

# Minority Serving Institution Contract Readiness Prize: Official Rules

May 2024



# Preface

The U.S. Department of Energy’s Minority Serving Institution Technical Assistance Prize will be governed by 15 U.S.C. § 3719 and this Official Rules document. This is not a procurement under the Federal Acquisitions Regulation and will not result in a grant or cooperative agreement under 2 CFR00. The Prize Administrator reserves the right to modify this Official Rules document if necessary and will publicly post any such notifications and notify registered prize participants.

Date	Modification

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# 1. Executive Summary

The Minority Serving Institution Contract Readiness Prize is a one-phase prize that aims to support small, medium, and large Historically Black Colleges and Universities (HBCUs), Tribal Colleges and Universities (TCUs), and Minority Serving Institutions (MSIs), including Asian American, Native American, Pacific Islander Serving Institutions, Hispanic Serving Institutions, and Predominantly Black Institutions, to become “contract” ready for the U.S. Department of Energy (DOE) and subcontract ready with the U.S. DOE national laboratories. As part of the prize, MSIs will develop a clear plan of action that describes the steps taken to improve contract readiness such as:

- Attending technical trainings on the federal contracting application process
- Participating in mentoring opportunities with the Power Connectors and/or with the DOE Mentor Protégé Program or another appropriate mentor
- Applying for at least one DOE Complex contract by August 1, 2024.

The MSI Contract Readiness Prize is funded by the U.S. Department of Energy’s Office of Energy Justice and Equity (EJE) and the Advanced Research Projects Agency-Energy (ARPA-E). DOE is invested in the success of MSIs participating in opportunities with the DOE Complex.

## 1.1 Eligibility and Competitors

The competition is open only to HBCUs, TCUs, and other MSIs. All prize winnings will be paid out directly to these entities, using their legal tax IDs. Competitors are expected to build relationships throughout the prize competition, but all prize funding awarded will go to the competitor specifically. If a competitor wants to split prize funding with a partner organization, it will be the sole responsibility of the competitor to provide that funding to partners, contractors, or other participating organizations. The eligibility criteria are as follows:

- Academic institutions must be based in the United States or U.S. territories and be defined by the U.S. Department of Education as an HBCU<sup>1</sup> or MSI.<sup>2</sup>
- Each participating institution can only lead one submission through this prize program.
- 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 or not related, are ineligible to participate in the prize.
- Individuals who worked at DOE (federal employees or support service contractors) within six months prior to the submission deadline of any contest are ineligible to participate in any prize contest in this program.
- Federal entities and federal employees are ineligible to participate in any portion of the prize.
- Entities and individuals publicly banned from doing business with the U.S. government, such as

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<sup>1</sup> <https://sites.ed.gov/whhbcu/one-hundred-and-five-historically-black-colleges-and-universities/>

<sup>2</sup> <https://www2.ed.gov/about/offices/list/ocr/edlite-minorityinst.html>

entities and individuals debarred, suspended, or otherwise excluded from or ineligible for participating in federal programs, are ineligible to compete.

- 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.
- 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> A 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.

## 1.2 DOE Complex Contract Opportunities

The MSI Contract Readiness Prize is focused on supporting HBCUs, TCUs, and MSIs in increasing their contract readiness for Department of Energy requirements. Obtaining a federal contract is not the same as obtaining a grant, cooperative agreement, or prize. A federal contract is a mechanism through which the federal government can purchase products and services to fulfill requirements that are needed to complete federal missions similar to commercial purchasing for products from a store or services for a home.

In the government, contractors provide a nearly unlimited range of products and services to help agencies meet their missions. These products and services can be anything from paper and pens to constructing buildings. For institutions, we often see contracts from universities that provide some of the following to federal workers and offices:

- Training/capacity-building
- Graphic design
- Research and analysis
- Workforce development
- Financial analysis
- Community engagement
- Software Development
- Communications
- And many more products and services.

Working with MSIs allows them to provide on-the-job experience to students who are building professional skills in areas where federal entities need more help. This opportunity is a great workforce development resource for faculty leaders while receiving payment for contract services with the federal government.

## 2. Prize Background and Competitor Support

### 2.1 Prize Background

The U.S. Department of Energy's (DOE's) MSI Contract Readiness Prize is a one-phase prize to advance the contract readiness of small, medium, and large HBCUs, TCUs, and MSIs. The Biden Administration is working toward environmental justice for all Americans by prioritizing funding of federal programs for the communities with the greatest need as a part of the Justice40 Initiative.

DOE and our national laboratories are working together to ensure that Minority Serving Institutions are included in that commitment. Historically, MSIs have not applied to contracting opportunities. There are only a few agencies reaching out to institutions as a solution for federal requirements, which is a loss to the federal government and a missed opportunity for financial resources that minority educational institutions can benefit from. The MSI Contract Readiness Prize is geared toward improving the level of contract readiness for these institutions. The goal is to build contract readiness to support these institutions in having better access and opportunities to future federal funding sources, not only with the DOE Complex but with all federal agencies.

### 2.2 Competitor Support

The MSI Contract Readiness Prize is administered by the National Renewable Energy Laboratory (NREL) through the American-Made Challenges program. This program includes the American-Made Network, which 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.

Support for teams participating in the prize is as follows:

- **NREL Prize and Network Administrator:** As the Administrator, NREL helps competitors locate and leverage the vast array of national laboratory resources.
- **American-Made Network Power Connectors:** Power Connectors are entities who play a substantial role in the competition and receive funds to expand and amplify DOE's 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 American-Made Network overall.
- **DOE Mentor Protégé Program:** The Mentor Protégé Program supports disadvantaged businesses, HBCUs, TCUs, and MSIs to enhance their business abilities. Teams can work with a mentor to learn how to identify developmental needs for applying to solicitations for proposals required to win a federal contract. These mentors and the opportunities they present are a key to success for participants, as they bring a level of proven success through their own DOE contract execution. Mentors will be able to support teams in identifying and applying for contract opportunities, improving their ability to compete in the contracting environment, which differs from prizes, grants, and cooperative agreements.

Competitors are encouraged to leverage Power Connectors, the Mentor Protégé Program, and the wider



American-Made Network as part of their prize participation. The HeroX platform (<https://www.herox.com/MSIContractingPrize>) provides a space where parties interested in collaboration can find these sources of support, post information about the institutions, and learn about others who are also interested in competing in this contest.

## 3. Prize Elements

### 3.1 Goal

To win the MSI Contract Readiness Prize, competitors will need to show they have increased their level of contract readiness. Teams can show this by developing a clear plan of action that describes the steps taken to improve their contract readiness posture such as:

- Attending technical trainings on the federal contracting application process
- Participating in mentoring opportunities with Power Connectors and/or with the DOE Mentor Protégé Program
- Applying for at least one requirement in the DOE Complex by July 26, 2024
- Providing information on how you will continue to train and develop staff, students, and other resources to respond to federal contract deliverables.

### 3.2 Prizes

- Up to 25 winners will be awarded a minimum of \$10,000 each. Prize winners will be reviewed based on their institution size:
  - Small institution: Fewer than 5,000 students
  - Medium institution: 5,001–15,000 students
  - Large institution: 15,001 or more students.

If additional funds become available, additional prizes may be available and will be announced by the Prize Administrator, via an update to the Official Rules Document, prior to the submission deadline.

### 3.3 How to Enter

Go to [HeroX](#) and review the instructions for following, registering, and submitting all required materials before the associated deadlines. Additional updates will be made on the [HeroX](#) pages. Please watch for updates on the rules, timelines, and announcements.

### 3.4 Important Dates

- Submissions Open: June 4, 2024 (anticipated date)
- Submissions Due: August 5, 2024 (anticipated date)

- Winners Announced and Award Ceremony at DOE to the People: December 5, 2024 (anticipated date).

## 3.5 What to Submit

The submission must include a cover page, a narrative, and letters of support (optional) to [HeroX](#). The rest of this section provides guidance on information to submit and how reviewers will evaluate and score your submission.

### 3.5.1 Cover Page

List basic information about your submission, including:

- Title submission
- University name
- City, state, and nine-digit ZIP code of the institution
- Your institution type: HBCU, TCUs, or other MSIs<sup>5</sup>
- Your institution size:
  - Small institution: Fewer than 5,000 students
  - Medium institution: 5,001–15,000 students
  - Large institution: 15,001 or more students.
- Introduce yourself and the shared mission, vision, and goals of your institution.
- Key team members (names, contacts, and links to their professional online profiles)
- Mentors or partners.

### 3.5.2 Narrative

Competitors need to submit a narrative that describes the team lead and any team members you would like to assemble. It should also include how you have increased the level of your teams' contract readiness. Bullets are only suggestions to guide your responses; you must decide where to focus your answers. The individual answers to the questions do not have a word limit; however, the aggregate response to the prompts must not surpass 1,500 words. Please include the total number of words at the end of your submission. You may also include up to five supporting images, figures, or graphs that will not be included in your total word count. The reviewers will score the questions based on the content you have provided, including frequency of contact with mentors, location, and other details that will be helpful in differentiating your efforts from other applicants.

Please reply to the following categories in your narrative:

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<sup>5</sup> MSI definition: <https://www2.ed.gov/about/offices/list/ocr/edlite-minorityinst.html>

### **Category 1: Learning and Teaching Opportunities:**

- Describe what kind of trainings you attended and how they supported your institution in understanding the differences between contracts, grants, cooperative agreements, and prizes.
- Describe what meetings you attended to understand the contracting process and identify contracting opportunities that your institution would qualify for.
- Describe how you included students and faculty in your plan to meet federal requirements.
- Describe how you plan to continue to develop the skills and transfer the knowledge that you obtained to other faculty and staff to successfully submit offers to the DOE Complex and other federal agencies in the future.

### **Category 2: In-Person or Virtual Relationship Building:**

- Describe how you have connected with mentors including Power Connectors, the DOE Mentor Protégé Program, or external partners to further your federal contracting capacity.
- Describe any DOE program offices, national laboratories, or other external meetings or events you attended to improve your network in the federal contracting arena.
- Describe any other opportunities you maximized to improve your ability to apply for contracts with DOE.

### **Category 3: Current and Future Contracts Being Pursued:**

- Describe any federal contracts you have applied for or are in the process of applying for in 2024. Please provide a description of the opportunity and proof of receipt of submission.
- Provide a list of contracts from <https://sam.gov/> that meet your institution's capacity for this prize and at least three future opportunities you may be interested in pursuing. These opportunities can be with DOE or other agencies.
- Please provide information on what you learned through this process and how you will continue to train and develop staff, students, and other faculty to respond to federal contract deliverables.

## **3.5.3 Letters of Support or Commitment**

Attach one-page letters of commitment from support organizations, mentors, and/or Power Connectors that will work with your institution to increase your success in applying for federal contracts. Letters should be on the letterhead of the organization supporting the institution. Please do not include letters that are not a direct contribution to your success as a federal contractor as they will not be counted toward your score. Please combine all one-page letters into a single PDF document prior to submission. Letters of Support are not included in the narrative word limit described in Section 3.5.2.

## **3.5.4 Assessment**

The Prize Administrator screens all completed submissions and ensures the teams are eligible. Then the Prize Administrator, in consultation with DOE, assigns subject matter expert reviewers who independently score the content of each submission. They will review the competitors' submitted materials according to

the evaluation criteria below. DOE will consider the scores and make the final decisions.

There are three institution sizes of consideration for the prize—small, medium, and large. All MSIs will be reviewed and scored within their institution size. Please see Section 3.5.1 for institution sizes.

Reviewers will assess submissions against the following criteria.

**Category 1: Learning and Teaching Opportunities:**

- Applicant demonstrated the kind of trainings that were attended and how those trainings supported their institution in understanding the differences between contracts, grants, cooperative agreements, and prizes.
- Applicant demonstrated that they attended meetings to understand the contracting process and identify contracting opportunities that their institution would qualify for.
- Applicant demonstrated how they would include students and faculty in their plan to meet federal requirements.
- Applicant demonstrated how they will develop the skills and transfer the knowledge that was obtained to ensure faculty and staff are successful in submitting offers to the DOE Complex and other federal agencies in the future.

**Category 2: In-person or Virtual Relationship Building:**

- Applicant demonstrated how they connected with mentors including Power Connectors, the DOE Mentor Protégé Program, or external partners to further their federal contracting capacity.
- Applicant demonstrated how they improved their network in the federal contracting arena by meeting with DOE program offices, national laboratories, or other external meetings.

Applicant demonstrated other opportunities that they participated in to maximize and improve their ability to apply for contracts with DOE.

**Category 3: Current and Future Contracts Being Pursued:**

- Applicant provided a description and proof of receipt for federal contracts that they applied for in 2024.
- Applicant provided a list of three or more opportunities from <https://sam.gov/> that meet their institution’s capacity for obtaining future contracts from DOE or other federal agencies.
- Applicant demonstrated what they have learned through this process and how they will share their knowledge of federal contracting with staff, students, and other faculty.

## 3.5.5 Reviewer Panel Scoring

The scoring of submissions will proceed as follows:

- Experts will be assigned to one of the three institution sizes, as defined in Section 3.5.1.

- Experts will review each submission individually and assess the response from the competitor to each statement in the categories described in Section 3.5.4.
- Reviewers will score each statement on a scale of 1–6, depending on the degree to which the reviewer agrees the submission reflects the statements for consideration.
- The individual statements will be summed to generate a total score for the submission.
- The total scores from all reviewers will be averaged to produce a final score for each applicant. This score will inform the reviewers’ decisions on prize awards.

Reviewers will evaluate submissions by assigning a single score for each scored submission section, based on their overall agreement or disagreement with a series of statements.

1	2	3	4	5	6
Strongly Disagree	Disagree	Slightly Disagree	Slightly Agree	Agree	Strongly Agree

### 3.6 Final Determination and Announcement

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 take into account the reviewers’ feedback and scores and application of program policy factors.

Approximately 60 days after the contest closes, the Prize Administrator will notify the winners and request the information needed to distribute the awards. The Prize Administrator will then publicly announce the winners.

## 4. Additional Terms and Conditions

See the “Appendix: Additional Terms and Conditions” for additional requirements.

COMPETITORS THAT DO NOT COMPLY WITH THE ADDITIONAL REQUIREMENTS IN THE “Appendix: Additional Terms and Conditions” MAY BE DISQUALIFIED.

# Appendix: Additional Terms and Conditions

## A.1 Requirements

Your submission for this prize is subject to the following terms and conditions:

- You must post the final content of your submission or upload the submission form online by 5 p.m. ET on the prize deadline date, before the prize submission period closes. Late submissions or any other form of submission may be rejected.
- 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 the U.S. Department of Energy (DOE) or the National Renewable Energy Laboratory (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 awards 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 winning competitors using the 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 W-9 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; or (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 entry 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 Treatment of Submission Materials**

The elements of the submission that are designated public will become publicly available as part of this prize. Therefore, these elements must not include trade secrets or business-sensitive, proprietary, or otherwise confidential information.

If it is necessary to share trade secrets or business-sensitive, proprietary, or otherwise confidential information, it should only be done in an element that is NOT designated as public. Any 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 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.

DOE, the Prize Administrator, and any other third-party supporting DOE in the contest assume no liability



for the public disclosure of any information in the elements designated public and for any unmarked information of any element NOT designated as public.

Furthermore, by making a submission and consenting to the rules of the contest, the 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 elements of the submission that are designated as “public” and any unmarked information in the elements of the submission that are NOT designated as public for government purposes, including posting or linking elements on websites or publicizing the submissions and competitors in the media and other announcements. The competitor is granting to DOE, the Prize Administrator, and other third parties a limited license to use or disclose any properly marked information for evaluation purposes only.

## **A.5 Representation and Warranties**

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 (e.g., 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) the competitor acquired the necessary rights to use and to authorize others, including DOE, to use the submission, as specified throughout the rules.
2. To the best of the competitor’s knowledge, the use of the submission in the prize, including any use by DOE or the Prize Administrator 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 the competitor’s child, the 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.
4. 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 on 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 awards (collectively, “winners”) will be featured on DOE and NREL websites.

Except where prohibited, participation in the contest constitutes each winner's consent to DOE 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 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 do not collect any information for commercial marketing.

## **A.11 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 failure, 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.12 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:

- 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 is likely to lead to increased submission of contracts and involvement of HBCUs, TCUs, and MSIs in government programs in the United States or provide other economic benefits to U.S. taxpayers.
- The degree to which the submission supports complementary DOE-funded efforts or projects that, 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.
- Whether the project promotes increased coordination with nongovernmental entities toward enabling a just and equitable economy in their region and/or community.
- Geographic diversity and potential economic impact of projects.
- 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 is likely to lead to increased employment and manufacturing in the United States or provide other economic benefits to U.S. taxpayers.
- 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 enables new and expanding market segments.

## A.13 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 MSI Contract Readiness 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 fabrication and testing of their concept such that DOE can conduct a meaningful evaluation of the potential environmental impacts.

## A.14 Definitions

Prize Administrator means both the Alliance for Sustainable Energy operating in its capacity under the Management and Operating Contract for NREL and [Program Office Name]. When the Prize Administrator is referenced in this document, it refers to staff from both the Alliance for Sustainable Energy and [Program Office Name] staff. Ultimate decision-making authority regarding prize matters rests with the Director of [Program Office Name].

Voucher Funding: Vouchers are part of the prize and may only be used at national laboratories. The funds will be provided directly to the laboratory on behalf of the winner to conduct a mutually agreed upon scope of work between the laboratory and the team.

## A.15 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 noncash awards be returned to the government.

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