup> sponsored by a country of risk<sup>4</sup> and teams that include such individuals are not eligible to compete.
- Entities owned by, controlled by, or subject to the jurisdiction or direction of a government of a country of risk are not eligible to compete.
- Entities and individuals publicly banned from doing business with the U.S. government such as entities and individuals debarred, suspended, or otherwise excluded from or ineligible for participating in Federal programs are not eligible to compete.
- As part of your submission to this prize program, you will be required to sign the following statement:

I am providing this submission package as part of my participation in this prize. I understand that the information contained in this submission will be relied on by the federal government to determine whether to issue a prize to the named competitor. I certify under penalty of perjury that the named competitor meets the eligibility requirements for this prize competition and complies with all other rules contained in the Official Rules document. I further represent that the information contained in the submission is true and contains no misrepresentations. I understand false statements or misrepresentations to the federal government may result in civil and/or criminal penalties under 18 U.S.C. § 1001 and § 287, and 31 U.S.C. §§ 3729-3733 and 3801-3812.

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<sup>3</sup> Foreign Government-Sponsored Talent Recruitment Program is defined as an effort directly or indirectly organized, managed, or funded by a foreign government, or a foreign government instrumentality or entity, to recruit science and technology professionals or students (regardless of citizenship or national origin, or whether having a full-time or part-time position). Some foreign government-sponsored talent recruitment programs operate with the intent to import or otherwise acquire from abroad, sometimes through illicit means, proprietary technology or software, unpublished data and methods, and intellectual property to further the military modernization goals and/or economic goals of a foreign government. Many, but not all, programs aim to incentivize the targeted individual to relocate physically to the foreign state for the above purpose. Some programs allow for or encourage continued employment at United States research facilities or receipt of federal research funds while concurrently working at and/or receiving compensation from a foreign institution, and some direct participants not to disclose their participation to U.S. entities. Compensation could take many forms including cash, research funding, complimentary foreign travel, honorific titles, career advancement opportunities, promised future compensation, or other types of remuneration or consideration, including in-kind compensation.

<sup>4</sup> DOE has designated the following countries as foreign countries of risk: Iran, North Korea, Russia, and China. This list is subject to change.



# 2 Background

## 2.1 Prize Background

The DOE Technology Commercialization Fund (TCF), administered by OTT, was established by Congress through the Energy Policy Act of 2005 (EPAct05)<sup>5</sup> and reauthorized by the Energy Act of 2020 (EA 2020) to “promote promising energy technologies for commercial purposes.”<sup>6</sup> TCF is a primary component of DOE’s ongoing effort to commercialize cutting-edge energy technologies.<sup>7</sup>

In November 2021, Congress passed into law the Infrastructure Investment and Jobs Act,<sup>8</sup> more commonly known as the BIL. The BIL appropriates more than \$62 billion to DOE<sup>9</sup>. Under BIL TCF, DOE pursues activities that broadly support the commercialization of promising energy technologies while simultaneously enhancing and improving American infrastructure, competitiveness, opportunity, and equity, and addressing the climate crisis. Working collaboratively across relevant program offices, OTT seeks to cultivate a broader innovation network around the BIL provision activities to enable faster replication and scaling of demonstration projects. To help achieve these aims, OTT, OCED, and EERE have developed the MAKE IT Prize.

The energy sector will evolve at an accelerated pace in the coming decades to reflect a growing demand for clean energy, in line with domestic and global climate goals. This creates an opportunity to invest in the domestic manufacturing base and strengthen our energy supply chains. Resilient, secure, and diverse supply chains and domestic manufacturing capabilities promote security and will be critical to maximizing the benefits of the energy transition and providing economic opportunity for all Americans.<sup>10</sup> Previous DOE work and stakeholder engagement, including the Pathways to Commercial Liftoff<sup>11</sup> and “America’s Strategy to Secure the Supply Chain for a Robust Clean Energy Transition,”<sup>12</sup> have identified several weaknesses and components whose manufacture present risks or barriers to large-scale demonstration.<sup>13</sup>

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<sup>5</sup> Energy Policy Act of 2005, Public Law 109–58, 109th Cong. (August 8, 2005), Improved technology transfer of energy technologies, 42 U.S. Code § 16391 (a).

<sup>6</sup> Consolidated Appropriations Act, 2021, Public Law 116–260, 116th Cong. (December 27, 2020), 134 Stat. 2597, Sec. 9003. <https://www.congress.gov/116/plaws/publ260/PLAW-116publ260.pdf>.

<sup>7</sup> Learn more about the TCF at <https://www.energy.gov/technologytransitions/technology-commercialization-fund>.

<sup>8</sup> Infrastructure Investment and Jobs Act, Public Law 117-58 (November 15, 2021).

<sup>9</sup> Learn more about the BIL and DOE: U.S. Department of Energy. 2021. “DOE Fact Sheet: The Bipartisan Infrastructure Deal Will Deliver For American Workers, Families and Usher in the Clean Energy Future.” <https://www.energy.gov/articles/doe-fact-sheet-bipartisan-infrastructure-deal-will-deliver-american-workers-families-and-0>.

<sup>10</sup> The White House, 2021. “Executive Order on America’s Supply Chains.” <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/02/24/executive-order-on-americas-supply-chains/>.

<sup>11</sup> <https://liftoff.energy.gov>.

<sup>12</sup> U.S. Department of Energy, 2022. “Securing America’s Clean Energy Supply Chain.” <https://www.energy.gov/policy/securing-americas-clean-energy-supply-chain>.

<sup>13</sup> For more information about specific weakness and components of interest for this prize, see Appendix B of the Facilities track rules at <https://www.herox.com/make-it-facilities/resources>.

Activities rewarded under this Prize will support the creation of quality jobs, the advancement of environmental justice, the inclusion of underserved<sup>14</sup> or overburdened<sup>15</sup> communities, and work to ensure that at least 40% of the overall benefits of federal investments in climate and clean energy flow to disadvantaged communities.<sup>16</sup>

## 2.2 Competitor Support—the American-Made Network

The American-Made Network cultivates resources and builds connections that enhance, accelerate, and amplify competitors' efforts. The objective is to link competitors with the people, resources, financing, perspectives, and industry expertise necessary for long-term success.

The network comprises the following elements:

1. **Prize and Network Administrator (NREL):** DOE has partnered with the National Renewable Energy Laboratory (NREL) to administer the American-Made Challenges. NREL, as the administrator, helps competitors locate and leverage the vast array of national laboratory resources. NREL also connects elements of the Network with the competitors, as described below.
2. **Power Connectors:** Power Connectors are entities who play a more substantial role in the competition and receive funds to expand and amplify DOE and NREL's efforts. They are deeply involved with prize program execution, recruitment, and support. These organizations are contracted to perform a variety of tasks for specific prizes that advance program successes—extending the reach and improving the diversity and inclusivity of the Network overall.
3. **MAKE IT Prize—Facilities Track Competitors:** The [Facilities Track of the MAKE IT Prize](#) incentivizes companies to establish clean tech manufacturing facilities in the United States. Competitors to this track are strongly encouraged to reach out to Facilities Track competitors as potential partners for their region.

Competitors are encouraged to form multidisciplinary teams while developing their concept. The [HeroX platform](#) provides a space where parties interested in collaboration can post information about themselves and learn about others who are also interested in competing in this contest. The prize administrator will also support additional teaming events and opportunities, directly and/or through the

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<sup>14</sup> Per Executive Order On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, the term “underserved communities” refers to populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life. <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/>.

<sup>15</sup> Per EJ 2020 Glossary, overburdened communities are minority, low-income, tribal, or indigenous populations or geographic locations in the United States that potentially experience disproportionate environmental harms and risks as a result of greater vulnerability to environmental hazards, lack of opportunity for public participation, or other factors...The term describes situations where multiple factors, including both environmental and socio-economic stressors, may act cumulatively to affect health and the environment and contribute to persistent environmental health disparities. <https://www.epa.gov/environmentaljustice/ej-2020-glossary>.

<sup>16</sup> The White House, 2021. “The Path to Achieving Justice40.” <https://www.whitehouse.gov/omb/briefing-room/2021/07/20/the-path-to-achieving-justice40/>.

American-Made Network. Follow the [HeroX platform](#) for more information about teaming events and opportunities.

## 3 Phase 1: Engage

### 3.1 Goal

The goal of Phase 1: Engage is for organizations interested in promoting clean energy manufacturing and regional economic development to submit a brief description of their team and plan for developing a roadmap for establishing clean energy manufacturing activity in their region.

### 3.2 Prizes

Approximately 30 winners will be awarded \$50,000 each across two rounds of competition.

### 3.3 How to Enter

Visit [HeroX](#) and follow the instructions for registering and submitting all required materials before the phase deadline.

### 3.4 Important Dates

Refer to the timeline on [HeroX](#) for relevant dates and deadlines.

### 3.5 Phase 1: Engage Process

Phase 1 consists of the following steps:

1. **Submission:** Competitors interested in attracting clean energy manufacturing to their region assemble a project team and develop plans for creating a strategy document and earning buy-in from and building partnerships with impacted communities, tribes, and local workers. Competitors complete their submission packages and submit online before the Phase closes.
2. **Assessment:** The prize administrator screens submissions for eligibility and completion. Reviewers will assess submissions based on the criteria listed in Section 3.7.
3. **Announcement:** The prize administrator will announce the Phase 1: Engage winners and disperse awards. After winning Engage, competitors are eligible to compete in Phase 2: Create.

### 3.6 What to Submit

A complete submission package for Phase 1: Engage should include the following items:

- Summary PowerPoint slide (will be made public)
- Cover page
- Submission narrative
- Letters of support (optional).

### 3.6.1 Submission Summary Slide (Will Be Made Public)

Submit a public-facing, one-slide submission summary that introduces your team and/or organization, your region, and why you are competing in this prize. Any text must be readable in a standard printed page and a conference room projection and should be in at least 14-pt font.

### 3.6.2 Cover Page Content

List basic information about your submission, including:

- Project title
- Organization name
- Short description
- Key project members (names, contacts, nine-digit zip codes, and links to professional profiles)
- Other partners (if any), brief descriptions, and nine-digit zip codes
- Your city, state, and nine-digit zip codes.

### 3.6.3 Submission Narrative

Submit a written narrative that describes the project team, partners, region, and path forward. Narratives may not exceed 2,000 words and may include up to five tables/figures ([see template for more details](#)). Suggested content for the narrative is below.

- Introduce your team or member organizations and shared mission, vision, and goals.
- Describe your team and demonstrate that your team has experience in promoting domestic economic development and/or supporting domestic manufacturing and quality jobs.
- Demonstrate that your team and/or partners are representative of the relevant stakeholders in your region, including labor and community organizations and any impacted tribal entities.
- Describe your organization/team's commitment to justice, equity, diversity, and inclusion.
- Define the region where your team is located and demonstrate an understanding of the specific industry and socio-economic needs and opportunities in that region for clean energy manufacturing.
- Identify the staff and other resources required to complete the roadmap, planned engagement, and outreach; demonstrate access to or a plan to obtain the identified resources.
- If applicable, specifically highlight:
  - If your region is defined as a disadvantaged,<sup>17</sup> overburdened,<sup>18</sup> or underserved<sup>19</sup> community that will benefit from new opportunities driven by clean energy manufacturing.

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<sup>17</sup> Disadvantaged communities are defined at the White House Climate and Economic Justice Screening Tool: <https://screeningtool.geoplatform.gov/en/#3/33.47/-97.5>.

<sup>18</sup> Per [www.epa.gov/environmentaljustice/ej-2020-glossary](http://www.epa.gov/environmentaljustice/ej-2020-glossary), overburdened communities are minority, low-income, tribal, or indigenous populations or geographic locations in the United States that potentially experience disproportionate environmental harms and risks as a result of greater vulnerability to environmental hazards, lack of opportunity for public participation, or other factors. The term describes situations where multiple factors, including both environmental and socio-economic stressors, may act cumulatively to affect health and the environment and contribute to persistent environmental health disparities. Communities may be overburdened without meeting DOE and/or CEJST's definition of disadvantaged (see Footnote 17).

<sup>19</sup> Per Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, the term "underserved communities" refers to populations sharing a particular

- If your region is home to federally recognized tribes and tribal reservations
- Any opportunities to incentivize establishing manufacturing facilities that repurpose shuttered facilities, development on brownfield sites, or that re-equip current production lines for the purpose of manufacturing emerging clean energy technologies.
- Describe any recent related relevant efforts or recent engagement with clean energy manufacturing firms.
- Identify the potential impact clean energy technology manufacturing activity could have for your region, and any potential clean energy technologies you may be targeting.
- Initial ideas for your roadmap. Any activities intended to lobby state, local, or federal government to adopt new law or policies (see 18 U.S. Code 1913,<sup>20</sup> 13 U.S. Code 1352,<sup>21</sup> and/or 10 CFR 601<sup>22</sup>) are not eligible for this prize and will not be considered in any assessment.
- A community, tribal, and labor engagement plan to discuss the roadmap and its impact, implement feedback, and earn local support and establish ongoing partnerships.

Competitors should consider any potential cybersecurity risks associated with the roadmap or its creation and plan for mitigating/addressing the potential risks and threats (see Section A.12 for further details).

### 3.6.4 Letters of Support (Optional)

Attach one-page letters of support from partners or other relevant entities that are critical to the success of your proposed roadmap.

## 3.7 Assessment

The prize administrator screens all completed submissions and ensures the teams are eligible. The prize administrator then assigns eligible submissions to expert reviewers. The reviewers will include federal and nonfederal subject-matter representatives with expertise in areas relevant to the competition. They will review the competitor's submission package according to the criteria below. The scores from each reviewer will be averaged to produce a final score for the competing team/organization. This score will inform the judge's decisions on prize awards. Reviewers will assess submissions against the following criteria:

- **Criterion 1: Team Composition, Capability, and Experience (50%)**
  - The team includes the relevant stakeholders necessary to successfully develop a credible roadmap; engage with potential manufacturers; earn community, tribal, and labor support; and execute the roadmap in the medium- and long-term.
  - The team has an understanding of how to develop clean energy projects or has shown sufficient expertise in opportunities and challenges related to clean energy infrastructure and manufacturing.
  - The team has demonstrated a focus on regional economic development, quality local jobs, or other evidence of credibility toward success of the plan to be implemented.
  - The team is diverse and representative of the region, including community, tribal, and labor interests.

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characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life. Communities may be underserved without meeting DOE and/or CEJST's definition of disadvantaged.

<sup>20</sup> <https://www.govinfo.gov/app/details/USCODE-2011-title18/USCODE-2011-title18-partI-chap93-sec1913>.

<sup>21</sup> <https://www.govinfo.gov/app/details/USCODE-2011-title15>.

<sup>22</sup> <https://www.ecfr.gov/current/title-10/chapter-II/subchapter-H/part-601>.

- The team demonstrates the ability to meaningfully engage with their region's stakeholders over the sustained life of the project.
- **Criterion 2: Regional Understanding (30%)**
  - The proposal demonstrates an understanding of the strengths, opportunities, weaknesses, and threats regarding establishing clean energy manufacturing in the region.
  - The proposal demonstrates an understanding of the manufacturing and supply chains needed now or that will be needed in the future to build a clean energy manufacturing base.
  - The region served by the proposed plan is well-defined.
  - The proposal clearly demonstrates who will benefit from the proposed plan and how they will benefit.
  - If successful, the roadmap will have a positive economic and environmental impact in the region.
- **Criterion 3: Community, Tribal, and Labor Engagement and Impact (20%)**
  - The competitor has outlined a clear and robust plan to meaningfully engage local stakeholders and impacted tribes in a manner that can impact project decisions.
  - The competitor has described plans to ensure accountability and transparency to local stakeholders.
  - If successful, the proposed plan will meaningfully address at least one of DOE's eight policy priorities for Justice40 Initiative implementation.
  - The submission demonstrates an understanding of potential benefits and negative outcomes for the community, especially disadvantaged communities, tribes, and local workers, that could result from the project and a plan for mitigating negative outcomes and maximizing and equitably distributing positive outcomes.
  - The competitor has included specific diversity, equity, inclusion, and accessibility goals, such as goals to foster a welcoming and inclusive environment; support people from groups underrepresented in clean energy manufacturing; advance equity; and/or encourage the inclusion of individuals from underrepresented groups and those facing systemic barriers to quality employment.

## 3.8 Interviews

The prize administrator and/or DOE may interview some or all of the competitors. The interviews would be held prior to announcing the winners and would help clarify questions the reviewers may have. Interviews are not an indication of a competitor's likelihood to win. Participating in interviews is not required but may inform scoring and/or the judge's determination.

## 3.9 Final Determination

DOE will designate a federal employee as the judge before the final determination of the winners. Final determination of the winners by the judge will consider the reviewers' feedback and scores, application of program policy factors, and the interview findings (if applicable).

## 3.10 Announcement

Approximately 60 days after the contest closes, the prize administrator will notify the winners and request the necessary information to distribute the prizes. The prize administrator will then publicly announce the winners.

# 4 Phase 2: Create

## 4.1 Goal

Create is the second of three phases in the MAKE IT Prize Strategies track. Phase 1: Engage winners will perform comprehensive community, tribal, and labor engagement on the proposed plan for regional clean energy manufacturing that meaningfully informs project planning and outcomes; begin drafting their strategic roadmaps; and develop an ambitious plan for outreach to entities interested in establishing clean energy manufacturing facilities in the region. Phase 2: Create competitors will submit a concept roadmap, demonstrate engagement with and support from regional stakeholders, and identify potential manufacturing partners.

## 4.2 Prizes

Approximately 20 winners receiving \$100,000 each across two rounds of competition.

## 4.3 How to Enter

Go to [HeroX](#) and follow the instructions for registering and submitting all required materials before the phase deadline.

## 4.4 Important Dates

Refer to the timeline on [HeroX](#) for relevant dates and deadlines.

## 4.5 Create Process

This phase consists of the following steps:

- 1. Submission:** Competitors submit the documents required in Section 4.6.
- 2. Assessment:** The prize administrator screens submissions for eligibility and completion and assigns subject-matter expert reviewers to independently score the content of each submission. Any activities intended to lobby state, local, or federal government to adopt new laws or policies (see 18 U.S. Code 1913,<sup>23</sup> 13 U.S. Code 1352,<sup>24</sup> and/or 10 CFR 601<sup>25</sup>) are not eligible for this prize and will not be considered in any assessment.
- 3. Announcement:** After the winners are publicly announced, the prize administrator notifies them and requests the necessary information to distribute cash prizes. After winning Phase 2: Create, teams are eligible to compete in Phase 3: Activate.

## 4.6 What to Submit

A complete submission package for Phase 2: Create should include the following items:

- Cover page
- Summary PowerPoint slide (will be made public)
- Concept roadmap
- Community, Tribal, and Labor Engagement results

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<sup>23</sup> <https://www.govinfo.gov/app/details/USCODE-2011-title18/USCODE-2011-title18-partI-chap93-sec1913>.

<sup>24</sup> <https://www.govinfo.gov/app/details/USCODE-2011-title15>.

<sup>25</sup> <https://www.ecfr.gov/current/title-10/chapter-II/subchapter-H/part-601>.

- Potential Manufacturer Outreach Plan
- Letters of support.

### 4.6.1 Cover Page Content

List basic information about your submission, including:

- Project title
- Organization Name
- Short description
- Key project members (names, contacts, nine-digit zip codes, and links to their professional online profiles)
- Other partners (if any), brief descriptions and nine-digit zip codes
- Your city, state, and nine-digit zip code.

### 4.6.2 Concept Roadmap

The competitor submits an initial narrative outlining the planned roadmap document. The narrative should not be more than five pages in total, inclusive of any figures or tables. Suggested content for the document is below:

Concept Roadmap
<ul style="list-style-type: none"> <li>• A description of your region, the challenges, and opportunities for attracting clean energy manufacturing, and a vision for your region that includes a vibrant clean energy manufacturing industry supported by quality local jobs.</li> <li>• A description of the team leading the initiative, highlighting any updates from Phase 1: Engage.</li> <li>• A description of the themes and content for your roadmap, including an outline for the roadmap document. Any activities intended to lobby state, local, or federal government to adopt new laws or policies (see 18 U.S. Code 1913,<sup>26</sup> 13 U.S. Code 1352,<sup>27</sup> and/or 10 CFR 601<sup>28</sup>) are not eligible for this prize and will not be considered in any assessment.</li> <li>• A brief description of how your roadmap will enhance domestic clean energy manufacturing, economic development, and improve quality of life in your region.</li> <li>• An initial list of clean energy technologies that could be manufactured in the region.</li> </ul>

### 4.6.3 Manufacturer Outreach Plan

Submit a maximum 1,000-word document listing the potential entities you intend to contact (or with whom your team has already met) to discuss clean energy manufacturing that will provide significant impact in your region. Suggested content for the manufacturer outreach plan is provided below:

Manufacturer Outreach Plan
<ul style="list-style-type: none"> <li>• A list of potential clean energy manufacturers.</li> <li>• For each potential manufacturer, one bullet point describing the manufacturer, their current operations, and why they would be a good fit for your region, highlighting the potential impact.</li> </ul>

<sup>26</sup> <https://www.govinfo.gov/app/details/USCODE-2011-title18/USCODE-2011-title18-partI-chap93-sec1913>.

<sup>27</sup> <https://www.govinfo.gov/app/details/USCODE-2011-title15>.

<sup>28</sup> <https://www.ecfr.gov/current/title-10/chapter-II/subchapter-H/part-601>.



- Any engagement with potential manufacturers that has already taken place, when this engagement took place, and a description of the outcome of the discussion.
- An anticipated timeline for clean energy manufacturer outreach.

## 4.6.4 Community, Tribal, and Labor Engagement Results

Submit a maximum 2,500-word document, as well as up to five tables and figures, describing the actions taken to engage with the community, tribes, and local workers around roadmap development. Suggested content for the community, tribal, and labor engagement results narrative is below:

### Community, Tribal, and Labor Engagement Results

- An overview of how you have engaged with the community, impacted tribes, and local workers, including mechanisms and timelines for two-way engagement and the number of stakeholders engaged.
- A description of who you have spoken to and how they are representative of the community, tribes, and local workers.
- Proof of engagement with and support of the project from community representatives/community-based groups, tribal entities, and local labor organizations, such as signed letters of support (included in Section 4.6.6).
- A description of the outcomes of these conversations, how these results fed into the development of your roadmap, and how those results will inform implementation.
- A description of plans for continued two-way engagement and collaboration with community groups, tribal entities, and local workers, including plans to ensure accountability and transparency with local groups.
- A description of any formalized partnerships with any of the above organizations, including any drafted or planned Community Benefits Plans/Workforce Agreements.

## 4.6.5 Submission Summary Slide (Will Be Made Public)

Make a public-facing, one-slide submission summary that introduces your team and/or organization, describes your region, and articulates the vision described in your roadmap. Any text must be readable in a standard printed page and a conference room projection and should be in at least 14-pt font.

## 4.6.6 Letters of Support

Attach one-page letters of support in a single PDF document from partners or other relevant entities, such as community or labor organizations, tribal entities, and/or potential manufacturers, that are critical to the success of your proposed roadmap. Submit only new letters of support, and do not resubmit letters from Phase 1: Engage submissions. Indicate that no additional letters of support were obtained if no new letters are available.

## 4.7 Assessment

The prize administrator screens all completed submissions and ensures the teams are eligible. The prize administrator then assigns eligible submissions to expert reviewers. The reviewers will include federal and nonfederal subject-matter representatives with expertise in areas relevant to the competition. They

will review the competitor's submission package according to the criteria below. The scores from each reviewer will be averaged to produce a final score for the competing team/organization. This score will inform the selection official's decisions on prize awards. Reviewers will assess submissions against the following criteria:

- **Criterion 1: Manufacturer Identification (25%)**
  - The competitor has compiled a list of entities to potentially open additional clean energy manufacturing facilities or expand facilities in the region with whom to discuss the roadmap (or with whom they have already engaged to discuss the roadmap concept).
  - The manufacturer outreach plan is ambitious yet achievable and makes sense within the region's context.
  - If successful, the proposed entities/possible manufacturing projects and partners are likely to generate significant positive impact for the region.
- **Criterion 2: Clean Energy Manufacturing Concept Roadmap (45%)**
  - The competitor outlines a credible and convincing vision for the thriving region contributing to and benefitting from a clean energy manufacturing industry.
  - The proposed content for the roadmap is clear and well-described; the proposed format is logical.
  - The team has identified relevant and eligible elements to be included in the roadmap.
  - The team creating the roadmap is diverse and representative of the region.
  - The team creating the roadmap includes all stakeholders needed to successfully develop the document, engage with potential manufacturers and impacted groups, and execute the roadmap in the medium- and long-term.
  - The concept roadmap reflects the composition of region and feedback received during community, tribal, and labor engagement.
- **Criterion 3: Community, Tribal, and Labor Engagement and Impact (30%)**
  - The competitor has clearly demonstrated the results to date of community, tribal, and labor engagement, including any metrics and measures tracked.
  - The competitor has described how they interacted with impacted communities and tribes and whether engaged groups differ from those described in Phase 1: Engage.
  - The competitor has demonstrated how feedback from engagement was incorporated into the plan for the roadmap.
  - The competitor has described a plan for ongoing engagement with impacted communities, tribes, and workers that includes measures to ensure accountability and transparency.
  - If successful, the team will make a positive economic and environmental impact on their region.
  - The competitor has demonstrated how their proposed plan can meaningfully address at least one of DOE's eight policy priorities for Justice40 Initiative implementation.<sup>29</sup>
  - The proposal demonstrates a consideration of the potential benefits and negative outcomes for the community, especially disadvantaged communities and impacted

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<sup>29</sup> The eight policy priorities that guide DOE's implementation of Justice40: (1) Decrease energy burden in disadvantaged communities (DACs); (2) Decrease environmental exposure and burdens for DACs; (3) Increase parity in clean energy technology (e.g., solar, storage) access and adoption in DACs; (4) Increase access to low-cost capital in DACs; (5) Increase clean energy enterprise creation and contracting (MBE/DBE) in DACs; (6) Increase clean energy jobs, job pipeline, and job training for individuals from DACs; (7) Increase energy resiliency in DACs; and (8) Increase energy democracy in DACs. For more information, see <https://www.energy.gov/diversity/justice40-initiative>.

- tribes, that could result from the project and describes how it is mitigating negative outcomes and maximizing and equitably distributing positive outcomes.
- The competitor has demonstrated accountability for and action on specific and high-quality diversity, equity, inclusion, and accessibility goals.

## 4.8 Interviews

DOE may decide to interview a subset of competitors. The interviews would be held prior to the announcement of the winners and would serve to help clarify questions the reviewers may have. Participating in interviews is not required, and interviews are not an indication of a competitor's likelihood to win.

## 4.9 Final Determination

DOE will designate a federal employee as the judge before the final determination of the winners. Final determination of the winners by the judge will consider the reviewers' feedback and scores, application of program policy factors, and the interview findings (if applicable).

## 4.10 Announcement

Approximately 60 days after the contest closes, the prize administrator will notify the winners and request the necessary information to distribute the prizes. The prize administrator will then publicly announce the winners.

# 5 Phase 3: Activate

## 5.1 Goal

Activate is the third of three phases in the MAKE IT Prize Strategies track. Phase 2: Create winners will draft and finalize regional clean energy manufacturing roadmaps that demonstrate how they will promote clean energy manufacturing and associated community benefits within their region; meet with potential manufacturers to discuss the roadmap and establishing impactful clean energy manufacturing capabilities in the region; and continue to engage with communities on an ongoing basis. Activate competitors provide their final roadmap document and demonstrate that they have received a commitment from at least one private entity to establish a clean energy manufacturing facility.

## 5.2 Prizes

Approximately eight winners receiving \$250,000 each across two rounds of competition.

## 5.3 How to Enter

Go to [HeroX](#) and follow the instructions for registering and submitting all required materials before the phase deadline.

## 5.4 Important Dates

Refer to the timeline on [HeroX](#) for relevant dates and deadlines.

## 5.5 Activate Process

Phase 3 consists of the following steps:

1. **Submission:** Competitors complete their roadmap and use it as the basis to pitch to manufacturers to establish clean tech manufacturing activity and quality local jobs in their region. As a result of this work, competitors receive at least one letter of commitment from a manufacturer considering their region for a clean energy manufacturing facility.
2. **Assessment:** The prize administrator screens submissions for eligibility and completion and assigns subject-matter expert reviewers to independently score the content of each submission. Any activities intended to lobby state, local, or federal governments to adopt new laws or policies (see 18 U.S. Code 1913,<sup>30</sup> 13 U.S. Code 1352,<sup>31</sup> and/or 10 CFR 601<sup>32</sup>) are not eligible for this prize and will not be considered in any assessment.
3. **Announcement:** After the winners are publicly announced, the prize administrator notifies them and requests the necessary information to distribute cash prizes.

## 5.6 What to Submit

A complete submission package for Phase 3: Activate should include the following items:

- Cover page
- Roadmap
- Summary of manufacturer outreach
- A minimum of one letter of commitment
- Supporting documentation
- Summary slide (will be made public)
- Live pitch participation
- Pitch session slide deck.

### 5.6.1 Cover Page Content

List basic information about your submission, including:

- Project title
- Organization name
- Short description
- Key project members (names, contacts, nine-digit zip codes, and links to their professional online profiles)
- Other partners (if any), brief descriptions and nine-digit zip codes
- Your city, state, and nine-digit zip code.

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<sup>30</sup> <https://www.govinfo.gov/app/details/USCODE-2011-title18/USCODE-2011-title18-partI-chap93-sec1913>.

<sup>31</sup> <https://www.govinfo.gov/app/details/USCODE-2011-title15>.

<sup>32</sup> <https://www.ecfr.gov/current/title-10/chapter-II/subchapter-H/part-601>.

## 5.6.2 Roadmap

The competitor submits a PDF of the complete roadmap to attract clean energy manufacturing and quality local jobs in their region. Ensure that the roadmap includes an executive summary and a table of contents. The executive summary should not exceed a total of 2,500 words in length. Suggested content for the executive summary is provided below.

### Executive Summary

- A vision for your region as a thriving center for clean energy manufacturing
- The key points of the roadmap, which demonstrate how your region will work toward the articulated vision.
- A description of the team behind the roadmap, including how it is representative of the region's various communities and viewpoints and its access to the resources and capabilities needed to execute the roadmap.
- Descriptions of any other partners involved in creating the roadmap.
- A list and brief descriptions of any Community Benefits Plans or Workforce Agreements associated with the roadmap.
- A summary of community, tribal, and labor engagement efforts (including engagement mechanisms and number of stakeholders engaged), how the engagement shaped the roadmap, and a description of the benefits that will be realized through the successful implementation of the roadmap.
- A description of progress to date, including any metrics and measures tracked.

## 5.6.3 Summary of Manufacturer Outreach

The competitor submits a summary of outreach to manufacturers conducted during Phase 3: Activate. The summary may not exceed 2,500 words. This summary should describe the meetings, feedback, and outcomes from these meetings, and how the competitor secured the letter(s) of commitment.

## 5.6.4 Letter(s) of Commitment

A minimum of one letter of commitment from at least one entity to establish a clean energy manufacturing facility and quality local jobs in your region is required as a part of the submission package. The letter(s) of commitment should describe the potential facility, including technology to be manufactured, estimated number of new jobs created, and estimated investment in the region. Examples of letters or demonstrations of commitment could include signed contracts, approved or in-process leasing or permitting applications, signed letters from partners guaranteeing commitment to open a facility, etc. Competitors should submit the strongest possible documentation to meet this requirement. The judge may consider the likelihood that the proposed project will be completed, the potential impact of the given proposed facilities, and/or the number of commitments secured in award determinations. If you obtain multiple letters of commitment, submit all letters in a single PDF document.

## 5.6.5 Letters of Support

Attach one-page letters of support in a single PDF document from partners or other relevant entities that are critical to the success of your roadmap, including community and labor organizations and tribal entities. Submit only new letters of support; do not resubmit letters from Phase 1: Engage or Phase 2: Create submissions. Indicate that no additional letters of support were obtained if no new letters are available.

## 5.6.6 Submission Summary Slide (Will Be Made Public)

Make a public-facing, one-slide submission summary that introduces your team and/or organization and your mission. There is no template, so competitors are free to present the information in any format. Any text must be readable in a standard printed page and a conference room projection and should be in at least 14-pt font.

## 5.6.7 Live Pitch Session

Each Activate competitor will present a live pitch to a panel of reviewers. Phase 2: Create winners will be provided additional details regarding the timing and format for a live pitch session following selection. Pitch sessions may be virtual or in-person (further details will be provided to competitors prior to the pitch). During the pitch, teams will present to reviewers the pitch they developed for potential manufacturing partners. The pitch session may be followed by a question-and-answer session to clarify elements of the roadmap and to learn more about the stakeholder engagement efforts made by the competitor.

## 5.6.8 Live Pitch Slide Deck

Submit the planned pitch slides for the live pitch session by the submission deadline. There is no template, so competitors are free to present the information in any format.

## 5.7 Assessment

The prize administrator screens all completed submissions and ensures the teams are eligible. The prize administrator then assigns eligible submissions to expert reviewers. The reviewers will include federal and nonfederal subject-matter representatives with expertise in areas relevant to the competition. They will review the competitor's submission package according to the criteria below. The scores from each reviewer will be averaged to produce a final score for the competing team/organization. This score will inform the selection official's decisions on prize awards. Reviewers will assess submissions against the following criteria:

- **Criterion 1: Clean Energy Manufacturing Roadmap and Manufacturer Commitment (60%)**
  - The team has secured at least one letter of commitment from a relevant manufacturer to establish or substantially expand a clean energy technology manufacturing facility.
  - If established, the proposed facility will create high-quality jobs for local workers and generate economic development, growth, and improved quality of life for the surrounding communities.
  - The competitor submits a clear, comprehensive, and convincing roadmap to establish clean energy manufacturing and quality local jobs in their area.
  - The competitor has presented a live presentation to reviewers. The slide deck and the presentation are clear, comprehensive, and convincing.
  - The executive summary demonstrates that all relevant stakeholders, including impacted communities, tribes, and workers, participated in creating the roadmap.
  - The executive summary demonstrates that the team and partners creating the roadmap reflect the composition of the region.
  - The executive summary demonstrates that the team creating the roadmap has the capabilities and resources in place to drive its execution.
- **Criterion 2: Community, Tribal, Labor Benefits and Impact (40%)**
  - The competitor has outlined the roles the different community, tribal, and labor partners play in attracting clean energy technology manufacturing to the region and establishing quality local jobs.

- The outcomes of community, tribal, labor engagement efforts are reflected in the executive summary, including metrics and measures tracked to date.
- The competitor has described a plan for ongoing engagement with impacted communities, tribes, and workers that includes measures to ensure accountability and transparency.
- The roadmap includes clear and measurable community benefits and describes any drafted or adopted Community Benefits Plans.
- If successful, the team and the proposed manufacturing facility will make a positive economic and environmental impact on their region.
- If successful, the proposed plan will meaningfully address at least one of DOE's eight policy priorities for Justice40 Initiative implementation.
- The proposal demonstrates an understanding of potential benefits and negative outcomes for the broader community that could result from the project and a plan for mitigating negative outcomes and maximizing and evenly distributing positive outcomes.
- The competitor has demonstrated accountability for and action on specific and high-quality diversity, equity, inclusion, and accessibility goals.

## 5.8 Final Determination

DOE will designate a federal employee as the judge before the final determination of the winners. Final determination of the winners by the judge will consider the reviewers' feedback and scores and application of program policy factors.

## 5.9 Announcement

Approximately 60 days after the contest closes, the prize administrator will notify the winners and request the necessary information to distribute the prizes. The prize administrator will then publicly announce the winners.

# Appendix A: Additional Terms and Conditions

## A.1 Requirements

Your submission for the MAKE IT Prize is subject to the following terms and conditions:

- You must post the final content of your submission or upload the submission form before the phase submission period closes. Late submissions or any other form of submission may be rejected.
- All submissions that you wish to protect from public disclosure must be marked according to the instructions in Section 10 of Appendix A (Section A.10). Unmarked or improperly marked submissions will be deemed to have been provided with unlimited rights and may be used in any manner and for any purpose whatsoever.
- You must include all the required elements in your submission. The prize administrator may disqualify your submission after an initial screening if you fail to provide all required submission elements. Competitors may be given an opportunity to rectify submission errors due to technical challenges.
- Your submission must be in English and in a format readable by Microsoft Word or Adobe PDF. Scanned handwritten submissions will be disqualified.
- Submissions will be disqualified if they contain any matter that, in the sole discretion of DOE or NREL, is indecent, obscene, defamatory, libelous, and/or lacking in professionalism, or demonstrates a lack of respect for people or life on this planet.
- If you click "Accept" on the [HeroX](#) platform and proceed to register for any of the prizes described in this document, these rules will form a valid and binding agreement between you and DOE and are in addition to the existing [HeroX](#) Terms of Use for all purposes relating to these contests. You should print and keep a copy of these rules. These provisions only apply to the prize described here and no other prize on the [HeroX](#) platform or anywhere else.
- The prize administrator, when feasible, may give competitors an opportunity to fix nonsubstantive mistakes or errors in their submission packages.
- As part of your submission to this prize, you will be required to sign the following statement:

I am providing this submission package as part of my participation in this prize. I understand that the information contained in this submission will be relied on by the federal government to determine whether to issue a prize to the named competitor. I certify under penalty of perjury that the named competitor meets the eligibility requirements for this prize competition and complies with all other rules contained in the Official Rules document. I further represent that the information contained in the submission is true and contains no misrepresentations. I understand false statements or misrepresentations to the federal government may result in civil and/or criminal penalties under 18 U.S.C. § 1001 and § 287, and 31 U.S.C. §§ 3729-3733 and 3801-3812.

## A.2 Verification for Payments

The prize administrator will verify the identity and role of all competitors before distributing any prizes. Receiving a prize payment is contingent upon fulfilling all requirements contained herein. The prize administrator will notify the winning competitors using provided email contact information for the individual or entity that was responsible for the submission. Each competitor will be required to sign and return to the prize administrator, within 30 days of the date on the notice, a completed NREL Request for



ACH Banking Information form and a completed W9 form (<https://www.irs.gov/pub/irs-pdf/fw9.pdf>). In the sole discretion of the prize administrator, a winning competitor will be disqualified from the competition and receive no prize funds if: (i) the person/entity does not respond to notifications; (ii) the person/entity fails to sign and return the required documentation within the required time period; (iii) the notification is returned as undeliverable; and (iv) the submission or person/entity is disqualified for any other reason.

In the event of a dispute as to any registration, the authorized account holder of the email address used to register will be deemed to be the competitor. The "authorized account holder" is the natural person or legal entity assigned an email address by an internet access provider, online service provider, or other organization responsible for assigning email addresses for the domain associated with the submitted address. All competitors may be required to show proof of being the authorized account holder.

## A.3 Teams and Single-Entity Awards

The prize administrator will award a single dollar amount to the designated primary submitter, whether consisting of a single or multiple entities. The primary submitter is solely responsible for allocating any prize funds among its member competitors or teammates as they deem appropriate. The prize administrator will not arbitrate, intervene, advise on, or resolve any matters or disputes between team members or competitors.

## A.4 Submission Rights

By making a submission and consenting to the rules of the contest, a competitor is granting to DOE, the prize administrator, and any other third parties supporting DOE in the contest, a license to display publicly and use the parts of the submission that are designated as "public" for government purposes. This license includes posting or linking to the public portions of the submission on the prize administrator or [HeroX](#) applications, including the contest website, DOE websites, and partner websites, and the inclusion of the submission in any other media worldwide. The submission may be viewed by DOE, prize administrator, and judges and reviewers for purposes of the contests, including but not limited to screening and evaluation purposes. The prize administrator and any third parties acting on their behalf will also have the right to publicize competitors' names and, as applicable, the names of competitors' team members and organization that participated in the submission on the contest website, indefinitely.

By entering, the competitor represents and warrants that:

1. The competitor's entire submission is an original work by the competitor and the competitor has not included third-party content (such as writing, text, graphics, artwork, logos, photographs, likeness of any third party, musical recordings, clips of videos, television programs, or motion pictures) in or in connection with the submission, unless (i) otherwise requested by the prize administrator and/or disclosed by the competitor in the submission, and (ii) competitor has either obtained the rights to use such third-party content or the content of the submission is considered in the public domain without any limitations on use.
2. Unless otherwise disclosed in the submission, the use thereof by prize administrator, or the exercise by prize administrator of any of the rights granted by the competitor under these rules, does not and will not infringe or violate any rights of any third party or entity, including, without limitation, patent, copyright, trademark, trade secret, defamation, privacy, publicity, false light, misappropriation, intentional or negligent infliction of emotional distress, confidentiality, or any contractual or other rights.
3. All persons who were engaged by the competitor to work on the submission or who appear in the submission in any manner have:

- a. Given the competitor their express written consent to submit the submission for exhibition and other exploitation in any manner and in any and all media, whether now existing or hereafter discovered, throughout the world
- b. Provided written permission to include their name, image, or pictures in or with the submission (or, if a minor who is not competitor's child, competitor must have the permission of the minor's parent or legal guardian) and the competitor may be asked by the prize administrator to provide permission in writing
- c. Not been and are not currently under any union or guild agreement that results in any ongoing obligations resulting from the use, exhibition, or other exploitation of the submission.

## A.5 Copyright

Each competitor represents and warrants that the competitor is the sole author and copyright owner of the submission; that the submission is an original work of the competitor or that the competitor has acquired sufficient rights to use and to authorize others, including DOE, to use the submission, as specified throughout the rules; that the submission does not infringe upon any copyright or any other third-party rights of which the competitor is aware; and that the submission is free of malware.

## A.6 Contest Subject to Applicable Law

All contests are subject to all applicable federal laws and regulations. Participation constitutes each participant's full and unconditional agreement to these Official Rules and administrative decisions, which are final and binding in all matters related to the contest. This notice is not an obligation of funds; the final award is contingent upon the availability of appropriations.

## A.7 Resolution of Disputes

DOE is solely responsible for administrative decisions, which are final and binding in all matters related to the contest.

Neither DOE nor the prize administrator will arbitrate, intervene, advise on, or resolve any matters between team members or among competitors.

## A.8 Publicity

The winners of these prizes (collectively, "winners") will be featured on DOE and NREL websites.

Except where prohibited, participation in the contest constitutes each winner's consent to DOE's and its agents' use of each winner's name, likeness, photograph, voice, opinions, and/or hometown and state information for promotional purposes through any form of media worldwide, without further permission, payment, or consideration.

## A.9 Liability

Upon registration, all participants agree to assume any and all risks of injury or loss in connection with or in any way arising from participation in this contest. Upon registration, except in the case of willful misconduct, all participants agree to and, thereby, do waive and release any and all claims or causes of action against the federal government and its officers, employees, and agents for any and all injury and damage of any nature whatsoever (whether existing or thereafter arising, whether direct, indirect, or consequential, and whether foreseeable or not), arising from their participation in the contest, whether the claim or cause of action arises under contract or tort.

In accordance with the delegation of authority to run this contest delegated to the judge responsible for this prize, the judge has determined that no liability insurance naming DOE as an insured will be required of competitors to compete in this competition per 15 U.S.C. § 3719(i)(2). Competitors should assess the risks associated with their proposed activities and adequately insure themselves against possible losses.

## A.10 Records Retention and Freedom of Information Act

All materials submitted to DOE as part of a submission become DOE records and are subject to the Freedom of Information Act. The following applies only to portions of the submission not designated as public information in the instructions for submission. If a submission includes trade secrets or information that is commercial or financial, or information that is confidential or privileged, it is furnished to the government in confidence with the understanding that the information shall be used or disclosed only for evaluation of the application. Such information will be withheld from public disclosure to the extent permitted by law, including the Freedom of Information Act. Without assuming any liability for inadvertent disclosure, DOE will seek to limit disclosure of such information to its employees and to outside reviewers when necessary for review of the application or as otherwise authorized by law. This restriction does not limit the government's right to use the information if it is obtained from another source.

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

The submission must be marked as follows and identify the specific pages containing trade secrets, confidential, proprietary, or privileged information: "Notice of Restriction on Disclosure and Use of Data: Pages [list applicable pages] of this document may contain trade secrets, confidential, proprietary, or privileged information that is exempt from public disclosure. Such information shall be used or disclosed only for evaluation purposes. [End of Notice]"

The header and footer of every page that contains confidential, proprietary, or privileged information must be marked as follows: "Contains Trade Secrets, Confidential, Proprietary, or Privileged Information Exempt from Public Disclosure." In addition, each line or paragraph containing proprietary, privileged, or trade secret information must be clearly marked with double brackets.

Competitors will be notified of any Freedom of Information Act requests for their submissions in accordance with 29 C.F.R. § 70.26. Competitors may then have the opportunity to review materials and work with a Freedom of Information Act representative prior to the release of materials. DOE does intend to keep all submission materials private except for those materials designated as "will be made public."

## A.11 Privacy

If you choose to provide [HeroX](#) with personal information by registering or completing the submission package through the contest website, you understand that such information will be transmitted to DOE and may be kept in a system of records. Such information will be used only to respond to you in matters regarding your submission and/or the contest unless you choose to receive updates or notifications about other contests or programs from DOE on an opt-in basis. DOE and NREL are not collecting any information for commercial marketing.

## A.12 Cybersecurity Consideration

America's safety and well-being depends on cybersecurity. It is critical that cybersecurity considerations are embedded in BIL-funded systems and technologies to ensure a secure, reliable, and resilient energy future. BIL Section 40126 provides a framework for ensuring that DOE's investment in energy sector research and infrastructure is secure and resilient from cybersecurity threats. Competitors should carefully consider and include in their plans actions to mitigate risks and threats related to data integrity, confidentiality where appropriate, and availability. DOE recommends using open guidance and standards such as the National Institute of Standards and Technology's Cybersecurity Framework and the DOE Cybersecurity Capability Maturity Model.

## A.13 General Conditions

DOE reserves the right to cancel, suspend, and/or modify the prize, or any part of it, at any time. If any fraud, technical failures, or any other factor beyond DOE's reasonable control impairs the integrity or proper functioning of the prize, as determined by DOE in its sole discretion, DOE may cancel the prize. Any performance toward prize goals is conducted entirely at the risk of the competitor, and DOE shall not compensate any competitors for any activities performed in furtherance of this prize.

Although DOE may indicate that it will select up to several winners for each prize, DOE reserves the right to only select competitors that are likely to achieve the goals of the program. If, in DOE's determination, no competitors are likely to achieve the goals of the program, DOE will select no competitors to be winners and will award no prize money.

DOE may conduct a risk review, using Government resources, of the competitor and project personnel for potential risks of foreign interference. The outcomes of the risk review may result in the submission being eliminated from the prize competition. This risk review, and potential elimination, can occur at any time during the prize competition. An elimination based on a risk review is not appealable.

## A.14 Program Policy Factors

While the scores of the expert reviewers will be carefully considered, it is the role of the prize judge to maximize the impact of prize funds. Some factors outside the control of competitors and beyond the independent expert reviewer scope of review may need to be considered to accomplish this goal. The following is a list of such factors. In addition to the reviewers' scores, the below program policy factors may be considered in determining winners:

- The degree to which the submission promotes quality employment, equitable economic development, and/or other community benefits within disadvantaged communities.
- Likelihood that the submission will lead to repurposing shuttered facilities.
- Likelihood that the submission will result in brownfield rather than greenfield development.
- Likelihood that the submission will lead to reequipping existing production lines to newly produce emerging clean energy technologies.
- The degree to which the submission contributes to the Justice40 Initiative.
- Likelihood that the proposed plan will substantially benefit communities categorized as disadvantaged communities.<sup>33</sup>

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<sup>33</sup> Disadvantaged communities are defined at the White House Climate and Economic Justice Screening Tool: <https://screeningtool.geoplatform.gov/en/#3/33.47/-97.5>.

- The degree to which the submission operates in partnership with tribal energy development organizations, Indian tribes, tribal organizations, or territories, and/or substantially benefits tribes.
- Whether the proposed plan will support and/or includes representation from minority business enterprises; minority-, women-, or veteran-owned businesses; and minority serving institutions.
- Whether the proposed plan will involve operations in economically distressed areas of the major natural gas-producing regions of the United States.
- Geographic diversity and potential economic impact of projects.
- Whether the submission will result in new initiatives, efforts, or activities not previously underway.
- Whether the use of additional DOE funds and provided resources are non-duplicative and compatible with the stated goals of this program and the DOE mission generally.
- The degree to which the submission exhibits technological or programmatic diversity when compared to the existing DOE project portfolio and other competitors.
- The degree to which the submission operates in partnership with tribal energy development organizations, Indian tribes, tribal organizations, and/or substantially benefits tribes or tribal communities.
- The degree to which the submission will accelerate transformational technological, financial, or workforce advances in areas that industry by itself is not likely to undertake because of technical or financial uncertainty.
- The degree to which the submission supports complementary DOE-funded efforts or projects, which, when taken together, will best achieve the goals and objectives of DOE.
- The degree to which the submission expands DOE's funding to new competitors and recipients who have not been supported by DOE in the past.
- The degree to which the submission enables new and expanding market segments.
- Whether the project promotes increased coordination with nongovernmental entities toward enabling a just and equitable clean energy economy in their region and/or community.

## A.15 National Environmental Policy Act Compliance

This prize is subject to the National Environmental Policy Act (NEPA) (42 U.S.C. § 4321, et seq.). NEPA requires federal agencies to integrate environmental values into their decision-making processes by considering the potential environmental impacts of their proposed actions. For additional background on NEPA, see DOE's NEPA website at <http://nepa.energy.gov/>.

While NEPA compliance is a federal agency responsibility and the ultimate decisions remain with the federal agency, all participants in the Prize will be required to assist in the timely and effective completion of the NEPA process in the manner most pertinent to their participation in the prize competition. Participants may be asked to provide DOE with information on their planned activities such that DOE can conduct a meaningful evaluation of the potential environmental impacts.

## A.16 Return of Funds

As a condition of receiving a prize, competitors agree that if the prize was made based on fraudulent or inaccurate information provided by the competitor to DOE, DOE has the right to demand that any prize funds or the value of other non-cash prizes be returned to the government.

ALL DECISIONS BY DOE ARE FINAL AND BINDING IN ALL MATTERS RELATED TO THE PRIZE.