

Department of Energy

Merit Review Guide

For

Financial Assistance



Office of Procurement and Assistance Policy
Office of Procurement and Assistance
Management

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TABLE OF CONTENTS

I. INTRODUCTION1

II. MERIT REVIEWS.....1

III. MERIT REVIEWER GUIDELINES.....2

IV. REVIEW PLAN FOR NONCOMPETITIVE APPLICATIONS4

V. EVALUATION AND SELECTION PLAN FOR FUNDING OPPORTUNITY
ANNOUNCEMENTS.....4

XI. APPENDICES

Appendix A: GLOSSARY

Appendix B: CONFLICT-OF-INTEREST/NON-DISCLOSURE CERTIFICATE

Appendix C: REVIEW PLAN FOR NONCOMPETITIVE APPLICATIONS

Appendix D: EVALUATION AND SELECTION PLAN FOR FUNDING OPPORTUNITY
ANNOUNCEMENTS

MERIT REVIEW GUIDE FOR FINANCIAL ASSISTANCE

I. INTRODUCTION

Purpose: This document provides guidance on conducting merit reviews of financial assistance applications. While program/project officials are encouraged to tailor this guidance to their specific programs, merit reviews should be conducted in a manner consistent with the guidelines presented in this document.

Applicability: This guidance applies to merit reviews of financial assistance applications. Merit reviews are required for all discretionary financial assistance awards: competitive and noncompetitive grants and cooperative agreements. Merit reviews are also required for renewals of these awards. This guidance may be supplemented or supplanted by statute or program rule, e.g. 10 CFR 605, The Office of Science's Financial Assistance Program, or 10 CFR 602, Epidemiology and Other Health Studies Financial Assistance Program. The previous edition of this guide included unsolicited proposals. Unsolicited proposals should be reviewed using the Guide for Submission of Unsolicited Proposals at <http://www.netl.doe.gov/business/usp/USPGuide.pdf>.

Background: In accordance with Federal requirements, it is Department of Energy (DOE) policy that discretionary financial assistance actions be awarded through a merit-based selection process. Section 600.13 of Title 10, Code of Federal Regulations (CFR), provides the regulatory basis for this process and defines Merit Review as a "thorough, consistent and objective examination of applications based on pre-established criteria by persons who are independent of those individuals submitting the applications and who are knowledgeable in the field of endeavor for which support is requested." In addition, the Energy Policy Act of 2005 requires that awards authorized under the Act be made only after an impartial review of the scientific and technical merit of the application.

The decision-making process for financial assistance awards varies across DOE programs. While selection officials may make award decisions based solely on the merit review results, other considerations, such as program policy factors and the availability of funds, often play an important role. However, in all cases, selection officials rely heavily on the evaluations provided by the merit reviewers in making their selection decisions. In today's funding environment, it is increasingly important to ensure that merit review evaluations provide a sound basis for decision-making and that selection officials have the maximum amount of useful information on which to base their selection and funding decisions.

II. MERIT REVIEW

Purpose of Review: The primary purpose of a merit review is to provide an independent assessment of the technical/scientific merit of an application. Merit reviews are performed by person(s) who have knowledge and expertise in the fields of the applications to be reviewed. In assessments of research applications, this is normally called a peer review. Merit review and peer review are often used interchangeably, but are not completely synonymous. For example, a merit review is performed by a DOE program manager on an application for outreach activities to promote the use of solar energy. This would not be considered a peer review, which is typically conducted by an individual actively performing scientific research in a particular field

of study.

The merit review also provides a forum for reviewers to comment on other aspects of the application (e.g., environmental concerns, human subject and animal welfare concerns, and budgetary considerations) that fall outside the concept of technical/scientific merit per se. While these comments may provide useful information to selection officials, program officials, and Contracting Officers and identify concerns that must be addressed, they should be clearly separated from the discussion (i.e., narrative critique) and rating of technical/scientific merit.

Program offices may develop and implement internal procedures for conducting merit reviews consistent with the guidelines in this document. Program offices may also develop their own merit review procedures through a program rule. The program rule should include procedures that minimize the administrative burden on reviewers and be stated as clearly and succinctly as possible.

III. MERIT REVIEWER GUIDELINES

Selection: Merit reviewers may be federal or non-federal individuals. These reviewers must be well qualified, by training, experience or both, in the particular scientific or technical fields that are the subjects of the review. Reviewers serve as advisors to the selection official, as their recommendations are not binding.

Qualifications: The official selecting reviewers should consider the following:

- The individual's scientific or technical education and experience.
- The extent to which the individual has engaged in relevant work or research, the capacities in which the individual has done so, and the quality of such work or research.
- The need for the review panel to include within its membership experts from various specialty areas within relevant scientific or technical fields.

While reviewers must have expertise in the areas addressed in the applications and sufficient knowledge to judge the merits of the application, the more closely a reviewer's expertise matches an applicant's, the more likely it is that the two could be direct competitors or collaborators. Officials may want to recruit reviewers whose expertise is directly relevant and who are knowledgeable but are not working directly in the specific subject area, to act as a check on possible bias. Merit reviewers may include DOE program managers or project officers responsible for the scientific or technical fields under review. However, it is highly recommended that reviewers from outside the program/project office responsible for the financial assistance program also be recruited.

External Reviewers: External reviewers may be non-DOE federal or non-federal employees. If the application is for research and development, the use of more external reviewers may enhance the quality of the review. External reviewers can bring fresh view points, alternative perspectives, and state-of-the-art understanding to the evaluation process.

Prohibition on Reviewers: The selection official may not be a part of the merit review panel.

Preference: In merit reviewer selection, there should be no preference based on race, ethnic identity, gender, religion, region, age, or institutional affiliation.

Number of Reviewers: Generally, at least three qualified individuals will review each application. More complex projects require a panel of at least three reviewers to ensure diversity of perspectives and knowledge. Less complex activities and noncompetitive actions could have only one reviewer, if that person is sufficiently knowledgeable in the scientific or technical field of the applications. The evaluation and selection plan for competitive actions should document the number of reviewers, including a reason for using less than three reviewers.

Conflicts of Interest: Individuals with a conflict of interest may not participate in the merit review of a financial assistance application. All merit reviewers and ex officio members of merit review panels must sign a Conflict-of-Interest/Non-Disclosure Certificate prior to disseminating applications. The reviewer must certify that he/she will not participate in the review of any financial assistance application involving a particular matter in which the reviewer has a conflict of interest or where a reasonable person may question the reviewer's impartiality. In addition, the reviewer must agree to disclose in writing any actual or perceived conflicts of interest as soon as the reviewer is aware of the conflict. Appendix B provides the Department's CONFLICT-OF-INTEREST/NON-DISCLOSURE CERTIFICATE for Merit Reviewers involved in the selection of Financial Assistance applications. The official responsible for the review and/or the Contracting Officer must obtain signed certificates from all merit reviewers prior to disseminating applications and retain the certificates in the master file for the FOA.

If a merit reviewer becomes aware of a conflict or a situation that may give the appearance of a conflict of interest during the evaluation, the reviewer must immediately disclose the matter in writing to the official responsible for the review or the Contracting Officer. Situations that could be perceived as conflicts of interest may include:

- The application being reviewed was submitted by a recent student; a recent teacher; a former employer; or a close personal friend or relative of the reviewer; the reviewer's spouse, or the reviewer's minor children.
- The application being reviewed was submitted by a person with whom the reviewer has had longstanding differences.
- The application being reviewed is similar to projects being conducted by the reviewer or by the reviewer's organization.

The official responsible for the merit review, in consultation with the Contracting Officer and Legal Counsel, will decide if a potential conflict is so remote or inconsequential that there is little or no likelihood that it will affect the integrity of the process. If the potential conflict of interest is significant, the official responsible for the review must avoid or mitigate the conflict. In most cases, reviewers will not be allowed to review or participate in the deliberations on any application where there is even the appearance of a conflict of interest.

Confidentiality and Communications: Information and materials provided in applications are submitted to DOE for the purpose of application evaluation and may contain trade secrets and/or other privileged or confidential commercial or financial information. Except as provided in the Conflict-of-Interest/Non-Disclosure Certificate, these materials must not be shared or discussed with individuals who are not participating in the same evaluation proceedings. Merit reviewers must not solicit opinions on particular applications or parts thereof from experts outside the pertinent merit review panel. There must be no direct communications between merit reviewers and applicants outside of the established review process. Any request for additional information or inquiries must be directed to the Contracting Officer or the DOE official responsible for the merit review process. Confidential business or privileged information in applications must not

be used to the benefit of the reviewer.

Merit reviewers may not inform principal investigators, their organizations, or anyone else of the recommendations. A breach of confidentiality could deter qualified individuals from serving as merit reviewers and inhibit those who do serve from engaging in free and full discussions. It is DOE's policy to safeguard personal information concerning individual merit reviewers including, but not limited to, their names, credentials, affiliations, and status as reviewer for particular financial assistance awards. DOE will maintain confidentiality by not publicly releasing the names of the reviewers of a particular application/proposal unless required by law. When using a committee of visitors or other review board, DOE may include the reviewers' names as part of the information released.

IV. REVIEW PLAN FOR NONCOMPETITIVE APPLICATIONS

A Selection Plan is not required for noncompetitive applications as the funding of the application depends solely on the merit review of the application and the availability of funds. The merit review should be based on the following criteria:

1. **Significance:** The extent to which the project, if successfully carried out, will make an important and/or original contribution to the field of endeavor.
2. **Approach:** The extent to which the concept, design, methods, analyses, and technologies are properly developed, well-integrated, and appropriate to the aims of the project.
3. **Feasibility:** The likelihood that the proposed work can be accomplished within the proposed budget by the investigators or the technical staff, given their experience and expertise, past progress, available resources, institutional/organizational commitment, and (if appropriate) access to technologies.

Guidance for reviewing noncompetitive applications and template for the review plan are provided at Appendix C.

V. EVALUATION AND SELECTION PLAN FOR FUNDING OPPORTUNITY ANNOUNCEMENTS

An Evaluation and Selection Plan must be developed to ensure consistency and to outline and document the selection process. The plan should be developed with the FOA and finalized prior to the release of the FOA. An Evaluation and Selection Plan is comprised of five basic elements: (1) merit review factors and sub-factors; (2) a rating system (e.g., adjectival, color coding, numerical, or ordinal); (3) evaluation standards or descriptions which explain the basis for assignment of the various rating system grades/scores; (4) program policy factors; and (5) the basis for selection. These elements are discussed below. A template for preparing an evaluation and selection plan is provided in Appendix D. .

1) Merit Review Criteria: The DOE financial assistance regulations require that applications be evaluated against pre-established merit review criteria. These criteria form the only basis for the review of each application. When not following a program rule or statutory requirement, program officials should develop criteria for FOAs that include all aspects of technical/scientific

merit. The idea is to develop criteria that are conceptually independent of each other, but all-encompassing when taken together. While criteria will vary from one FOA to another, the criteria should:

- Focus reviewers' attention on the project's underlying merit (i.e., significance, approach, and feasibility). The criteria should focus not only on the technical details of the proposed project but also on the broader importance or potential impact of the project.
- Be easily understood. If the criteria are susceptible to varying interpretations, reviewers will use their own interpretation.
- Be stated as clearly and succinctly as possible in the FOA.
- Be easily translated to application preparation instructions for the project narrative and other required application information.

Weighting: It may be appropriate to weight the evaluation criteria under some circumstances. Program officials should decide if and how the criteria should be weighted. If the evaluation criteria are weighted, the FOA must provide the weight or relative importance of each criterion. The evaluation and selection plan and the instructions to the merit reviewers should clearly describe the weighting system to be used.

The merit review criteria are included in the evaluation and selection plan for the FOA. See Appendix D for information on the evaluation and selection plan.

2) Rating System: A rating system is a schema to assist the merit reviewers in providing information to the selection official by allowing for the ranking or sorting of applications by an evaluation standard. Samples of types rating systems include adjectival, color coding and numeric.

Adjectival Ratings - Adjectival ratings are a frequently used method of scoring or rating an offeror's application. Adjectives are used to indicate the degree to which the offeror's application has met the standard for each factor evaluated. Subsequent to, and consistent with, the narrative evaluation, an appropriate adjectival rating may be given to each factor and sometimes to each significant sub-factor. Adjectival systems may be employed independently or in connection with other rating systems.

Color Coding - This system uses colors to indicate the degree to which the offeror's application has met the standard for each factor evaluated. For instance, the colors blue, green, yellow, amber, and red could be used to indicate excellent, good, satisfactory, marginal, or unsatisfactory degrees of merit, respectively.

Numerical - This system assigns point scores (such as 0-10 or 0-100) to rate applications. This rating system may appear to give more precise distinctions of merit; however, numerical systems can have drawbacks as their apparent precision may obscure the strengths and weaknesses that support the numbers. As opposed to the adjectival and color coding systems, numeric systems can provide a false sense of mathematical precision which can be distorted depending upon the evaluation factors used and the standards applied. For example, if a standard indicated there could be no weaknesses, a very minor weakness in an application would force assignment of the next lower level rating. This would potentially cause a significant mathematical difference in the applications.

Note: While the adjectival and color coding systems may be the most difficult to use; they may be the most effective. The reason for the difficulty in use results from having to derive a

consensus rating when, for example, one element is weighted at 50% with a Good (Green) rating and one element is weighted at 40% with an Excellent (Blue) rating. Under these systems, there is not a simple process to aid the evaluators to reach the consensus rating. The evaluators must assess the collective impact of evaluation sub-factors on each higher tier factor, and then assess the totality of the evaluation factors as they related to each other under the weighting methodology set forth in the FOA. This complexity forces the evaluators to thoroughly understand the strengths and weaknesses of each individual application in relation to the evaluation criteria and standards in order to reach consensus. While it is critical that this understanding is reflected in the narrative of the evaluation, this depth of understanding aids in the writing of the Record of Consensus Strengths and Weaknesses and the Merit Review Panel Chairperson's Report.

3) Evaluation Standards or Rating Scale: Program officials, with the assistance of the Merit Review Chair, where appropriate, should develop a rating scale from the chosen rating system that encourages reviewers to make the finest discriminations they can accurately evaluate.

Scale: Generally the rating scale should:

- Be defined so that larger scale values represent greater degrees of merit and smaller values represent smaller degrees (e.g. On a scale of 0 to 5, 5 represents the highest degree of merit and 0 represents an absence of merit).
- Include an appropriate number of scale positions to permit reliable differentiations among applications. If there are too many increments on the scale, the differences between increments may not be reliable or meaningful. If there are too few increments, the differences will not be apparent. The scale should have at least five steps (0-4) and not more than 11 steps (0-10).
- Include "zero", "unacceptable" or an equivalent rating at the low end of the scale to offer reviewers a scale position that indicates a complete absence of merit relative to the criterion being rated.
- Induce reviewers to use the entire scale in order to make differentiations between applications.

Scale Definitions: The comparability of ratings across reviewers and review groups requires that all reviewers use the rating scale consistently. Thus, it is imperative that the various scale positions be well defined so that all reviews are calibrated in the same way and so that an adjectival or numerical rating will represent the same cognitive appraisal by different reviewers. Program officials should clearly and, to the extent possible, precisely define the scale positions in their evaluation and selection plans.

Rating Method: Program officials should determine how the applications will be rated and describe the method in the evaluation and selection plan. Specifically, program officials must decide:

1. Whether to assign a single rating of merit for the application or whether to rate each criteria separately.
 - Overall rating of merit: Under this system, merit reviewers assign a single, overall rating of merit for the application taking into consideration all the evaluation criteria.
 - Criteria ratings: Under this system, merit reviewers assign a separate rating to each criterion. An overall rating of merit may then be derived by averaging the

criteria ratings, totaling the ratings, or assigning specific weights to the ratings and adding the totals. The plan must state if and how the overall rating of merit will be calculated.

2. Whether to use individual ratings or consensus ratings.

- Individual rating method: Under this system, each reviewer prepares an independent rating/ratings for each application based on the pre-established criteria. The merit review score is derived by averaging or totaling the merit reviewers' overall ratings (see overall rating of merit and criteria rating above).
- Consensus rating method: Under this system, the merit review panel develops a consensus rating/ratings based on the pre-established criteria and a consensus narrative critique for each application. The consensus rating/ratings reflects the collective opinion of all the merit reviewers regarding the scientific/technical merit of the application. Consensus can be reached by many means. The panel should discuss ways in which it will determine consensus prior to discussing the first application.

4) Program Policy Factors: Program Policy Factors may be used during the selection process to provide for consideration of factors that are not indicators of the application's merit. The purpose of considering these factors is to maximize the effectiveness of available Government funding and to best achieve DOE program objectives. These factors should be as objective and clearly stated as possible. For example, program policy factors may reflect the desirability of selecting projects based on geographic distribution, diverse approaches, or complementary efforts. Such factors should be specified in the program announcement or program rule to notify applicants that factors essentially beyond their control will affect the selection process. A written justification of the application of the program policy factors should be prepared by the selection official or designated reviewer.

5) Basis for Selection: Selection, at a minimum, is based on the results of the merit review, program policy factors, and available funding. If there are other factors that will be considered by the Selection Official, they should be identified in the Evaluation and Selection Plan and the FOA.

GLOSSARY

Application: A written request for financial assistance.

Award: The written document executed by a DOE Contracting Officer, after an application is selected for negotiation, which contains the terms and conditions for providing financial assistance to the recipient.

Discretionary Award: An award under authority of a Federal statute that permits DOE to exercise judgment in selecting the recipient and the project to be supported and in determining the amount of the award.

Financial Assistance: Transfer of money or property to a recipient or subrecipient to accomplish a public purpose of support or stimulation authorized by Federal statute through grants or cooperative agreements and subawards. In DOE, it does not include direct loans, loan guarantees, price guarantees, purchase agreements, Cooperative Research and Development Agreements (CRADAs), or any other type of financial incentive instrument.

Funding Opportunity Announcement: A document requesting the submission of applications for financial assistance. The FOA describes program objectives, recipient and project eligibility requirements, desired performance activity, evaluation criteria, award terms and conditions, and other relevant information about the financial assistance opportunity.

Merit Review: A thorough, consistent, and objective examination of applications based on pre-established criteria by persons who are independent of those submitting the application and who are knowledgeable in the field of endeavor for which support is requested.

Narrative Critique: Written comments on the strengths and weaknesses of an application with respect to each of the evaluation criteria.

Principal Investigator: The researcher, scientist, or other individual designated by the recipient to direct the research and development aspect of the project.

Program Official: The person responsible for managing the financial assistance program, usually a program manager or project director.

Program Policy Factors: Factors that, while not appropriate indicators of the application's merit, are essential to the process of choosing which applications will best achieve the program objectives. For example, program policy factors may reflect the desirability of selecting projects based on geographic distribution, diverse approaches, or complementary efforts. Such factors should be specified in the FOA or program rule to notify applicants that factors essentially beyond their control will affect the selection process.

Program Rule: A rule issued by a DOE program office for the award and administration of financial assistance which may describe the program's purpose or objectives, eligibility requirements for applicants, types of program activities or areas to be supported, evaluation and selection process, cost sharing requirements, etc. These rules usually supplement the generic policies and procedures for financial assistance contained in 10 CFR 600.

Ranking Sheet: A chart which ranks the applications reviewed by merit review scores from the highest to the lowest.

Renewal Award: An award which adds one or more additional budget periods to an existing project period. The project period is the total period of time indicated in an award during which DOE expects to provide financial assistance.

Score: The consolidated number or adjective that reflects the overall judgment of scientific/technical merit of all the merit reviewers of a specific application. For example, the score may be the average rating, totaled ratings of a set of individual reviewers, or the overall consensus rating of a set of reviewers.

Summary Statement: The official merit review record of a noncompetitive financial assistance request for support. It contains the reviewers' assessment of the scientific/technical merit of the application.

Unsolicited application: A written request for DOE support of a project which is submitted without a solicitation made by DOE.

Appendix B

U.S. DEPARTMENT OF ENERGY

CONFLICT-OF-INTEREST/NON-DISCLOSURE CERTIFICATE

The Department of Energy has a policy that individuals with a conflict of interest cannot participate in the merit review of a financial assistance application. This certification must be completed by individuals prior to receiving application for review.

1. I will not participate in the review of any financial assistance application involving a particular matter that would have a direct and predictable effect on any person, company or organization with which I have a relationship, financial or otherwise. For purposes of this statement, the interests of my spouse, my minor child, my general partner, any organization in which I serve as officer, director, trustee, general partner, or employee, and any person or organization with whom I am negotiating employment, are attributed to me.
2. Further, I will not participate in the review of any financial assistance application involving a particular person or a particular matter that I believe would cause a reasonable person with knowledge of the relevant facts to question my impartiality.
3. Prior to my participation as a merit reviewer, I agree that I will disclose in writing any actual or perceived conflicts of interest that I may have with such duties. In addition, I agree to disclose in writing any actual or perceived conflicts of interest as soon as I am aware of the conflict.
4. I certify that I will not disclose, except pursuant to the order of a court of competent jurisdiction, any information concerning the assessment and analysis or the content of applications either during the proceedings of the merit review or at any subsequent time, to anyone who is not authorized access to the information by the Department of Energy or by law or regulation, and then only to the extent that such information is required in connection with such person's official responsibilities. Furthermore, I will report to the DOE Official responsible for the process any communication concerning the assessment and analysis or the individuals involved in the assessment and selection and activities directed to me from any source outside this process.

Signature

Date

Printed Name

Note: For Merit Reviewers who are Federal employees, the same conflict of interest statutes and regulations that apply to you in your regular Government employment apply to you as participants in the review of a financial assistance application.

Appendix C

REVIEW PLAN FOR NONCOMPETITIVE APPLICATIONS

Noncompetitive applications will be evaluated in accordance with the following procedures:

Noncompetitive Financial Assistance Determination

Prior to initiating a merit review of a noncompetitive financial assistance application, the program official must determine that the application satisfies one or more of the selection criteria set forth in 10 CFR Part 600.6(c). This determination must be approved by the individuals identified in 10 CFR Part 600.6(d). If the application is accepted as an unsolicited, the conditions set forth in 10 CFR Part 600.6(c)(7) must be satisfied.

Official Responsible for the Review: The official responsible for the review must:

- Select qualified reviewer(s).
- Obtain a conflict of interest/non-disclosure certificates from each merit reviewer prior to beginning the review.
- Ensure that the reviewers have a copy of this review plan and understand the process, their role, and the criteria upon which the applications are to be evaluated.
- Provide reviewers copies of the application(s) and instructions for protecting and returning them.
- Ensure that each reviewer follows this review plan and provides a sound, well documented evaluation.
- Record the individual ratings, if applicable, and calculate the score.
- Prepare a summary statement for the application, which summarizes the evaluation and the recommendations of the individual merit reviewers.
- Maintain all merit review documentation.

Evaluation Criteria: The application will be evaluated in accordance with the following three criteria:

4. **Significance:** The extent to which the project, if successfully carried out, will make an important and/or original contribution to the field of endeavor.
5. **Approach:** The extent to which the concept, design, methods, analyses, and technologies are properly developed, well-integrated, and appropriate to the aims of the project.
6. **Feasibility:** The likelihood that the proposed work can be accomplished within the proposed budget by the investigators or the technical staff, given their experience and expertise, past progress, available resources, institutional/organizational commitment, and (if appropriate) access to technologies.

Review Process: Each Merit Reviewer must independently review the application and complete the attached Review Form for Noncompetitive Applications. Reviewers should:

- Provide a narrative critique (i.e., written comments) for each of the three evaluation criteria. Reviewers should note any unusually high or low cost-effectiveness under the feasibility criteria.

Appendix C

- Indicate whether the application has merit based on the consideration of the three evaluation criteria or adopt a rating scale and provide the scale and overall score for the three evaluation criteria.
- If appropriate, comment on aspects of the application that fall outside the evaluation criteria review (e.g., environmental or human subject concerns).
- Provide a recommendation for funding.
- Provide phone and fax number.
- Sign and date the review form.

Summary Statement: The official responsible for the review will prepare a summary statement of the review process of the application. The summary statement is the official merit review record and provides the selection official an assessment of the technical/scientific merit of the application. A template for the Summary Statement is attached.

Attachments to Appendix C:

Attachment 1 - REVIEW FORM FOR NONCOMPETITIVE APPLICATIONS

Attachment 2 - SUMMARY STATEMENT

REVIEW FORM FOR NONCOMPETITIVE APPLICATIONS

Applicant Name:

Project Title:

Evaluation Criteria

1. **Significance:** The extent to which the project, if successfully carried out, will make an original and/or important contribution to the field of endeavor.
2. **Approach:** The extent to which the concept, design, methods, analyses, and technologies are properly developed, well-integrated, and appropriate to the aims of the project.
3. **Feasibility:** The likelihood that the proposed work can be accomplished within the proposed budget by the investigators or the technical staff, given their experience and expertise, past progress, available resources, institutional/organizational commitment, and (if appropriate) access to technologies. Note any unusually high or low cost-effectiveness.

Narrative Critique: Provide written comments for each of the evaluation criterion. Your specific comments on the application's strengths and weaknesses with respect to the evaluation criteria are critical to the evaluation process.

Indication of Merit or Rating Scale: Indicate if the application has merit. If a rating scale was adopted, assign a rating that reflects the overall merit of the application based on your consideration of the three evaluation criteria.

Special Note: If appropriate, provide comments below on aspects of the application that fall outside of the evaluation criteria review (e.g., environmental or human subjects concerns).

Recommendation: Check one.

- Fund project.
 Fund in part (Describe which part)
 Reject
 Other (Explain)

Reviewer:

Name:

E-mail Address:

Phone:

Signature _____ Date: _____

SUMMARY STATEMENT

Applicant Name:

Project Title:

Brief Description of Project:

Proposed Budget:

Indication of Merit or Rating

Narrative Critique: (Address each criterion)

Special Note:

Recommendation: Fund Project _____ Yes; _____ No; _____ Partial (explain)
(In the event there is a lack of unanimity in the individual rating sheets, provide rationale for the recommendation.)

Reviewers:

Signature: _____
(Official Responsible for the Review)

Date: _____

EVALUATION AND SELECTION PLAN

[FUNDING OPPORTUNITY ANNOUNCEMENT NUMBER]
[FUNDING OPPORTUNITY ANNOUNCEMENT TITLE]

U.S Department of Energy



_____ (Name) Merit Review Panel Chairperson	_____ Date	_____ (Name) Contracting Officer	_____ Date
	_____ (Name) Selection Official	_____ Date	

TABLE OF CONTENTS

<u>SECTION</u>	<u>TITLE</u>	<u>PAGE</u>
I.	INTRODUCTION	1
II.	APPLICABILITY	1
III.	SUMMARY AND OBJECTIVES	1
IV.	CONFLICT OF INTEREST/CONFIDENTIALITY	1
V.	EVALUATION GUIDELINES	3
VI.	MERIT REVIEW EVALUATIONS	3
	A. Appointments	3
	B. Application Review Process	5
	C. Evaluation Process	6
	D. Program Policy Factors	10
	E. Selection/Selection Statement	11
	F. Environmental Review	11
	G. Congressional Notification	11
	H. Notification Letters	11
	I. Detailed Budget Evaluation	12
	J. Records	12
VII.	PERSONNEL	12
VIII.	RESPONSIBILITIES	13
IX.	ATTACHMENTS	17
	<i>Attachment 1</i>	<i>Conflict of Interest/Non-Disclosure Certificate</i>
	<i>Attachment 2</i>	<i>Initial Review-Contract Specialist</i>
	<i>Attachment 3</i>	<i>Evaluation Criteria and Rating Scale</i>
	<i>Attachment 4</i>	<i>Individual Rating Sheet</i>
	<i>Attachment 5</i>	<i>Budget Evaluation</i>
	<i>Attachment 6</i>	<i>Record of Consensus Strengths and Weaknesses</i>
	<i>Attachment 7</i>	<i>Record of Consensus Scores (Individual/All Applicants)</i>
	<i>Attachment 8</i>	<i>Merit Review Panel Chairperson's Report</i>
	<i>Attachment 9</i>	<i>Selection Statement</i>
	<i>Attachment 10</i>	<i>Selection Statement Analysis</i>

EVALUATION AND SELECTION PLAN

I. INTRODUCTION

Merit review of Applications submitted in response to Funding Opportunity Announcement (FOA) Number _____, entitled, _____ will be conducted in accordance with this plan.

The FOA and all amendments will be posted on Grants.gov at <http://www.grants.gov/> and on the Industry Interactive Procurement System (IIPS) at <http://e-center.doe.gov/>. Applicants will apply through Grants.gov.

II. GENERAL INFORMATION

Merit review of applications will be performed in accordance with 10 CFR Part 600.13. Evaluators will be required to protect the confidentiality of any specifically identified trade secrets and/or privileged or confidential commercial or financial information obtained as a result of their participation in this evaluation. Information contained in the applications shall be treated in accordance with the policies and procedures set forth in 10 CFR Part 600.15.

III. SUMMARY AND OBJECTIVES

DOE [**insert program office name**] is conducting a Funding Opportunity Announcement to competitively seek [**cost-shared**] Applications for research and development of technologies and analytical capabilities needed to [**objectives to be completed by Program Office**].

The Areas of Interest of this Announcement are: [**to be completed by Program Office**].

IV. CONFLICT OF INTEREST/CONFIDENTIALITY

Reviewers will be required to protect the confidentiality of all information obtained as a result of their participation in this evaluation. Information contained in the applications will be treated in accordance with the policies and procedures set forth in 10 CFR Part 600.15.

All persons involved in the evaluation and selection process must read and sign a **Conflict of Interest/Non-Disclosure Certificate (Attachment 1)** indicating an understanding of the obligations for participating in the merit review process. Once signed, strict adherence to the agreement is required. The official responsible for the review and/or the Contracting Officer will be responsible for obtaining signed certificates from all merit review panel members, program policy reviewers, Selection Official (SO), and other involved parties, and maintaining original certificates in the official master file for the FOA.

Reviewers must notify the Merit Review Panel Chairperson of any potential conflicts of interest or any actions that might give the appearance of a conflict of interest. The Chairperson will direct questions concerning potential conflicts of interest to the Contracting Officer/Contract Specialist for resolution.

All materials pertinent to the applications received are privileged communications that are to be used only by DOE staff and the Merit Review Panel(s). These materials must not be shared or discussed with any other individuals. Merit reviewers must not solicit opinions on particular applications or parts thereof from experts outside the pertinent merit review group. There must be no direct communications between merit reviewers and applicants outside of the established review process. Any request for additional information or inquiries must be directed to the Contracting Officer. Information in applications must not be used for the benefit of the reviewer.

Merit reviewers must not inform principal investigators, their organizations, or anyone else of the recommendations. A breach of confidentiality could deter qualified individuals from serving as merit reviewers and inhibit those who do serve from engaging in free and full discussions.

V. EVALUATION GUIDELINES

Each member of the Merit Review Panel (MRP) will strictly adhere to the following guidelines:

- Reviewers will not discuss the evaluation process with any unauthorized personnel.
- Reviewers will not divulge their identities to any applicant.
- Reviewers will immediately disclose conflicts of interest and not review any application where a conflict or appearance of conflict may exist.
- Reviewers will not contact applicants.
- Reviewers will not discuss the Panel's proceedings outside of the Merit Review Panel meeting, even after the selection and award is completed.
- Reviewers will not accept any invitations, gratuities (i.e., meals, gifts, favors, etc.), or job offers from any Applicant. If an evaluator is offered any invitations, gratuities, or job offers by or on behalf of any applicant, the evaluator will immediately report it to the Contracting Officer.
- Reviewers will only evaluate information provided in the applications and only evaluate against the established criteria. No additional criteria are to be considered by the Panel.

Appendix D

- Reviewers will initially independently evaluate and develop strengths and weaknesses without consultation with other Reviewers. Reviewers will individually assess all Applications subjected to comprehensive evaluation against the pre-established and published merit review criteria only. These criteria should form the only basis for the review rating and, more importantly, the narrative critique of each application.
- Reviewers may contact the Chairperson to obtain clarifications regarding applications but will NOT compare applications while conducting their evaluations.
- Each Reviewer is responsible for properly destroying paper copies and deleting electronic copies of all applications

VI. MERIT REVIEW EVALUATIONS

A. Appointments

The Selection Official (or delegate) will appoint the Merit Review Panel(s). The Panel(s) will typically be comprised of no less than three qualified individuals who are knowledgeable in the scientific or technical field that is the subject of the review. The official selecting the panel members will consider the following qualifications:

1. The individual's scientific or technical education and experience.
2. The extent to which the individual has engaged in relevant work or research, the capacities in which the individual has done so, and the quality of such work or research.
3. The need for the merit review panel to include within its membership experts from various specialty areas within relevant scientific or technical fields.

If fewer than three reviewers are used, the official responsible for the merit review must document the reasons, obtain the approval of the selection official, and include this documentation in the merit review file.

The Panel will not include anyone who, on behalf of the Federal government, provides assistance to the applicants; has any decision-making role regarding the applications; serves as Contracting Officer or performs business management functions for any selected project; audits the recipient of any selected project; or has any other conflict of interest.

Access to the applications by the merit review panel members will only be granted after the Contract Specialist has received a signed copy of the Conflict of Interest/Non-Disclosure Certificate form (See Section IV above).

The Merit Review Panel Chairperson (MRPC), in coordination with the Contracting Officer (CO), will ensure that a pre-evaluation meeting is conducted with all merit review panel members that is coincident with the initiation of the individual review of

Appendix D

applications. This meeting may be led by the MRPC or technical leads for the program areas of interest, if applicable. Meetings may be face-to-face or via telephone/video conferencing. At this meeting, the CO or their representative will be provided with an opportunity at this meeting to address issues that may be sensitive or critical to the successful completion of the evaluation. As a minimum, the meeting objectives are to:

1. Establish a common understanding of the FOA technical objectives and the review process
2. Reiterate the Evaluation Process Guidelines (Section V)
3. Emphasize the importance of strict application of evaluation criteria
4. Emphasize the importance of adherence to the established schedule
5. Emphasize the importance of providing clear, well written strengths and weaknesses (S&Ws)
6. Provide instruction and examples of acceptable S&Ws, including what to avoid

The following personnel are assigned by the Selection Official to serve on the Merit Review Panel:

[List Merit Review Panel members here.]

This list may be modified by the Selection Official through an amendment to this plan.

The following personnel are assigned by the Selection Official to be ex-officio advisors to the Merit Review Panel:

[List ex-officio members here.]

This list may be modified by the Selection Official through an amendment to this plan.

B. Application Review Process

Upon notification by IIPS, a copy of each Application can be made available to each evaluator for merit review through electronic copy via IIPS prior to the convening of the Panel. All reviewers are required to register in IIPS for access to the Applications. Any questions related to IIPS will be addressed to the IIPS Help Desk at helpdesk@pr.doe.gov.

C. Evaluation Process

All applications that are received by the application due date and time, as specified in the FOA, will be subjected to an initial review, and upon satisfactorily passing the initial review, will be subjected to a comprehensive evaluation. In the event that an application is ‘untimely’ (i.e., “late”) and deemed ineligible for consideration, the Contracting Officer will promptly notify the applicant in writing that the application cannot be considered for award. An application is late if the date and time stamp for submission to Grants.gov is after the stated closing date and time. A late proposal may be reviewed if

the applicant provides evidence of technical issues that the Grants.gov helpdesk failed to resolve prior to the receipt date and time.

1. Initial Review

Prior to conducting the comprehensive merit review, an initial review will be performed to determine whether: (1) the Applicant is eligible for an award; (2) the information required by the FOA has been submitted; (3) all mandatory requirements of the FOA are satisfied; and (4) the proposed project is responsive to the program objectives of the FOA (program determination). The initial review may be performed by the Contracting Officer or a designated program official. The results of this review will be documented on the **Initial Review [Attachment 2]**. This form should be tailored to the specific requirements of the published announcement.

As initially determined by the Contracting Officer and MRPC, if an applicant clearly fails to meet the requirements and objectives of the FOA or does not provide sufficient information for evaluation, the applicant will be considered non-responsive and eliminated from further review. Prior to being determined non-responsive and ineligible for consideration for award, the concurrence of the Contracting Officer is required (Optional: Legal Counsel). The Contracting Officer will inform the applicant by letter of the reason (s) why the application is ineligible for further consideration.

2. Comprehensive Merit Review

The factors that are to be considered in the comprehensive merit review are specified in the FOA. All timely applications that satisfactorily pass the initial review will be eligible for comprehensive merit review in accordance with this **Evaluation Criteria and Rating Plan [Attachment 3]**. This review will be a thorough, consistent and objective examination of applications based on the pre-established evaluation criteria set forth in the FOA and this Plan.

The comprehensive review is generally conducted in two stages: independent review and consensus.

a. Independent Review

Reviewers will be notified of applications assigned to them. Each evaluator will independently review each application against the established criteria and identify the strengths and weaknesses for each criterion. With the completion of the Independent Review, each evaluator will be prepared to discuss each application's strengths and weaknesses during the Consensus Review meeting.

[If using an Individual Rating Method include the following:

Independent reviewers will record their individual rating (adjectival, color-coded, or numerical) including the strengths and weaknesses on the **Individual Rating Sheet [Attachment 4]**.]

Appendix D

Reviewers are responsible for destroying any printed or electronic copies of applications following the disbanding of the Panel. Any downloaded copies of applications will be deleted from reviewers' computer hard drives, CD or other electronic media.

b. Consensus Meeting

Following completion of the Independent Review, the Merit Review Panel will meet to discuss the individually identified strengths and weaknesses of each application and coordinate the development of the Panel's Consensus Strengths and Weaknesses of each application, based on the established evaluation criterion. Through their deliberations, the Merit Review Panel will determine if there are any divergent opinions that should be addressed before the final panel strengths and weaknesses are recorded.

The Merit Review Panel should then assign a rating to each application. The rating is either a consensus score based on the strengths & weaknesses in accordance with the Evaluation Criteria and Rating Plan [Attachment 3] or the average of the merit review panel members' final individual rating following the panel meeting.

The Merit Review Panel Chairperson must be diligent in assuring that the ratings developed by the Panel are consistent with the established evaluation criteria. The Panel will then provide written documentation of their full Consensus Strengths and Weaknesses on the ***Record of Consensus Strengths and Weaknesses*** [Attachment 6] and document the scores on the ***Record of Consensus Scores*** [Attachment 7]. [The names may be changed if using the Individual Rating Method].

[Include if applicable] Once the final scores have been assigned, the Panel will propose a range of scores that will constitute applications recommended for selection. This selection range will determine the order in which Applications will be recommended for negotiation of an award.

Budget Evaluation

A budget evaluation (not point scored) is conducted after the consensus review meeting only on the most highly rated application(s). The Merit Review Panel Chairperson is responsible for having this preliminary budget evaluation completed, and should rely on other project management personnel assigned to the panel. The budget evaluation serves to provide the Selection Official and management personnel with an understanding of the annual funding requirements for the suite of potential awards, as well as cost realism of the budget estimate, appropriateness and reasonableness of resources, and reasonableness and feasibility of the schedule relative to the Applicant's Statement of Project Objectives (SOPO) The budget evaluation would validate or confirm the merit ratings of the review panel, where scope, schedule and cost are reasonably aligned. Importantly, the budget evaluation provides some initial insight to project-related risk, beyond those dealing with technical uncertainty, which should be considered prior to award. Deficiencies, as well as suggested adjustments, should be noted for possible negotiation purposes and to assist with completion of the Detailed Technical Evaluation of Budget Report supporting any Cost/Pricing Reports and/or Cost

Appendix D

Analysis by CS, if selected for award. Although the budget evaluation does not affect the technical score, the results can be used by the Selection Official as a deciding factor. **See Budget Evaluation [Attachment 5]**

3. Merit Review Panel Chairperson's Report

The Merit Review Panel Chairperson will be responsible for reviewing the findings of the Merit Review Panel(s), Consensus Strengths and Weaknesses, Record of Consensus Scores, and ultimately completing a Merit Review Panel Chairperson's Report to provide recommendations to the Selection Official.

A Merit Review Panel Chairperson's Report must be prepared presenting the findings of the Panel. The final scores and funding recommendation for each application will be documented in the Chairperson's Report. The Panel will provide the complete report for review and obtain concurrence from Legal Counsel prior to submitting the report to the Selection Official. See Attachment 8 for an outline for the Report.

In addition to the written Chairperson's Report, the Selection Official may require the Chairperson or the Merit Review Panel to present the report orally at the Senior Management Technical Briefing.

D. Program Policy Factors

The Program Policy Factors will not be point scored, but the Selection Official may consider them in making the selections for negotiation of award. The Selection Official may request that an independent person provide assistance in the application of the program policy factors. These factors, while not indicators of the application's merit (e.g., technical excellence, cost, applicant's ability, etc.) nevertheless may be essential to the process of selecting the application(s) that, individually or collectively, will best achieve the program objectives. Such factors are often beyond the control of the applicant. The Selection Official may apply the Program Policy Factors to make selections for programmatic balance. It may be desirable to select one or more projects that represent a sample of technology approaches and methods. Further, the Selection Official may desire to make roughly equal numbers of awards in each of the areas of interest or in a particular geographic region.

The Selection Official will evaluate applications on the following Program Policy Factors:

[\[List specific Program Policy Factors from the FOA here\]](#)

The following are examples of Program Policy Factors that may be used by the Selection Official (not inclusive of all factors that may be appropriate):

- It is desirable to select for award a group of projects which represents a diversity of technical approaches, methods, Applications and/or market segments;
- It may be desirable to support complementary and/or duplicative efforts or projects, which, when taken together, will best achieve the research goals and objectives;
- It may be desirable that different kinds and sizes of organizations be selected for Award in

Appendix D

order to provide a balanced programmatic effort and a variety of different technical perspectives;

- It is desirable, because of the nature of the energy source, the type of projects envisioned, or limitations of past efforts, to select for award a group of projects with a broad or specific geographic distribution.

E. Selection/Selection Statement

The Record of Consensus Scores and program policy factors will be independently considered by the Selection Official in determining the optimum mix of applications that will be selected for support. The Program Policy Factors will provide the Selection Official with the capability of developing, from the competitive funding opportunity, a broad involvement of organizations and organizational ideas, which both enhance the overall technology research effort and upgrade the program content to meet the goals of the DOE.

The Selection Official (or designee) will complete the **Selection Statement [Attachment 9]**. The Selection Statement will specify a ranked order of applications recommended by the Panel for negotiation of award. The Selection Official will document all selections, noting which Program Policy Factor(s) were applied in making the selections.

The Selection Official must sign the Selection Statement.

Depending on the circumstances regarding the complexity of the selection process as it relates to the consideration of program policy factors, the Selection Official (or delegate) may prepare a Selection Analysis clearly delineating the thought process that ultimately culminates into the actual selection(s). This analysis will address all criteria specified in the announcement along with Application of the Program Policy Factors. The **Selection Analysis [Attachment 10]** sets forth a sample format for the Selection Analysis that will be prepared by the Selection Official (or designee).

F. Environmental Review

Only successful applicants will be required to complete an Environmental Questionnaire. This will be done following notification of selection and prior to award.

G. Congressional Notification (Post-Selection)

After selection of applications for negotiation for award has been made, the Contract Specialist will coordinate with the Merit Review Panel Chairperson and the Office of Public Affairs Coordination (OPAC) with regard to Congressional notification and public announcement of selections.

H. Notification Letters

Following completion of the Congressional Notification Process, Contracting Officers should ensure that notification is made to all applicants on the selection or non-selection

Appendix D

of their applications. Successful applicants should be notified as soon as possible and advised what, if any, additional documentation must be submitted in order to commence negotiation leading to the execution of the Notice of Financial Assistance Award. The Contracting Officer will sign the notification letters to successful Applicants.

Unsuccessful applicants should be notified in writing that their applications were not selected for award and provided an explanation as to why. After consultation with the Contracting Officer, the notification to the unsuccessful applicants should be prepared and signed by the Selection Official, with a copy to the Contracting Officer/Contract Specialist for the official record.

I. Detailed Technical Evaluation of Budget (Post-Selection)

For each application selected, a comprehensive Technical Evaluation of Budget (TEB) should be prepared by a knowledgeable program official. If the budget submitted with the original application requires supplemental information, to prevent any delay in the ultimate negotiation of an award to the applicant, the program official will work with the Contract Specialist to contact the applicant to obtain the necessary information in a timely manner.

J. Records

The Contract Specialist will retain a master record of the Funding Opportunity Announcement and appropriate documentation, including the Preliminary Review, Merit Review Panel Chairperson Report, Record of Consensus Strengths and Weaknesses, Record of Consensus Scores, the Selection Statement, copies of debriefing notes (if applicable), and letters to unsuccessful and successful applicants.

VII. PERSONNEL

Title	Assignee
Selection Official	
Merit Review Panel Chairperson (MRPC)	
Merit Review Panel Members	
Federal Project Manager (FPM)	
Contracting Officer	
Contract Specialist	
Program Official	
Technical Division Director	
Legal Counsel	
Patent Counsel	

Appendix D

Title	Assignee
NEPA Representative	
Ex-Officio Members	
Merit Review Panel Members-Area of Interest 1:	
Merit Review Panel Members-Area of Interest 2: Merit Review Panel Members-Area of Interest 3:	

VIII. RESPONSIBILITIES

Selection Official is responsible for:

- Signing the Conflict-of-Interest/Non-Disclosure Certificate;
- Approving the Evaluation and Selection Plan;
- Reviewing the Merit Review Panel Chairperson's Report of Recommendations;
- Applying the program policy factors, when appropriate;
- Selecting applications for award;
- Preparing the Selection Statement;
- Appointing the Merit Review Panel Chairperson;
- Selecting Merit Reviewers, when appropriate; and
- Signing the unsuccessful applicant notification letters

Contracting Officer (CO) is responsible for:

- Signing the Conflict-of-Interest/Non-Disclosure Certificate;
- Advising Program Officials and the Merit Review Panel Chairperson (MRPC) on matters relating to soliciting and awarding financial assistance instruments, including conflicts of interest and confidentiality of information issues;
- Concurring on the Evaluation/Selection Plan;
- Evaluating proposed costs and determining whether Applicant is a responsible entity;
- Concurring on any determination of applicant ineligibility;
- Signing the successful applicant notification letters;
- Reviewing and concurring with Selection Statement; and
- Executing the financial assistance awards.

Contract Specialist is responsible for:

- Signing and obtaining all of the signed Conflict-of-Interest/Non-Disclosure Certificates for

official file documentation;

- Preparing the Funding Opportunity Announcement
- Notifying the Contracting Officer of any potential conflicts of interest;
- Advising the MRPC on matters relating to soliciting and awarding financial assistance instruments, including conflict of interests and confidentiality of information issues;
- Conducting the Initial Review for conformance with the FOA requirements (see Attachment 2 for detailed requirements);
- Determining whether an applicant failed to meet the requirements/objectives of FOA;
- Preparing the notification of successful applicant letter(s) for CO signature;
- Assisting the MRPC with following and administering the Evaluation/Selection Plan;
- Coordinating with project manager the debriefing of applicants, as necessary;
- Maintaining the Funding Opportunity Announcement file; and
- Negotiating and preparing the award agreement

Merit Review Panel Chairperson is responsible for:

- Signing the Conflict-of-Interest/Non-Disclosure Certificate;
- Assisting program in developing a rating plan, if requested;
- Concurring with Evaluation and Selection Plan;
- Notifying the Contracting Officer/Contract Specialist of any potential conflicts of interest or any actions that might give the appearance of a conflict of interest;
- Reading and understanding the evaluation criteria, rating plan, merit review procedures and application preparation instructions;
- Evaluating each application through the Merit Review Panel members (except those that present a conflict of interest or an appearance of a conflict);
- Selecting the merit reviewers, when appropriate;
- Ensuring that reviewers follow the Rating Plan and provide sound, well documented evaluations;
- Coordinating all Merit Review Panel meetings;
- Determining whether an applicant failed to meet the requirements/objectives of FOA;
- Assuring physical control and security of applications;
- Recommending application of the program policy factors, when appropriate;
- Ensuring that each member of the Merit Review Panel individually evaluates, assigns a numerical rating, develops clear and substantive strengths and weaknesses for all Applications subjected to comprehensive evaluation;
- Preparing the Merit Review Chairperson Report for the Selection Official; and
- Making a presentation, if requested, to the Selection Official and other Senior DOE Executives in the form of a pre-selection briefing. This briefing shall include, as a minimum:
 - A spreadsheet presenting a final consensus score for each application as well as each application's proposed cost (all applications reviewed);
 - A discussion of each application's technical objective, uniqueness of technology/s proposed, technical and/or economic issues which must be overcome to be successful, plan for overcoming these issues, and an assessment of the risks associated with the application achieving its technical objectives;
 - A budget evaluation of those applications identified as candidates for selection and award as an indication of the reasonableness of the total cost proposed for each application relative to

- the total amount of work proposed;
- A spreadsheet presenting a funding plan, by fiscal year, for those applications identified as candidates for selection and award.
- Assisting Selection Official with notification of unsuccessful applicants; and
- Maintaining of all merit review documentation.

Merit Review Panel Members are responsible for:

- Signing the Conflict-of-Interest/Non-Disclosure Certificate;
- Notifying the official responsible for the review or the Contracting Officer/Contract Specialist of any potential conflicts of interest or any actions that might give the appearance of a conflict of interest;
- Reading and understanding the evaluation criteria, rating plan, merit review procedures and Application preparation instructions;
- Individually evaluating each application (except those that present a conflict of interest or an appearance of a conflict) against the pre-established evaluation criteria as published in the FOA;
- Assigning numerical rating, developing clear and substantive strengths and weaknesses for all applications subjected to comprehensive evaluation;
- Assuring physical control and security of applications; and
- Assisting in debriefing applicants, as necessary.

Program Official(s): typically Technology Program Manager(s), Senior Management and Technical Advisors, and HQ Program Manager(s) are responsible for:

(resource/technical assistance but not part of MRP or Ex-Officio)

- Signing the Conflict-of-Interest/Non-Disclosure Certificate;
- Assisting MRPC in developing a rating plan;
- Developing the technical description of the areas of interest for inclusion in the FOA;
- Notifying the Contracting Officer of any potential conflicts of interest or any actions that might give the appearance of a conflict of interest;
- Developing evaluation criteria and instructions for preparing Applications for FOA;
- Directing questions concerning potential conflicts of interest to the Contracting Officer;
- Coordinating with CS the debriefing of Applicants as necessary;
- Serving as a resource to provide expertise to the Merit Review Panel prior to discussions (if requested by MRPC). If serving as resource to panel, cannot participate in merit review discussions;
- Serving as a resource to the merit review panel prior to discussions, if requested by the Chair. When program officials serve as a resource, they may not participate in the merit review discussions;
- Recommending application of program policy factors, when appropriate; and
- Completing a Technical Evaluation of Budget on selected Applications.

Legal Advisor, Financial Advisor, NEPA Representative, and Property Advisor are responsible for:

Appendix D

- Signing the Conflict-of-Interest/Non-Disclosure Certificate;
- Notifying the Contracting Officer of any potential conflicts of interest or any actions that might give the appearance of a conflict of interest;
- Providing the Selection Official with advice and recommendations on aspects of the application that are important to the Selection Official but fall outside of the technical evaluation criteria;
- Concurring on any CO requested determination of applicant ineligibility (legal); and
- Reviewing and concurring on the MRPC Report (legal)

IX. ATTACHMENTS

Attachment 1	Conflict of Interest/Non-Disclosure Certificate
Attachment 2	Initial Review-Contract Specialist
Attachment 3	Evaluation Criteria and Rating Scale
Attachment 4	Individual Rating Sheet
Attachment 5	Budget Evaluation
Attachment 6	Record of Consensus Strengths and Weaknesses
Attachment 7	Record of Consensus Scores (Individual/All Applicants)
Attachment 8	Merit Review Panel Chairperson's Report
Attachment 9	Selection Statement
Attachment 10	Selection Statement Analysis

ATTACHMENT 1

U.S. DEPARTMENT OF ENERGY

CONFLICT-OF-INTEREST/NON-DISCLOSURE CERTIFICATE

For

Merit Reviewers Involved in the Selection of

INSERT TITLE

INSERT FINANCIAL ASSISTANCE OPPORTUNITY ANNOUNCEMENT NUMBER

The Department of Energy has a policy that individuals with a conflict of interest cannot participate in the merit review of a financial assistance Application. This certification must be completed by individuals prior to their participation in the merit review process.

1. I will not participate in the review of any financial assistance Application involving a particular matter that would have a direct and predictable effect on any person, company or organization with which I have a relationship, financial or otherwise. For purposes of this statement, the interests of my spouse, my minor child, my general partner, any organization in which I serve as officer, director, trustee, general partner, or employee, and any person or organization with whom I am negotiating employment, are attributed to me.
2. Further, I will not participate in the review of any financial assistance Application involving a particular person or a particular matter that I believe would cause a reasonable person with knowledge of the relevant facts to question my impartiality.
3. Prior to my participation as a merit reviewer, I agree that I will disclose any actual or perceived conflicts of interest that I may have with such duties. In addition, I agree to disclose any actual or perceived conflicts of interest as soon as I am aware of the conflict.
4. I certify that I will not disclose, except pursuant to the order of a court of competent jurisdiction, any information concerning the assessment and analysis or the content of Applications/proposals either during the proceedings of the merit review or at any subsequent time, to anyone who is not authorized access to the information by the Department of Energy or by law or regulation, and then only to the extent that such information is required in connection with such person's official responsibilities. Furthermore, I will report to the DOE Official responsible for the process any communication concerning the assessment and analysis or the individuals involved in the assessment and selection and activities directed to me from any source outside this process.

Signature

Date

Printed Name

Note: For Merit Reviewers who are Federal employees, the same conflict of interest statutes and regulations that apply to you in your regular Government employment apply to you as participants in the review of a financial assistance Application.

ATTACHMENT 2
INITIAL REVIEW
DE-PSXX-0XNTXXXXX
[Insert Title of Announcement]
Area of Interest 1: [Insert Title]

Application No: _____
 Applicant: _____
 Period of Performance: _____

Review Elements	YES	NO	N/A	
Qualified Organization Eligible for Award	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Application Received prior to deadline	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Mandatory Files Submitted	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
SF 424 (R&R)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Project Performance Site Locations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Other Project Information form	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Project Summary/Abstract	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Project Narrative	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Appendix: Biographical Sketch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Appendix: Third Parties Contributing to Cost Sharing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Appendix: Equipment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Appendix: Bibliography & References Cited	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Appendix: Facilities and Other Resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Project Management Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Commitment Letters from Third Parties Contributing to Cost Sharing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
FFRDC Field Work Proposal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Research and Related Budget (Total FED + Non-FED)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Budget Justification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Additional Files	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
R&R Senior/Key Person	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
R&R Subaward (FED/Non-FED) Budget Attachments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
SF-LLL Disclosure of Lobbying Activities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Proposed Project is Responsive to the Objectives of the FOA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
NOTES:				
FINANCIAL DATA: <i>XX% cost share required</i>				
ESTIMATED COSTS	DOE Share	Recipient Share	TOTAL	COST SHARE%
	\$0	\$0	\$0	!

Based upon the Contract Specialist's and Project Officer's preliminary review, it has been determined that (1) the applicant is eligible for an award; (2) the information required by the announcement has been submitted; (3) all mandatory requirements of the FOA have been submitted; and (4) the proposed project is responsive to the objectives of the FOA.

ATTACHMENT 3
SAMPLE EVALUATION CRITERIA AND RATING SCALE
 [Announcement Number]
 [Title of Announcement]

[This Attachment is included to serve only as a **SAMPLE** and meant to represent the minimum required information. This Attachment may be modified as necessary to accommodate major/minor strengths/weaknesses, etc.]

Evaluation Criteria

Each MRP member will review independently their assigned applications using the Individual Rating Sheet provided as Attachment 4 below and identify individual strengths and weaknesses based on the evaluation criteria outlined below:

Criterion 1- Scientific and Technological Merit – XX%

- Degree to which proposed technology or methodology meets the stated objectives of the funding opportunity announcement.
- Degree to which the proposed work identifies and/or makes progress on new/existing concepts.
- Degree to which the proposed work is based on sound scientific and engineering principles.
- Likelihood of developing a new successful technology.
- Anticipated benefits of the proposed work in comparison to current commercial and emerging technologies.

Criterion 2 – Technical Approach – XX%

- Adequacy and feasibility of the Applicant’s approach to achieving the funding opportunity announcement’s stated objectives.
- Appropriateness, rationale, and completeness of the proposed Statement of Project Objectives.
- Extent of prior use, research, development or Application of the proposed technology and appropriateness of how the prior work relates to the proposed Application of the technology.
- Adequacy of the proposed project schedule, staffing plan, and proposed travel.
- Degree to which the Applicant has identified high-risk challenges and presented reasonable mitigation strategies.
- Adequacy of technology transfer plan, commercialization and utilization of proposed technology.

Criterion 3 – Technical and Management Capabilities – XX%

- Demonstrated capability and experience of the Applicant and its participating organizations in managing projects that meet project objectives, within budget and on schedule.
- Clarity, completeness, and appropriateness of the Project Management Plan in establishing a credible project base and how the SOPO will be implemented and managed.
- Clarity, logic and effectiveness of project organization, including subawardees, to successfully complete the project.
- Credentials, capabilities and experience of key personnel.
- Adequacy and availability of proposed personnel, facilities and equipment to perform project tasks.

Each Merit Review Panel member will be required to provide written strengths and weaknesses with regard to the evaluation criteria. The strengths and weaknesses will serve as a basis to assigning a numerical score to the Applications.

A strength is an aspect of an Application that, when compared to the stated evaluation criterion, appears to positively affect the probability of successful mission accomplishment of the potential financial assistance agreement.

A weakness is an aspect of an Application that, when compared to the stated evaluation criterion, appears to negatively affect the probability of successful mission accomplishment of the potential financial assistance agreement.

Subsequent to completing individual merit reviews, the Merit Review Chairperson should schedule a consensus review meeting and coordinate the development of the Consensus Strengths and Weaknesses and Consensus Scores.

Rating Scale

Sample A

Only the following adjectives may be assigned: Outstanding, Good, Adequate, Fair and Poor. The scoring of each criterion must be based on the strengths and weaknesses of the Application. To assist in assigning an appropriate score, the following can be used as a guideline:

<u>Rating</u>	<u>Descriptive Statement</u>
Outstanding	Applicant fully addresses all aspects of the criterion, convincingly demonstrates that it will meet the Government's performance requirements, and demonstrates no weaknesses
Good	Applicant fully addresses all aspects of the criterion, convincingly demonstrates a likelihood of meeting the Government's requirements, and demonstrates only a few minor weaknesses.
Adequate	Applicant addresses all aspects of the criterion and demonstrates the ability to meet the Government's performance requirements. The Application may contain significant weaknesses and/or a number of minor weaknesses.
Poor	Applicant does not address all aspects of the criterion nor is evidence presented indicating the likelihood of successfully meeting the Government's requirements. Significant weaknesses are demonstrated and clearly outweigh any strengths presented.
Unacceptable	Applicant does not address all aspects of the criterion and the information presented indicates a strong likelihood of failure to meet the Government's requirements.

Sample B

Only the following color rating values may be assigned: Blue, Green, Yellow, and Red. The scoring of each criterion must be based on the strengths and weaknesses of the Application. To assist in assigning an appropriate score, the following can be used as a guideline:

<u>Rating</u>	<u>Descriptive Statement</u>
Blue	Exceptional application – Applicant fully addresses all aspects of the criterion, convincingly demonstrates that it will meet the Government's performance requirements, and demonstrates no weaknesses
Green	Acceptable application - Applicant addresses all aspects of the criterion and demonstrates the ability to meet the Government's performance requirements. The Application may contain significant weaknesses and/or a number of minor weaknesses.
Yellow	Marginal application - Applicant does not address all aspects of the criterion nor is evidence presented indicating the likelihood of successfully meeting the Government's requirements. Significant weaknesses are demonstrated and clearly outweigh any strengths presented
Red	Unacceptable application - Applicant does not address all aspects of the criterion and the information presented indicates a strong likelihood of failure to meet the Government's requirements.

Sample C

Only the following numerical rating values may be assigned: 10, 8, 5, 2, and 0. The scoring of each criterion must be based on the strengths and weaknesses of the Application. To assist in assigning an appropriate score, the following can be used as a guideline:

<u>Rating</u>	<u>Descriptive Statement</u>
10	Applicant fully addresses all aspects of the criterion, convincingly demonstrates that it will meet the Government's performance requirements, and demonstrates no weaknesses.
8	Applicant fully addresses all aspects of the criterion, convincingly demonstrates a likelihood of meeting the Government's requirements, and demonstrates only a few minor weaknesses.
5	Applicant addresses all aspects of the criterion and demonstrates the ability to meet the Government's performance requirements. The Application may contain significant weaknesses and/or a number of minor weaknesses.
2	Applicant does not address all aspects of the criterion nor is evidence presented indicating the likelihood of successfully meeting the Government's requirements.

Significant weaknesses are demonstrated and clearly outweigh any strengths presented.

- 0 Applicant does not address all aspects of the criterion and the information presented indicates a strong likelihood of failure to meet the Government's requirements.

ATTACHMENT 4

Individual Rating Sheet

Applicant _____

Application # _____
 IIPS # _____

Reviewer _____

Reviewer Signature _____

[This Attachment is included to serve only as a SAMPLE and meant to represent the minimum required information. This Attachment may be modified as necessary to accommodate major/minor strengths/weaknesses, etc.]

Reviewers please note:

1. Be as comprehensive as possible in assigning strengths and weaknesses. There is no constraint on the maximum length of text.
2. Provide justification for your comments. For example, don't say, this application violates the first law of thermodynamics. Rather, say something on the order of, this Application violates the first law of thermodynamics because ... (and then list the reasons). Include page numbers from the application as a reference.
3. Write in complete, coherent sentences. Phrases are often difficult to interpret and this information, if it becomes part of the Record of Consensus Strengths and Weaknesses report, could be provided to the Applicant in a written debriefing.
4. Begin your review and rating with the sense that an average application warrants a score of acceptable, adequate or equivalent. Strengths will provide rationale for raising your score and weaknesses will provide justification for lowering the score. Use your strengths and weaknesses to determine the consensus score.

Description	Rating*
<p>Criterion 1: <i>[Insert Criterion Title]</i></p> <p>1. <i>[Copy criteria under criterion #1 from Funding Opportunity Announcement]</i></p> <p>2.</p>	
<p>Strengths</p>	

Weaknesses

Description	Rating*
<p>Criterion 2: <i>[Insert Criterion Title]</i></p> <p>1. <i>[Copy criteria under criterion #2 from Funding Opportunity Announcement]</i></p> <p>2.</p>	
<p>Strengths</p>	
<p>Weaknesses</p>	

[Repeat as necessary for each criterion.]

*If applicable – would not be used in consensus scoring

ATTACHMENT 5

BUDGET EVALUATION

FUNDING OPPORTUNITY ANNOUNCEMENT NO:

The evaluation must consider the aspects set forth below. The Budget Evaluation does not affect the technical score, but can be used by the Selection Official as a deciding factor. Please provide detailed comments to substantiate any concerns identified in your review.

Applicant / Application Number:

Project Title:

1. Do all elements of work included in the Statement of Project Objectives have associated budget costs and conversely, do all elements in the applicant's budget have corresponding work elements included in the Statement of Project Objectives?

2. Is the supporting documentation for the budget estimate complete and adequate?

3. Does the budget estimate reasonably relate to the magnitude of the work proposed?

Signature of Merit Review Chairperson

Date

ATTACHMENT 6

Record of Consensus Strengths and Weaknesses

Applicant/

Application No.: _____

Project Title: _____

Announcement Title/No. _____

[This Attachment is included to serve only as a SAMPLE and meant to represent the minimum required information. This Attachment may be modified as necessary to accommodate major/minor strengths/weaknesses, etc.]

Description	Rating
<p>Criterion 1: <i>[Insert Criterion Title]</i> [Copy criteria under criterion #1 from Funding Opportunity Announcement]</p> <p>1)</p>	
Strengths	
Weaknesses	

Description	Rating
<p>Criterion 2: <i>[Insert Criterion Title]</i> [Copy criteria under criterion #2 from Funding Opportunity Announcement]</p> <p>1)</p>	
Strengths	
Weaknesses	

[Repeat as necessary for each criterion.]

Please Note:

1. Be as comprehensive as possible in documenting the consensus strengths and weaknesses.
2. Provide justification for your comments. For example, don't say, "This application violates the first law of thermodynamics." Rather, say something on the order of, "This application violates the first law of thermodynamics because ... (and then list the reasons.)"
3. Write in complete, coherent sentences. Phrases are often difficult to interpret and this information could be provided to the Applicant in a written debriefing.
4. Individual merit reviewers who do not agree with the score or narrative of the other reviewer are free to file a minority position under the criteria. There should be no association of any particular strength or weakness with any specific reviewer.
5. Remember that an average Application warrants a score of acceptable, adequate or equivalent in the chosen rating schema. Strengths will provide rationale for raising your score and weaknesses will provide justification for lowering the score.

ATTACHMENT 7

Record of Consensus Scores

Applicant/
 Application
 No.: _____
 Project Title: _____
 FOA Title/No: _____

[This Attachment is included to serve only as a SAMPLE and meant to represent the minimum required information. This Attachment may be modified as necessary. At the discretion of the Merit Review Panel Chairperson, this Attachment may be combined with the Record of Consensus Strengths/Weaknesses-Attachment 6]

Criterion #	Criterion Title	Consensus Rating	Weight	Consensus Score
1	<i>[Insert Criterion Title]</i>		X%	
2	<i>[Insert Criterion Title]</i>		X%	
3	<i>[Insert Criterion Title]</i>		X%	
4	<i>[Insert Criterion Title]</i>		X%	
5	<i>[Insert Criterion Title]</i>		X%	
TOTAL				

ATTACHMENT 8

Merit Review Panel Chairperson's Report

Cover Page: Identify Report, reference FOA number/title, etc.

Section 1: Purpose

- a. A brief statement as to the purpose of the Merit Review Chairperson's Report
- b. A brief summary of the number of applications received [as applicable, discuss whether any applications were 'late' and disposition of same]

Section 2: Initial Review

- a. Discuss results of initial review, to include a list of applications rejected in the initial preliminary review, if any, including the reasons why they were rejected and not comprehensively reviewed.

Section 3: Merit Review

- a. The number of Panel members, their names, a statement that all applications were independently evaluated in accordance with the Evaluation and Selection Plan, and a statement that all Panel members, including ex-officio members, signed the Conflict of Interest/Non-Disclosure Certificate [Attachment 1].
- b. A discussion of the independent merit review process for all applications
- c. Details of the Merit Review Panel meeting and the process followed, including a discussion of any deviations, such as issues with conflicts of interest
- d. A discussion of the development of scores for each application, the ranking process, the number of applications deemed technically acceptable
- e. [If applicable] Details of the Merit Review Panel's process to set the selection range and a reference to the final list of applications deemed technically acceptable [Record of Consensus Scores-Attachment 7]

Section 4: Recommendation to Selection Official

- a. The Panel may include a recommendation to the Selection Official on those applications considered most meritorious for selection.

Section 5: Signature(s) and Concurrences

- a. Merit Review Panel members
- b. Chairperson
- c. Legal

d. Contracting Officer

Attachments to the Chairperson's Report should include the following:

Signed Conflict of Interest/Non-Disclosure Certificates

Signed Evaluation and Selection Plan

Budget Evaluation

Record of Consensus Strengths and Weaknesses for each Application

Record of Consensus Scores

ATTACHMENT 9

**SELECTION STATEMENT
FOR
FUNDING OPPORTUNITY ANNOUNCEMENT (FOA) NUMBER
[FOA TITLE]**

[This Attachment is included to serve only as a SAMPLE and meant to represent the minimum required information. This document may be modified at the discretion of the Selection Official and/or the Merit Review Panel Chairperson]

On [date], I established a Merit Review Panel to provide an assessment of the technical/scientific merit of applications submitted to the above mentioned FOA. The results of the Merit Review Panel's evaluations are contained in their report dated _____.

SELECTION DETERMINATION

If the Selection Official is selecting the highest technically rated Applicants that were recommended by the Merit Review Panel, choose the following optional language and include a statement below summarizing the basis for the selection from the Merit Review Panel Report:

As Selection Official, I accept the following Application(s) for negotiation of award as recommended in the Merit Review Panel's report based on their Application(s) receiving the highest technical rating within the available funds.

If Selection Official is selecting Applicants other than those with highest technical ratings or recommended by Merit Review Panel (i.e., applying program policy factors, non-technical considerations, etc.), choose the following optional language. However, Selection Official MUST tailor the summary and rationale below in detail to support their selection:

As Selection Official, I select the following application(s) for negotiation of award based on the SO's interpretation of the FOA merit review criteria and/or the application of program policy factors and/or funding constraints as supported by the rationale below.

<u>Overall Rank</u>	<u>Program Area of Interest</u>	<u>Applicant Name</u>	<u>Proposed Funding</u>	<u>Comments</u>

SUMMARY AND RATIONALE OF SELECTION(S)

A summary highlighting elements of each selected application is presented below.

[The Selection Official is to present a summary and succinct rationale for each selection above including technical and non-technical considerations that were weighed into the merit review and whether program policy factors were applied in the selection.]

[Example: The applicant(s) identified above for selection received the highest technical scores in their area of interest. The work submitted by this/these applicant(s) will significantly advance the program objectives because [insert rationale]. The costs proposed are commensurate with the scope of the project(s) and within the funding available for the FOA. Program Policy Factors were applied in the selection [explain]. No other application(s) will best achieve the program objectives within the funds available for this FOA.]

(Name)
Selection Official

Date

**CONCURRENCE PAGE
FOR
SELECTION STATEMENT**

**FUNDING OPPORTUNITY ANNOUNCEMENT (NUMBER)
(TITLE)**

Date

(Name)
Legal Counsel

Date

(Name)
Contracting Officer

ATTACHMENT 10

SELECTION ANALYSIS

[Insert Funding Opportunity Announcement No. and Title]

The Selection Analysis contains, in addition to the information in the Selection Statement, the explicit rationale and decision-making process used by the Selection Official in recommending selections for award. In most cases, this narrative will include specific technical scores, cost information, cost-effectiveness trade-off analyses, application and analysis of the program policy factor (s), and/or other merit review information that DOE would not release under a Freedom of Information Act (FOIA) request.

Selection Official

Signature

Date