

## APPENDIX 1 – REQUIREMENTS APPLICABLE TO COOPERATIVE AGREEMENTS

### Contents

|                                                                               |    |
|-------------------------------------------------------------------------------|----|
| APPENDIX 1 – REQUIREMENTS APPLICABLE TO COOPERATIVE AGREEMENTS.....           | 1  |
| D. Application and Submission Information .....                               | 1  |
| 2. Content and Form of Application Submission.....                            | 1  |
| (1) SF-424 (RESEARCH & RELATED) (Mandatory) .....                             | 1  |
| (2) R&R Form: Research and Related Other Project Information (Mandatory)..... | 2  |
| (3) R&R Form: Research & Related Budget (Mandatory) .....                     | 5  |
| (4) Other Submission Requirements .....                                       | 7  |
| E. Application Review Information.....                                        | 11 |
| 4. Recipient Qualifications.....                                              | 11 |
| F. Federal Award Administration Information .....                             | 12 |
| 2. Administrative and National Policy Requirements .....                      | 12 |

### D. Application and Submission Information

#### 2. Content and Form of Application Submission

##### e. Full Proposals:

Applicants must complete the mandatory forms in accordance with the instructions provided on the forms and the additional instructions below. Files that are attached to the forms must be in Adobe Portable Document Format (.PDF).

#### Full Proposal Format

- Spacing – single spaced
- Font – Times New Roman, not smaller than 12 point
- Page Limitations: 30 pages total to address recruitment plan/approach, management plan approach, past performance information, and qualification standards. Representation / Certifications and Table of Contents are not included in the page count. There are no page limitations to the Budget.

NOTE: The electronic file name for all documents submitted under this announcement must not exceed 68 characters in length, including the file name extension.

### Mandatory R&R Family Forms

#### (1) SF-424 (RESEARCH & RELATED) (Mandatory)

The SF-424 (R&R) form must be used as the cover page for all proposals. Complete all required fields in accordance with the “pop-up” instructions on the form and the following instructions for specific fields. Please complete the SF-424 first, as some fields on the SF-424 are used to auto-populate fields on other forms.

The completion of most fields is self-explanatory with the exception of the following special instructions:

- Field 3 - Date Received by State: The Date Received by State and the State Application Identifier are not applicable to research.
  - Field 4a - Federal Identifier: For new proposals, enter N00173. If the application is a renewal or expansion of an existing award, enter the NRL award number.
  - Field 4b - Agency Routing Number: Enter the FOA Number.
  - Field 4c - Previous Grants.gov Tracking ID: If this submission is for a Changed/Corrected Application, enter the Grants.gov tracking number of the previous proposal submission; otherwise, leave blank.
  - Field 5 – Application Information: Email address entered by the grantee on the SF424 application to create the EDA notification profile. NRL recommends that organizations provide a global business address.
  - Field 7 - Type of Applicant. Complete as indicated: If the organization is a Minority Institution, select “Other” and under “Other (Specify)” note that the institution is a Minority Institution (MI).
  - Field 9 - Name of Federal Agency: List the Naval Research Laboratory as the reviewing agency. This field is pre-populated in Grants.gov.
  - Field 14 – Project Director/Principal Investigator: Email address entered by the grantee on the SF424 application to create the EDA notification profile.
  - Field 16 - Is Application Subject to Review by State Executive Order 12372 Process? Choose “No”. Check “Program is Not Covered by Executive Order 12372.”
  - Field 17 – Certification: All awards require some form of certifications of compliance with national policy requirements. By checking the “I agree” box in field 17, and **attaching the representation to Field 18 of the SF424 (R&R)** as part of the electronic proposal submitted via Grants.gov, the Grant Applicant is providing the certification on lobbying required by 32 CFR Part 28 and representation regarding an unpaid delinquent tax liability or a felony conviction under any federal law – DoD appropriations.
  - Field 19 – Authorized Representative: Email address entered by the grantee on the SF424 application to create the EDA notification profile.
- (2) R&R Form: Research and Related Other Project Information (Mandatory)
- Fields 1 and 1a – N/A.

- Fields 2 and 2a – Vertebrae Animal Use: N/A.
- Fields 4a through 4d - N/A.
- Field 7 – Project Summary/Abstract: Include a description of the project and methods to be employed. Do not include proprietary or confidential information. The project summary/abstract must be marked by the applicant as “Approved for Public Release”.
- Field 8 – Project Narrative: Describe clearly the project, including the objective and approach to be performed, keeping in mind the evaluation criteria. Attach the entire proposal narrative to R&R Other Project Information form in Field 8. To attach a Project Narrative in Field 8 click on “Add Attachment” and attach the technical proposal as a single PDF file. (Save the file as “Technical Proposal,” as typing in the box is prohibited).

The technical proposal must describe the research in sections as described below:

- **Cover Page:** This must include the words “Technical Proposal” and the following:
  - (a) Funding Opportunity Announcement Number: N00173-24-S-TS01
  - (b) Title of Proposal;
  - (c) Identity of prime applicant and complete list of subawards, if applicable;
  - (d) Point of Contact (name, address, phone, electronic mail address) and;
  - (e) Proposed period of performance (identify both the base period and any options, if included).
- **Table of Contents:** An alphabetical/numerical listing of the sections within the proposal, including corresponding page numbers
- **Recruitment Plan / Approach** - Describe the Offeror’s proposed plan for recruitment of the Postdoctoral Fellows. As part of the proposal, the Offeror is to describe the proposed plan to effectively market /publicize the NRL PFP to attract high quality applicants, and describe the proposed competitive application review process. The plan shall include:
  - An advertising plan to attract qualified applicants based on the NRL mission and capabilities. This plan should consider issues such as potential sources of applicants, e.g., major domestic colleges, universities, Historically Black Colleges and Universities (HBCUs), Minority Serving Institutions (MSIs); various types of methods to disseminate information (e.g., professional trade journals, and professional society meetings and seminars; different ways to advertise (e.g., electronic and print media) and implementation methods; The various methods by which the Offeror will market and publicize the program to include citing specific organizations that will be targeted; the methods by which those specific organizations will be marketed to ensure the participation of the highly qualified applicants; and, the appropriateness / demonstrated effectiveness of the usages of the approaches upon the targeted organizations. Demonstrate the Offeror’s ingenuity and novel means to convey the program in a manner that will effectively optimize the objective and

- engage high quality applicants. Targeted societies and schools include, but are not limited to, accredited universities, engineering schools, and professional engineering societies.
- Describe anticipated Marketing Materials to outline the NRL PFP;
  - Description of an ongoing application process to solicit the interest of qualified individuals (i.e. postdoctoral scientists and engineers) with interests in Research that is consistent with the NRL mission;
  - Describe the competitive review process for the review of applications and the selection of the various types of applicants. Identify the process by which the applications will be reviewed, vetted, approved and recommended to NRL, including any technical expertise and subject matter experts required to execute a competitive selection process that is expected to result in the recruitment of applicants of the highest caliber. Offerors shall provide documentation supporting the availability, experience and qualifications of proposed technical experts / organizations. Documentation may include, but not be limited to: prior use of the expert to review postdoctoral qualifications, agreements with scientific organizations / individuals, etc.
- **Management and Execution Plan** – Describe the Offeror’s proposed plan for management and execution of the PFP to ensure a successful program; demonstrate understanding/ability to manage the day-to-day needs of the Fellows/Researchers participating in the PFP; and the plan for submission of reports to NRL, evaluations for each Fellow/Researcher and recording keeping, payments and financial reporting, and any other day-to-day support provided to the fellows including awards programs. This section shall include a summary schedule of events and milestones, as well as any program-specific measures of performance and measures of effectiveness appropriate to the goals of the project.
    - Reports: The following are sample reports that are typically required under this effort:
      - Quarterly Program Status (applications, placements, expenses, etc.)
      - Postdoctoral participant progress reporting (progress and final)
      - Monthly Financial Reports (with monthly and cumulative costs)
        - This typically involves an on-site & off-site expenditure report by the 5<sup>th</sup> 15<sup>th</sup> workday of each month for the preceding month. This report includes the reporting period; award number; award value; funding to date; expended in current period; total expended to date; and date submitted. Report must also include details for each Postdoc: Tenure date; Advisor name; amounts for the Stipend, Travel, Relocation, Insurance, Workman's Compensation, etc.; and program Administration cost.
      - Annual Program Review (activities, Fellows, outreach efforts, and other pertinent data)
  - **Past Performance** – Describe three examples of similar efforts being performed. Offerors are requested to describe the dollar amount of the agreements, periods of performance, number of Fellows/Researchers supported, Customers, and Customer contact information (which may be used to verify the information provided in the proposal).

- **Qualification Standards:** To assist in determining whether the Offeror meets the standards at 32 CFR 22.415, the Offeror must submit documentation supporting that they:
  - Have the management capability and adequate financial and technical resources, given those that would be made available through the grant or cooperative agreement, to executed the program of activities envisioned under the grant or cooperative agreement;
  - Have a satisfactory record of executing such programs or activities (if a prior recipient of an award);
  - Have a satisfactory record of integrity and business ethics; and
  - Be otherwise qualified and eligible to receive a grant or cooperative agreement under applicable laws and regulations.

(3) R&R Form: Research & Related Budget (Mandatory)

The applicant must use the Grants.gov forms (including the Standard Form (SF) Research and Related (R&R) Budget Form) from the application package template associated with the FOA on the Grants.gov web site located at <http://www.grants.gov/>. The cost proposal must provide the pricing information by year and/or for option periods (if proposing options); failure to include the proposed costs on an annual basis or for the option periods will result in the options not being included in the award.

A separate Adobe.pdf document should be included in the application that provides appropriate justification and/or supporting documentation for each element of cost proposed. This document shall be attached under Section K. “Budget Justification” of the Research and Related Budget form. Click “Add Attachment” to attach.

(a) Part 1: The itemized budget should include the following. All cost should be rounded to the nearest dollar.

- Direct Labor – Individual labor categories or persons, with associated labor hours and unburdened direct labor rates. Provide escalation rates for out years.
- Administrative and Clerical Labor – Salaries of administrative and clerical staff are normally indirect costs (and included in an indirect cost rate). Direct charging of these costs may be appropriate when a major project requires an extensive amount of administrative or clerical support significantly greater than normal and routine levels of support. Budgets proposing direct charging of administrative or clerical salaries must be supported with a budget justification which adequately describes the major project and the administrative and/or clerical work to be performed.
- Fringe Benefits and Indirect Costs (F&A, Overhead, G&A, etc.) – The application should show the rates and calculation of the costs for each rate category. If the rates have been approved/negotiated by a Government agency, provide a copy of the memorandum/agreement. If the rates have not been approved/negotiated, provide sufficient detail to enable a determination of allowability, allocability and reasonableness of the allocation bases, and how the rates are calculated. Additional information may be requested, if needed. If composite rates are used,

provide the calculations used in deriving the composite rates.

- Travel – The proposed travel cost must include the following for each trip: the purpose of the trip, origin and destination if known, approximate duration, the number of travelers, and the estimated cost per trip must be justified based on the organizations historical average cost per trip or other reasonable basis for estimation. Such estimates and the resultant costs claimed must conform to the applicable Federal cost principals. Applicants may include travel costs for the Principal Investigator to attend the peer reviews described in Section II, vi. “Peer Review” (Appendix page 15). ~~of this announcement.~~

- Subawards/Subcontracts – Provide a description of the work to be performed by the subrecipient/subcontractor. For each subaward, a detailed cost proposal is required to be submitted by the subrecipient(s). A proposal and any supporting documentation must be received and reviewed before the Government can complete its cost analysis of the proposal and enter negotiations. NRL's preferred method of receiving subcontract information is for this information to be included with the Prime's proposal. However, a subcontractor's cost proposal can be provided in a sealed envelope with the recipient's cost proposal or via e-mail directly to the Program Officer at the same time the prime proposal is submitted. The e-mail should identify the proposal title, the prime Applicant and that the attached proposal is a subcontract.

- Consultants – Provide a breakdown of the consultant's hours, the hourly rate proposed, any other proposed consultant costs, a copy of the signed Consulting Agreement or other documentation supporting the proposed consultant rate/cost, and a copy of the consultant's proposed statement of work if it is not already separately identified in the prime contractor's proposal.

- Materials & Supplies – Provide an itemized list of all proposed materials and supplies including quantities, unit prices, and the basis for the estimate (e.g., quotes, prior purchases, catalog price lists).

- Recipient Acquired Equipment or Facilities – Equipment and/or facilities are normally furnished by the Recipient. If acquisition of equipment and/or facilities is proposed, a justification for the purchase of the items must be provided. Provide an itemized list of all equipment and/or facilities costs and the basis for the estimate (e.g., quotes, prior purchases, catalog price lists). Allowable items normally are limited to research equipment not already available for the project. General purpose equipment (i.e., equipment not used exclusively for research, scientific or other technical activities, such as personal computers, laptops, office equipment) should not be requested unless they will be used primarily or exclusively for the project. For computer/laptop purchases and other general purpose equipment, if proposed, include a statement indicating how each item of equipment will be integrated into the program or used as an integral part of the research effort.

- Other Direct Costs – Provide an itemized list of all other proposed other direct costs such as Graduate Assistant tuition, laboratory fees, report and publication costs, and the basis for the estimate (e.g., quotes, prior purchases, catalog price lists).

**NOTE:** *If the grant proposal requests funds for a conference, workshop or symposium:*

1. NRL will not sponsor an NRL, Navy, or DoD event. Provide a list of other sponsors and the requested amounts to be funded by all sponsors.
2. The funds provided by NRL may be used to pay for food or beverages as a direct cost only in exceptional circumstances. The funds shall not be used for food or beverages unless:
  - a. The grant proposal contains a request for such funding that is fully supported factually in accordance with the cost principles of the relevant OMB Circular, and
  - b. The Grants Officer determines that the funding is a reasonable, allocable, allowable expense under the relevant cost principles.
3. Specify in your proposal how the event and related outcomes will directly and programmatically relate to the US Naval or Marine Corps Science & Technology Plan and identify specific focus areas that will be addressed. The proposal must provide the technical and scientific objectives of the program or event and clearly state the desired outcomes (e.g. conference proceedings, journal articles, algorithms, tools, additional research, etc.).
  - Fee/Profit – Fee/profit is unallowable under assistance agreements at either the prime or subaward level but may be permitted on subcontracts issued by the prime awardee.

(4) Other Submission Requirements

- a. Submission of Cooperative Agreement Proposals through Grants.gov:

### **Grants.gov Application Submission and Receipt Procedures**

*This section provides the application submission and receipt instructions for the Naval Research Laboratory (NRL) program applications. Please read the following instructions carefully and completely.*

#### **1. Electronic Delivery**

NRL is participating in the Grants.gov initiative to provide the grant community with a single site to find and apply for grant funding opportunities. NRL encourages applicants to submit their applications online through Grants.gov.

#### **2. How to Register to Apply through Grants.gov**

- a. *Instructions:* Read the instructions below about registering to apply for NRL funds. Applicants should read the registration instructions carefully and prepare the information requested before beginning the registration process. Reviewing and assembling the required information before beginning the registration process will alleviate last-minute searches for required information.

The registration process can take up to four weeks to complete. Therefore, registration should be done in sufficient time to ensure it does not impact your ability to meet required application submission deadlines.

If individual applicants are eligible to apply for this grant funding opportunity, refer to:  
<https://grants.gov/applicants/applicant-registration>

Organization applicants can find complete instructions here:  
<https://www.grants.gov/web/grants/applicants/organization-registration.html>

### 1) *Obtain a Unique Entity Identifier (UEI)*

For more detailed instructions for obtaining a UEI number, refer to:  
<https://grants.gov/applicants/applicant-registration>

2) *Register with SAM:* In addition to having a UEI, organizations applying online through Grants.gov must register with the System for Award Management (SAM). All organizations must register with SAM in order to apply online. Failure to register with SAM will prevent your organization from applying through Grants.gov.

For more detailed instructions for registering with SAM, refer to:  
<https://grants.gov/applicants/applicant-registration>

Entities creating new registrations and existing entities completing their annual registration renewals are required to review financial assistance representations and certification before their registration can be activated.

3) *Create a Grants.gov Account:* The next step in the registration process is to create an account with Grants.gov. Applicants must know their organization's UEID number to complete this process. Completing this process automatically triggers an email request for applicant roles to the organization's E-Business Point of Contact (EBiz POC) for review. The EBiz POC is a representative from your organization who is the contact listed for SAM. To apply for grants on behalf of your organization, you will need the Authorized Organizational Representative (AOR) role.

For more detailed instructions about creating a profile on Grants.gov, refer to:  
<https://www.grants.gov/applicants/applicant-registration>.

4) *Authorize Grants.gov Roles:* After creating an account on Grants.gov, the EBiz POC receives an email notifying them of your registration and request for roles. The EBiz POC will then log in to Grants.gov and authorize the appropriate roles, which may include the AOR role, thereby giving you permission to complete and submit applications on behalf of the organization. You will be able to submit your application online after you have been approved as an AOR.

For more detailed instructions about creating a profile on Grants.gov, refer to:

<https://apply07.grants.gov/help/html/help/index.htm?callingApp=custom#callingApp=custom&t=Applicants%2FManagement%2FManageRolesForApplicant.htm>

5) *Track Role Status*: To track your role request, refer to:  
<https://www.grants.gov/applicants/applicant-registration>.

b. *Electronic Signature*: When applications are submitted through Grants.gov, the name of the organization's AOR that submitted the application is inserted into the signature line of the application, serving as the electronic signature. The EBiz POC **must** authorize individuals who are able to make legally binding commitments on behalf of the organization as an AOR; **this step is often missed and it is crucial for valid and timely submissions.**

### 3. How to Submit an Application to the Naval Research Laboratory via Grants.gov

All attachments to grant applications submitted through Grants.gov must be in Adobe Portable Document Format. Proposals with attachments submitted in word processing, spreadsheet, or any format other than Adobe Portable Document Format will not be considered for award.

Grants.gov applicants can apply online using Workspace. Workspace is a shared, online environment where members of a grant team may simultaneously access and edit different webforms within an application. For each funding opportunity announcement (FOA), you can create individual instances of a workspace.

Below is an overview of applying on Grants.gov. For access to complete instructions on how to apply for opportunities, refer to:  
<https://www.grants.gov/applicants/grant-applications/how-to-apply-for-grants>.

1) *Create a Workspace*: Creating a workspace allows you to complete it online and route it through your organization for review before submitting.

2) *Complete a Workspace*: Add participants to the workspace, complete all the required forms, and check for errors before submission.

a. *Adobe Reader*: If you decide not to apply by filling out webforms you can download individual PDF forms in Workspace so that they will appear similar to other Standard or [INSERT AGENCY NAME] forms. The individual PDF forms can be downloaded and saved to your local device storage, network drive(s), or external drives, then accessed through Adobe Reader.

NOTE: Visit the Adobe Software Compatibility page on Grants.gov to download the appropriate version of the software at:  
<https://grants.gov/applicants/adobe-software-compatibility>

b. *Mandatory Fields in Forms:* In the forms, you will note fields marked with an asterisk and a different background color. These fields are mandatory fields that must be completed to successfully submit your application.

c. *Complete SF-424 Fields First:* The forms are designed to fill in common required fields across other forms, such as the applicant name, address, and UEID number. To trigger this feature, an applicant must complete the SF-424 information first. Once it is completed, the information will transfer to the other forms.

3) *Submit a Workspace:* An application may be submitted through workspace by clicking the Sign and Submit button on the Manage Workspace page, under the Forms tab. Grants.gov recommends submitting your application package at least 24-48 hours prior to the close date to provide you with time to correct any potential technical issues that may disrupt the application submission.

4) *Track a Workspace:* After successfully submitting a workspace package, a Grants.gov Tracking Number (GRANTXXXXXXXX) is automatically assigned to the package. The number will be listed on the Confirmation page that is generated after submission.

For additional training resources, including video tutorials, refer to:  
<https://grants.gov/applicants/applicant-training>

*Applicant Support:* Grants.gov provides applicants 24/7 support via the toll-free number 1-800-518-4726 and email at [support@grants.gov](mailto:support@grants.gov). For questions related to the specific grant opportunity, contact the number listed in the application package of the grant you are applying for.

If you are experiencing difficulties with your submission, it is best to call the Grants.gov Support Center and get a ticket number. The Support Center ticket number will assist NRL with tracking your issue and understanding background information on the issue.

#### **4. Timely Receipt Requirements and Proof of Timely Submission**

a. *Online Submission.* The applicant AOR will receive an acknowledgement of receipt and a tracking number (GRANTXXXXXXXX) from Grants.gov with the successful transmission of their application. Applicant AORs will also receive the official date/time stamp and Grants.gov Tracking number in an email serving as proof of their submission.

When the Naval Research Laboratory successfully retrieves the application from Grants.gov, and acknowledges the download of submissions, Grants.gov will provide an electronic acknowledgment of receipt of the application to the email address of the applicant with the AOR role.

Applicants using slow internet, such as dial-up connections, should be aware that transmission can take some time before Grants.gov receives your application. Again, Grants.gov will provide either an error or a successfully received transmission in the form of an email sent to the

applicant with the AOR role. The Grants.gov Support Center reports that some applicants end the transmission because they think that nothing is occurring during the transmission process. Please be patient and give the system time to process the application.

## **E. Application Review Information**

### **4. Recipient Qualifications**

a. The Grants Officer is responsible for determining a recipient's qualification prior to award. In general, a Grants Officer will award grants, cooperative agreements or TIAs only to qualified recipients that meet the standards at 32 CFR 22.415. To be qualified, a potential recipient must:

- (1) Have the management capability and adequate financial and technical resources, given those that would be made available through the grant or cooperative agreement, to executed the program of activities envisioned under the grant or cooperative agreement;
- (2) Have a satisfactory record of executing such programs or activities (if a prior recipient of an award);
- (3) Have a satisfactory record of integrity and business ethics; and
- (4) Be otherwise qualified and eligible to receive a grant or cooperative agreement under applicable laws and regulations.

Applicants are requested to provide information with proposal submissions to assist the Grants Officer's evaluation of recipient qualification.

b. *FAPIS*: In accordance with Office of Management and Budget (OMB) guidance in parts 180 and 200 of Title 2, CFR, in its DoD policy that DoD Components must report and use integrity and performance information in the Federal Awardee Performance and Integrity Information System (FAPIS), currently maintained in the Responsibility/qualification reports in SAM.gov, as follows:

If the total Federal share will be greater than the simplified acquisition threshold on and Federal award under a notice of funding opportunity (see 2 CFR 200.88 Simplified Acquisition Threshold):

- (1) The Federal awarding agency, prior to making a Federal award with a total amount of Federal share greater than the simplified acquisition threshold, will review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (see 41 U.S.C. 2313);
- (2) An applicant, at its option, may review information in the designated integrity and performance systems accessible through SAM and comment

on any information about itself that a Federal awarding agency previously entered and is currently in the designated integrity and performance system accessible through SAM;

- (3) The Federal awarding agency will consider any comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as described in 2 CFR 200.206 Federal awarding agency review of risk posed by applicants.

## **F. Federal Award Administration Information**

### **2. Administrative and National Policy Requirements**

#### **b. Applicable to Cooperative Agreements**

##### **i. Federal Funding Accountability and Transparency Act of 2006:**

The Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282), as amended by Section 6202 of Public Law 110-252 and expanded by the Digital Accountability and Transparency Act of 2014 (Public Law 113-101), requires that all agencies establish requirements for recipients reporting information on subawards and executive total compensation as codified in 2 CFR Part 170. Any company, non-profit agency or university that applies for financial assistance (either grants, cooperative agreements or TIAs) as either a prime or sub-recipient under this announcement must provide information in its proposal that describes the necessary processes and systems in place to comply with the reporting requirements identified in 2 CFR Part 170 Appendix A. Entities are required to meet reporting requirements unless an exception or exemption applies. Please refer to 2 CFR Part 170, including Appendix A, for a detailed explanation of the requirements, exceptions, and exemptions.

##### **ii. Certification regarding Restrictions on Lobbying:**

Grant and Cooperative Agreement awards greater than \$100,000, as well as OTAs not under 10 U.S.C. 4022, require a certification of compliance with a national policy mandate concerning lobbying. Grant applicants shall provide this certification by electronic submission of SF424 (R&R) as a part of the electronic proposal submitted via [Grants.gov](https://www.grants.gov) (complete Block 17). The following certification applies likewise to each Cooperative Agreement and normal OTA applicant seeking federal assistance funds exceeding \$100,000:

- (1) No Federal appropriated funds have been paid or will be paid by or on behalf of the applicant, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering

into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the Federal contract, grant, loan, or cooperative agreement, the applicant shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The applicant shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

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

iii. Representation Regarding an Unpaid Delinquent Tax Liability or a Felony Conviction Under any Federal Law - DOD Appropriations:

**All grant applicants are required to complete a "Representation on Tax Delinquency and Felony Conviction" by checking the "I agree" box in block 17 and attaching the representation to block 18 of the SF424 (R&R) as part of the electronic proposal submitted via Grants.gov. The representation reads as follows:**

- (1) The applicant represents that it is\_\_\_/is not\_\_\_ a corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in timely manner pursuant to an agreement with the authority responsible for collecting the tax liability
- (2) The applicant represents that it is\_\_\_/is not\_\_\_ a corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months.

NOTE: If an applicant responds in the affirmative to either of the above representations, the applicant is ineligible to receive an award unless the agency suspension and debarment official (SDO) has considered suspension or debarment and determined that further action is not required to protect the Government's interests. The applicant therefore should provide information about its tax liability or conviction to the agency's SDO as soon as it can do so, to facilitate completion of the required consideration before award decisions are made.

iv. Representation Regarding the Prohibition on Using Funds with Entities that Require Certain Internal Confidentiality Agreements

Agreement with the representation below will be affirmed by checking the "I agree" box in block 17 of the SF424 (R&R) as part of the electronic proposal submitted via Grants.gov. The representation reads as follows:

By submission of its proposal or application, the applicant represents that it does not require any of its employees, contractors, or subrecipients seeking to report fraud, waste, or abuse to sign or comply with internal confidentiality agreements or statements prohibiting or otherwise restricting those employees, contractors, subrecipients from lawfully reporting that waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.

Note that, as applicable, the following prohibitions form the basis for this representation:

- a. Section 743 of the Financial Services and General Government Appropriation Act, 2015 (Division E of the Consolidated and Further Continuing Appropriations Act, 2015, Pub. L. 113-235)
- b. Pub. L. 114-53, Continuing Appropriation Act, 2016, or any other Act that extends to fiscal year 2016 funds the same prohibitions as contained in section 743 of Division E, title VII of the Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113-235) and the Consolidated Appropriations Act, 2016 (Pub. L. 114-113).
- c. Pub. L. 114-223, Continuing Appropriations Act, 2017, or any other Act that extends to fiscal year 2017 funds the same prohibitions as contained in section 743, Division E, title VII, of the Consolidated Appropriations Act, 2016 (Pub. L. 114-113) and the Consolidated Appropriations Act, 2017 (Pub. L. 115-31).
- d. Pub. L. 115-56, Continuing Appropriations Act, 2018 and Supplemental Appropriations for Disaster Relief Requirements Act, 2017, or any other Act that extends to fiscal year 2018 funds the same prohibitions as contained in Section 743, Division E, title VII, of the Consolidated Appropriations Act, 2017 (Pub. L. 115-31) and the Consolidated Appropriations Act, 2018 (Pub. L. 115-141)
- e. Pub. L. 115-245, Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019, or any other Act that extends to fiscal year 2018 funds the same prohibitions as contained in Section 743, Division E, title VII, of the Consolidated Appropriations Act, 2018 (Pub. L. 115-41).
- f. Any successor provision of law on making funds available through grants and cooperative agreements to entities with certain internal confidentiality agreements or statements.
- v. Code of Conduct: Applicants for assistance are required to comply with 2 CFR 200.318(c), Codes of Conduct, to prevent real or apparent conflicts of interest in the award and administration of any contracts supported by federal funds. This provision will be incorporated into all assistance instruments awarded under this BAA.

vi. Peer Review: In the case of proposals funded as basic research, NRL may utilize peer reviewers from academia, industry, and Government agencies to assist in the periodic appraisal of performance under the awards, as outlined in ONR Instruction 3966.1A. Such periodic program reviews monitor the cost, schedule and technical performance of funded basic research efforts. The reviews are used in part to determine which basic research projects will receive continued NRL funding. Peer reviewers who are not U.S. Government employees must sign nondisclosure agreements before receiving full or partial copies of proposals and reports submitted by the basic research performers. Applicants may include travel costs for the Principal Investigator (PI) to attend the peer review.