

NOTICE OF FUNDING OPPORTUNITY

EXECUTIVE SUMMARY

- **Federal Agency Name:** Economic Development Administration (EDA or the Agency), U.S. Department of Commerce (DOC).
- **Federal Funding Opportunity Title:** FY 2023 Regional Technology and Innovation Hub Program Phase 2 Notice of Funding Opportunity (NOFO) (Tech Hubs Phase 2 NOFO).
- **Announcement Type and Date:** Tech Hubs Phase 2 NOFO publishing EDA's application submission requirements and application review procedures under the Regional Technology and Innovation Hub Program, as authorized by section 28 of the Stevenson-Wydler Technology Innovation Act of 1980, as amended (15 U.S.C. § 3722a). **Effective date:** October 23, 2023.
- **Funding Opportunity Number:** EDA-TECHHUBSPHASE2-2023
- **Catalog of Federal Domestic Assistance (CFDA) Number:** 11.039, Regional Technology and Innovation Hub
- **Dates:** This is Phase 2 of a two-phase competition. The deadline for Phase 2 applications is **4:59 p.m. Eastern Time on February 29, 2023**. Applications received after this deadline will not be reviewed or considered. ***Only applicants that EDA Designated as Tech Hubs in Phase 1 will be permitted to apply to Phase 2.***

EDA may amend, cancel, or withdraw the Tech Hubs Phase 2 NOFO at any time. All changes will be communicated via Grants.gov.

- **Eligible Applicants:** Pursuant to section 28(c) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. § 3722a(c)), consortia that EDA Designated as Tech Hubs under the Phase 1 NOFO are eligible applicants under this NOFO. An eligible consortium must include one or more of each of the following: (i) institutions of higher education, which may include Historically Black Colleges and Universities, Tribal Colleges or Universities, and Minority-Serving Institutions; (ii) State, territorial, local, or Tribal governments or other political subdivisions of a State, or a consortium thereof; (iii) industry groups or firms in relevant technology, innovation or manufacturing sectors; (iv) economic development organizations or similar entities focused primarily on improving science, technology, innovation, entrepreneurship, or access to capital; and (v) labor organizations or workforce training organizations. See section A.1.b.iii. for additional requirements related to consortia. See section C.1. of this NOFO for a list of other entities that may also be part of a consortium.

Under this NOFO, EDA is not authorized to provide grants or cooperative agreements to individuals. Requests from individuals will not be considered for funding.

- **Funding Opportunity Description:** Subject to the availability of funds, awards made under this NOFO will seek to strengthen U.S. economic and national security through place-based investments in regions with the assets, resources, capacity, and potential to become globally competitive Tech Hubs, within approximately ten years, in the technologies and industries of the future, and for those industries, companies, and the good jobs they create to start, grow, and remain in the United States. Through this NOFO, EDA will award approximately \$50-75 million in implementation grants to each of approximately 5-10 Designated Tech Hubs.

FULL ANNOUNCEMENT TEXT
FY 2023 EDA Regional Technology and Innovation Hub Phase 2
Notice of Funding Opportunity

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A. Program Description

1. Competition Structure and Program Information

a. Competition Structure

Through the Regional Technology and Innovation Hub Program (Tech Hubs Program), and in line with 15 U.S.C. § 3722a(b)(1), EDA seeks to strengthen U.S. economic and national security through place-based investments in regions with the assets, resources, capacity, and potential to become globally competitive, within approximately ten years, in the technologies and industries of the future. These investments aim to enable those industries, companies, and the good jobs they create to start, grow, and remain in the U. S. The Tech Hubs Program will support the growth and modernization of U.S. manufacturing and improve commercialization and domestic production of innovative research.

The Tech Hubs Program aims to identify and invest in regions where an EDA investment can catalyze self-sustaining growth that centers on a selected core technology area and that leads to global competitiveness over the next decade. To achieve this goal and fulfill statutory direction, EDA has and will continue to run this two-phase competition with a focus on geographic diversity and equity.

Through the Phase 1 Notice of Funding Opportunity (NOFO), EDA funded Strategy Development Grants and Designated certain regions as Regional Technology and Innovation Hubs (Tech Hubs). Under this Phase 2 NOFO, consortia that EDA Designated as Tech Hubs will compete for funding for Implementation projects to help propel the Hub's chosen geography into self-sustaining global competitiveness.

Implementation Grants can fund a wide range of non-construction and construction activities that aim to increase regional capacity to demonstrate, deploy, and commercialize innovative technology products and services across four broad categories: workforce development, business and entrepreneur development, technology maturation, and infrastructure.¹ This large suite of eligible activities is designed to meet the individual needs of a particular region and what it specifically needs to catalyze it becoming a sustainable, globally competitive Tech Hub in its consortium's selected core technology area. Implementation Grant activities should not only complement but be aligned with other relevant Federal investments, including those in relevant innovation, technologies, industries, and places;² applicants must make a strong case for complementarity of other relevant Federal investments in or connected to their Hub, demonstrate that Implementation Grant-funded activities are most aligned with the purpose of the Tech Hubs program, indicate the but-for impacts of Tech Hubs funding, and ensure there is no overlap in funding for specific activities.³

Within each Tech Hub selected for Implementation Grants, EDA expects to fund approximately 3-8 tightly aligned projects that aim to collectively address the region's key inhibitors of global

¹ See 15 U.S.C. § 3722a(f)(2) and section A.1.c.i.(3) and (4) below for a more comprehensive list of allowable activities within these four broad categories.

² E.g., the Regional Innovation Engines, Industry–University Cooperative Research Centers (IUCRC), and Engineering Research Centers (ERC) programs of the National Science Foundation (NSF), funding opportunities administered by CHIPS for America at the National Institutes of Standards and Technology (NIST), the Regional Clean Hydrogen Hub (H2Hubs) program of the Office of Clean Energy Demonstrations (OCED) within the Department of Energy (DOE), and Inflation Reduction Act clean energy manufacturing and deployment tax credits.

³ Federal funding can only be used as match where explicitly authorized by statute. See 2 C.F.R. § 200.306(b)(5).

competitiveness.⁴ EDA's aggregate investment into each selected Hub's projects will likely total approximately \$50-75 million.

b. General Requirements

As was expected in Phase 1 of the Tech Hubs competition, there are several general requirements that EDA similarly expects will be addressed in the application materials for Phase 2 (see sections A.1.c. and D.2. below).

i. What constitutes a region for purposes of the Tech Hubs Competition?

EDA defines a Hub's geography as a Metropolitan Statistical Area (MSA) or a similar area (including Micropolitan Statistical Areas (μSAs) or tightly interconnected combinations of MSAs and/or μSAs)⁵ with a concentration of assets, capital, R&D, labor market, and infrastructure strongly relevant to the Hub's selected core technology area, the Hub's identified market opportunity, and its potential to become globally competitive in that area within a decade. Applicants identified their chosen geography in Phase 1 and must retain it in their Phase 2 application. Applicants should consider their chosen geography as the nexus of the Tech Hub but may include partnerships outside that geography as part of the hub. Consortia may include assets or members outside the chosen geography—*e.g.*, in nonmetro rural areas or partnerships with geographically distant but tightly mission-aligned organizations—that support the consortia's strategy and benefit the Hub. A substantial majority of the benefits (*e.g.*, job creation and retention, worker placements, capital formation and deployment, firm creation and growth) expected to result from EDA funding should accrue within the Tech Hub.

ii. What technologies are considered key focus areas?

Consortia that EDA Designated as Tech Hubs in Phase 1 identified respective selected core technology areas within or at the intersection of one or more of the key technology focus areas (KTFAs) listed below.

Key technology focus areas under this NOFO are:

- (1) Artificial intelligence, machine learning, autonomy, and related advances;
- (2) High performance computing, semiconductors, and advanced computer hardware and software;
- (3) Quantum information science and technology;
- (4) Robotics, automation, and advanced manufacturing;
- (5) Natural and anthropogenic disaster prevention or mitigation;
- (6) Advanced communications technology and immersive technology;
- (7) Biotechnology, medical technology, genomics, and synthetic biology;
- (8) Data storage, data management, distributed ledger technologies, and cybersecurity, including biometrics;
- (9) Advanced energy and industrial efficiency technologies, such as batteries and advanced nuclear technologies, including but not limited to for the purposes of electric generation (consistent with 42 U.S.C. § 1874); and

⁴ The statutory authority envisions possible future investments for consortia that receive Implementation funding. This may be possible in the future depending on future-year Congressional appropriations.

⁵ See <https://www.whitehouse.gov/wp-content/uploads/2023/07/OMB-Bulletin-23-01.pdf> <https://www.census.gov/geographies/reference-maps/2020/demo/state-maps.html> for current list of MSAs and μSAs.

- (10) Advanced materials science, including composites 2D materials, other next-generation materials, and related manufacturing technologies.

This list is drawn from 42 U.S.C. § 19107, as directed by the Tech Hubs statute.⁶ Consortia that EDA Designated as Tech Hubs in Phase 1 must retain the respective selected core technology areas that were identified in their Phase 1 applications, which map to the above list. Phase 2 applicants may refine or elaborate on their approach to their respective selected core technology area and should include in their application materials their rationale and supporting evidence or analysis for their approach. Consortia that EDA Designated as Tech Hubs in Phase 1 should represent chosen geographies that have the potential to become, within a reasonable time, self-sustaining and globally competitive in the industries that are related to their respective selected core technology areas and that are critical to economic and national security.

Note that the Tech Hubs program is not intended to fund basic and fundamental research nor activities intended to increase capacity to conduct such research; the National Science Foundation, the Department of Energy, and several other agencies fund such activities. Instead, the Tech Hubs program is intended to advance the capacities of places to commercialize, deploy, and domestically manufacture and deliver these technologies. All projects funded under both phases of the Tech Hubs Program should increase the speed and effectiveness with which industry and other organizations transition technologies upward from Technology Readiness Levels six through nine.⁷

iii. What entities are eligible to apply for Implementation Grants?

Only consortia that EDA Designated as Tech Hubs in Phase 1 of the Tech Hubs Program are eligible to apply for grants under Phase 2 of the Tech Hubs Program. However, the membership of the consortia may evolve between Phase 1 and Phase 2.

For purposes of this program, each consortium must include at least one of each of the following entity types:

- (1) Institutions of higher education, which may include Historically Black Colleges and Universities, Tribal Colleges or Universities, and Minority-Serving Institutions;
- (2) State, territorial, local, or Tribal governments or other political subdivisions of a State, including State and local agencies, or a consortium thereof;
- (3) Industry groups or firms in relevant technology, innovation, or manufacturing sectors;
- (4) Economic development organizations or similar entities that are focused primarily on improving science, technology, innovation, entrepreneurship, or access to capital; and
- (5) Labor organizations or workforce training organizations, which may include State and local workforce development boards.

EDA encourages **two or more firms** directly relevant to the consortium's selected core technology area to participate as members of the consortium. EDA will be evaluating the quality of the firms' proposed

⁶ The National Science Foundation is required to review and update this list annually. For the purposes of both phases of the Tech Hubs Competition, EDA is relying on the initial list enacted by Congress at 42 U.S.C. § 19107(c).

⁷ Different objectives and technology domains require different TRL definitions, but most TRL scales have nine levels. See, e.g., U.S. Gov't Accountability Off., Technology Readiness Assessment Guide, GAO-20-48G, App. IV at 115-21 (Jan. 2020), available at <https://www.gao.gov/assets/gao-20-48g.pdf>. Because this program seeks to advance technologies across a broad array of domains, EDA is not selecting specific TRL definitions but is adopting the common nine-level structure.

participation in the consortium, rather than the quantity of firms participating in it. EDA also encourages the participation of labor organizations, including state labor federations, or other organizations representing workers as direct members of the consortium. EDA expects that all members, including labor unions and federations, will be given equal opportunity to participate in their respective consortia's efforts.

Consortia may also include one or more of:

- (1) Economic development entities with relevant expertise, including a district organization;
- (2) Organizations that contribute to increasing the participation of underserved populations in science, technology, innovation, and entrepreneurship;
- (3) Venture development organizations;
- (4) Organizations that promote local economic stability, high-wage domestic jobs, and broad-based economic opportunities, such as employee ownership membership associations and State or local employee ownerships and cooperative development centers, financial institutions and investment funds, including community development financial institutions and minority depository institutions;
- (5) Elementary schools and secondary schools, including area career and technical education schools;
- (6) National Laboratories;
- (7) Federal laboratories;
- (8) Manufacturing extension centers;
- (9) Manufacturing USA Institutes;
- (10) Transportation planning organizations;
- (11) A cooperative extension services;
- (12) Organizations that represent the perspectives of underserved communities in economic development initiatives; and
- (13) Institutions receiving an award under the National Science Foundation's (NSF) Regional Innovation Engines program.

EDA again will evaluate the consortium based on the quality of the partnerships and the relevance of the members to the consortium's strategy. A more complete description of the above entities may be found in section C.1. of this NOFO.

Consortia may change their membership between Phase 1 and Phase 2, and EDA expects that the exact membership of the consortium may change over time. EDA will view such changes as positive if more meaningfully contributing members join or if the membership is refined to align with the Phase 2 Implementation plan or otherwise increase the likelihood or magnitude of inclusive economic impacts and stronger national and economic security. Applicants should describe how new members or other membership changes improve the likelihood or magnitude of success. However, at minimum the consortium must contain the five required member types, even if one or more of the consortium's required members change.

iv. Are there any special considerations on how we organize the consortia?

EDA does not require that the consortium have a formal legal structure (*i.e.*, a contractual arrangement or public-private partnership). EDA, however, does expect that consortium members are actively collaborating and aligned behind the content of their Phase 2 application.

EDA requires that each consortium identify a lead member, which commits to:

- be the principal applicant for the Phase 2 implementation Grant and provide the overarching project narrative;
- serve as EDA's main point of contact during the competition and implementation;
- be the employer of the Regional Innovation Officer (RIO) or otherwise be the organization, institution, or other entity to which the RIO is primarily accountable ;
- serve as the central coordinator of the consortium by leading or otherwise having a significant role in the consortium's governance;
- convene public, private, academic, labor, and civic leaders to facilitate regional cohesiveness in maximizing the Hub's competitiveness;
- establish and maintain communication between the consortium and EDA to enable and accelerate collaboration and support;
- ensure funding and other assistance provided by EDA and any other partners are absorbed effectively within communities;
- ensure that the consortium is communicating and coordinating activities and outcomes; and
- timely and proactively identify challenges and barriers to execution and impact of individual projects or across projects, communicate those challenges to EDA, and independently or in collaboration with EDA identify solutions, alternative approaches, and necessary resources.

The lead member also may receive funding for specific implementation project(s) in Phase 2. The lead member may change from Phase 1 to Phase 2, but the consortium should explain the rationale for the change in its application materials.

Letters of commitment should reconfirm and further detail Phase 1 application commitments, and applicants should demonstrate new commitments with additional letters of commitment. Such commitments may include but are not limited to hiring, match funding and other capital, or policy change commitments aligned with increasing the competitiveness of the Tech Hub. In lieu of a separate commitment letter, consortium member commitments may also be evidenced through individual applications for Component Projects. Commitments from entities outside the consortium or from consortium members that are not applying for a Component Project related to their commitments must be documented in a letter of commitment paired with a completed Commitment Form (see section D.2.a).

v. What is the purpose of the Regional Innovation Officer (RIO)?

A common problem within regional innovation ecosystems is the lack of cross-institutional leadership. While chambers of commerce and other civic institutions represent the regional economy, the rules, processes, and programs that drive innovation can be locked within firms and research institutions. This fragmentation of practices can hurt a region's ability to increase its scale and make it difficult for external firms, investors, entrepreneurs, and workers to collaborate and succeed in the region. The RIO will lead the Hub's overall innovation agenda and strategy. EDA requires that in Phase 2 each applicant identify the RIO and their responsibilities. Additionally, the RIO will be accountable for ensuring clear and effective governance and leadership of the consortium. Further, EDA requires applicants to provide the RIO's resume.

vi. How should applicants consider climate and environmental responsibility?

Industries can both reduce their environmental impact and further their competitive advantage by pursuing net-zero goals and accounting for current and future weather- and climate-related risks. Applicants are expected to design their projects to minimize the potential for adverse impacts on the environment and the local community, including communities with environmental justice concerns. Applicants should also account for or have a plan to account for current and future weather- and

climate-related risks, such as wildfires, droughts, extreme heat and cold, inland and coastal flooding, and the extreme winds produced by tornadoes, hurricanes, and other weather events. EDA encourages applicants to use the [Climate and Economic Justice Screening Tool \(CEJST\)](#) when accounting for environmental and climate-related impacts and risks.⁸

vii. How should applicants consider equity?

Consistent with Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities through the Federal Government and Executive Order 14091, Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, and EDA's Equity Investment Priority, EDA expects projects to advance equity to underserved and underrepresented populations.⁹

Specifically, applicants are expected to explain how the project will benefit underserved populations and communities and how the project will provide for inclusive community engagement, including descriptions of the populations applicants will serve and how applicants will measure whom projects serve and how. See section A.1.c.i. for more detail on how equity should be addressed in the required application materials.

viii. Are there any restrictions related to the ownership or participation of certain consortia members?

The Tech Hubs program seeks to strengthen economic and national security. Consistent with these goals, the statute directs the Secretary to consider thirteen factors in selecting eligible consortia for implementation awards, many of which relate to the consortium's ability to contribute to "technology or innovation sector[s] critical to national security and economic competitiveness." 15 U.S.C. § 3722a(h)(1), (4), (5), (6), (7). The Secretary must also consider whether an eligible consortium will "enhance the economic, environmental, and energy security of the United States by promoting domestic development, manufacture, and deployment of innovative clean technologies and advanced manufacturing practices." *Id.* § 3722a(h)(13)(A). The Secretary "may specify" the "information" that an applicant consortium must provide to enable such consideration. *Id.* § 3722a(g).

To effectuate these goals and considerations, EDA prohibits all participation, including but not limited to membership, of foreign entities of concern (FEOCs) in Tech Hubs consortia. FEOCs are entities that are owned by, controlled by, or subject to the jurisdiction or direction of a foreign country of concern as defined in 10 U.S.C. § 4872(d)(2). See 15 C.F.R. Part 231. Foreign entities outside this category may be members of Tech Hubs consortia. Moreover, EDA will not approve any applications where an FEOC—

⁸ The CEJST is a geospatial mapping tool that identifies areas across the nation where communities are faced with significant burdens. It was developed and deployed pursuant to Executive Order 14008, Tackling the Climate Crisis at Home and Abroad § 222(a), 86 F.R. 7619, 7631 (Jan. 27, 2021); *see also* Exec. Off. Pres., Climate and Economic Justice Screening Tool: Frequently Asked Questions, *available at* <https://www.whitehouse.gov/wp-content/uploads/2022/02/CEQ-CEJST-QandA.pdf>.

⁹ Underserved and underrepresented populations and communities include but are not limited to persons who rent their home; racial and ethnic minorities; members of religious minorities; women; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) populations; limited English proficiency (LEP) populations; persons with disabilities; and racially and ethnically concentrated areas of poverty, among other communities. *See, e.g.,* Econ. Dev. Admin., Investment Priorities Definitions (Jun. 13, 2023), *available at* <https://www.eda.gov/sites/default/files/2022-06/EDA-FY21-Investment-Priorities-Definitions.pdf#Underserved-Populations>.

whether or not a member of the applicant Tech Hub—poses an undue risk to a project or U.S. national security interests, through access to information, likelihood of transfer of expertise or knowledge, or other mechanisms involving the applicant. EDA will make this determination in coordination with other Federal Departments and agencies and other relevant entities. Additionally, EDA requires consortia and their members to mitigate national security risks related to technology and innovation, including but not limited to those that arise from development, ownership, control, and use.

To enable these evaluations, and pursuant to 15 U.S.C. § 3722a(g), EDA directs consortia members to provide information via the SF-328 form at the time of application. Consortia members must report any existing investment from an FEOC and must report any new investments from FEOCs throughout the performance and reporting periods of the award. EDA may also require subrecipients or other entities (including entities making policy or investment commitments) to submit an SF-328 as part of due diligence, negotiations, or at any time prior to or after award. Additional information, beyond the scope of the SF-328, may be required in due diligence to further identify and, if necessary, mitigate potential risks to national security. These requirements, restrictions, and constraints do not supersede or replace any other obligations, including transaction reviews by the Committee on Foreign Investment in the United States (CFIUS).

EDA recognizes the importance of foreign firm participation and of secure international collaboration. Foreign direct investment in a project, either as match or through a commitment, is welcome from foreign entities that are not FEOCs.

ix. What are characteristics of a strong workforce development project?

Strong workforce development projects should be employer-led to ensure that workers gain the skills necessary to perform needed jobs and are connected to quality job opportunities, in line with DOC's workforce best practices¹⁰ and the Commerce and Labor Departments' Good Jobs Principles.¹¹ Projects should explicitly aim to place workers in good jobs and should have concrete, quantitative targets for job placements and retention. Projects should leverage or establish relevant sector partnerships with employers as well as with entities such as training providers, educational institutions, labor, and community organizations. In addition, EDA encourages consortia to (1) secure commitments from employers to hire individuals who successfully complete workforce training programs; (2) provide wraparound services (e.g., childcare, transportation) to training participants; and (3) structure projects to focus on equitable access to training through recruitment of training participants, including from underserved and disadvantaged communities. The specific training model should align with the sectors, occupations, and skills that the Tech Hub and relevant employers seek to address; example models include skills training programs (including those delivered by community colleges), Registered Apprenticeships and other quality work-and-learn programs, career and technical education programs, and other programs that result in stackable, industry-recognized credentials. Applications should also describe how workforce development organizations and organizations representing workers, including labor organizations and federations, will collaborate within the tech hub to increase job quality and the quantity of good jobs in the selected core technology areas.

¹⁰ See <https://www.commerce.gov/issues/workforce-development>; U.S. Dept. Comm., Strategic Plan 2022 – 2026: Innovation, Equity, and Resilience, Strengthening American Competitiveness in the 21st Century, Strategic Objective 2.2 at 33-34 (Mar. 2022).

¹¹ For more information on what constitutes a good job, see <https://www.dol.gov/general/good-jobs/principles>.

c. Implementation Grants

As provided above in section A.1.a, Implementation Grants can fund a wide range of non-construction and construction activities that aim to increase regional capacity.¹² Within each Tech Hub selected for Implementation Grants, EDA expects to fund approximately 3-8 tightly aligned projects that aim to collectively address the Hub's key inhibitors of global competitiveness at a total funding level of approximately \$50-75 million.¹³

i. Component Projects

As noted above, consortia that EDA Designated as Tech Hubs in Phase 1 may submit applications for Tech Hub Implementation Grants under Phase 2. Each consortium's application under this NOFO should include (a) an Overarching Narrative and (b) applications for approximately 3-8 tightly aligned component projects. The lead member may submit just the Overarching Narrative application materials. The lead member may also submit component project applications if the lead plans to administer those component projects (including, e.g., an administrative, management, and governance project that includes costs for the RIO among other costs associated with being the lead). Otherwise, the consortium member that plans to administer the component project should submit application materials relevant to the component project.

Applicants may propose a set of projects that include all or a subset of the four broad categories of eligible activities (workforce development, business and entrepreneur development, technology development and maturation, and related infrastructure activities). Applicants should determine and justify their project mix and should describe in the Overarching Narrative how the proposed projects are strongly linked to the Hub's success and how that success could not be realized but for these projects.

Further, EDA expects that each component project will have a separate application unless they share leadership and geographic location (*i.e.*, it is on the same campus and will be administered by the owner of the campus). In general, for projects with a physical location, EDA expects the consortium member that is the owner of the location to be an applicant or co-applicant on a component project (*e.g.*, EDA needs to have a grant relationship with the entity that will be encumbering any property with EDA funds). See section D.2 of this NOFO for information on the requirements for a full application; applications will be evaluated using the criteria in section E.1. EDA expects to select approximately 5-10 consortia for Implementation funding, which will include selecting approximately 3-8 component projects per consortium. Consortia's component projects not selected for funding in Phase 2 may be eligible for funding from other EDA programs or other federal agencies.

(1) Overarching Narrative

Each eligible consortium should focus on developing a long-term, transformational vision and execution plan for their Hub's selected core technology area that builds on the consortium's Phase 1 application. The plan, to be captured in the Overarching Narrative, should demonstrate how EDA funding for component projects, alongside other capital commitments and support, will catalyze the Hub's

¹² See 15 U.S.C. § 3722a(f)(2) for a more comprehensive list of allowable activities within these four broad categories.

¹³ The statutory authority envisions possible future investments for consortia that receive Implementation funding. This may be possible in the future depending on future Congressional appropriations.

emergence over the next decade as a self-sustainable, globally competitive region in their respective selected core technology area.

The plan should include both near-term actions that can be accomplished in the first year and a longer-term strategy to maintain, grow, and evolve capacity to translate innovation into equitable regional economic growth and to strengthen overall national security.

Specifically, the Overarching Narrative must include the following sections:

- An executive summary of no more than 250 words that includes the Tech Hub’s name, selected core technology area, and description of the Hub’s chosen geography.
- A succinct synopsis of the consortium’s vision for regional economic development, the initiatives and partners needed to achieve that vision, and the outcomes expected from achieving that vision. The synopsis should include:
 - The consortium members and additional partners (including those making investment and policy commitments);
 - A list including short descriptions of component projects, how those component projects contribute to the overall success of the regional Tech Hub, and how they complement and reinforce each other;
 - A list including short descriptions of other investment, policy, or other relevant commitments (i.e., any additional, complementary initiatives planned by the consortium, outside of the component projects for which they are requesting EDA funding, such as philanthropic commitments and legislative or regulatory changes) (see section E.1.a.3 (detailing the evaluation criterion related to commitments) and subsections A.1.c.i.4-5 (describing example projects that may be supported by investment commitments and example policy commitments));
 - A concise description of how the collection of proposed component projects and related commitments will complementarily lead to the Hub’s global competitiveness in approximately a decade, including the constraints (e.g., infrastructure, workforce, and capital) that the projects and commitments will enable the Hub to overcome;
 - A concise description of how the consortium, including via proposed projects and commitments, will consider climate and environmental responsibility, including by addressing climate-related and environmental impacts and risks;
 - A concise description of how the consortium, including via proposed projects and commitments, will embed equity in its approach, including by addressing equitable economic growth and inclusive innovation economies;
 - Specific outcomes (tied to metrics, measures, and qualitative means to determine progress and success detailed later in the Overarching Narrative) expected from implementing the proposed projects and commitments (e.g., firm density, production capabilities, investment, reduction in unemployment, anticipated job creation and/or wage growth with associated demographics, anticipated regional GDP growth); and
 - A general timeline for implementation, including completion of any construction.
- A clearly articulated statement of the technological or other problems preventing or slowing technology advancement and commercialization the consortium seeks to solve within a ten-year time horizon and why an individual consortium member cannot solve that alone.
- A description of the nexus among the selected core technology area, the Hub’s chosen geography and assets, and national and economic security, including the explicit connection

between technology advancement in that area and national security and economic competitiveness goals and the Hub's competitive advantage.¹⁴

- A detailed overview that describes specific expected participation from private sector entities, including any commitments (e.g., investment and hiring commitments) and expected private sector economic activity (e.g., identifying customers of companies in the Hub that produce and deliver technology goods and services and that are parts of relevant supply chains).
- A description of any commitments or investments from state, local, or other government sources, philanthropy or other nonprofits, and any other source and of any pending or potential Federal investments.
- A detailed plan on how the consortium will ensure the Tech Hub will become self-sustainable after the period of the funded awards.
- A detailed plan on how the consortium will engage labor unions, how the project will incorporate strong labor standards, and/or how the consortium will otherwise pursue economic benefits for local residents, including through project labor agreements and community benefit agreements that offer wages at or above the prevailing rate and include local hire provisions.
- A detailed plan on how the consortium will ensure the benefits of the Tech Hub are equitably shared across relevant regional communities, including efforts to reach historically underrepresented populations.
- A detailed overview of the outcomes expected from the joint impact of the component projects and any complementary work planned by the consortium. Include specific, measurable, achievable, relevant, and time-bound (SMART) goals as well as longer-term and stretch goals, (including outputs and outcomes) and identify necessary data and information. Applicants should include interim goals or milestones against which the Hub and EDA can monitor progress as well as ultimate desired outcomes. Goals will serve not only as the basis for determining the success of the consortium but also as a basis for building evidence to support which strategies and approaches work. This section should link to one or more sets of evaluation activities in at least one Component Project and be reflected in the associated budget.
- A detailed overview of the consortium's plans to accommodate the growth in housing demand that may result from the success of the investment in this technology hub, including steps to prevent displacement, and to ensure access to jobs created for existing low-income residents and residents of assisted housing.
- An overview of the consortium's relevant activities between Phase 1 Designation and the Phase 2 application submission, including any new information or risks mitigated. Include a detailed list of any changes to the vision of the Tech Hub since the Phase 1 Designation was made, including any new commitments or investments secured (even if referenced in other parts of the application), any changes to consortium membership, and any refinements in the approach to the selected core technology area. EDA expects proposals may have evolved in the months between Phase 1 Designation application submission and Phase 2 Full Application submission,

¹⁴ The following strategies are helpful in identifying the technology's impact on economic competitiveness and national security considerations: the 100-day supply chain reviews produced pursuant to Executive Order 14017, Building Resilient Supply Chains, Revitalizing American Manufacturing, and Fostering Broad-Based Growth; the National Security Strategy's (Oct. 2022) discussion of investing in our national power; Executive Order 14008, Tackling the Climate Crisis at Home and Abroad; and CHIPS for America, A Strategy for the CHIPS for America Fund; Remarks by National Security Advisor Jake Sullivan at the Special Competitive Studies Project Global Emerging Technologies Summit.

and this section gives the applicant an opportunity to highlight those changes and share the lessons learned that informed the changes.

- Updated documentation evidencing that each consortium member has read the Overarching Narrative and is committed to executing the component(s) of the Tech Hub for which that consortium member is responsible.
- Updated letters of support from key partners, if applicable. Partners who submit additional information in Phase 2 letters of support (*e.g.*, highlighting the benefits from the consortium-building they participated in since providing their Phase 1 letters, identifying any new commitments they are making) may make a Complete Application more compelling.
- In the event that the lead member has changed, a new letter from the lead member describing their commitment to leading the consortium and administering the functions described in sec. A.1.b.iv.

While the Overarching Narrative should be submitted by the lead applicant, EDA expects that the Overarching Narrative will represent the joint vision of the consortium.

(2) Component Project Applications

All component projects included as part of a Phase 2 application should be coordinated such that the result is more than the sum of their parts and the projects together catalyze private sector investment and tangible outcomes for the Hub's growth and sustainability. A substantial majority of each Component Project's intended and expected benefits should accrue within the Tech Hub.

EDA, at its discretion, may award individual grants or cooperative agreements for component projects to various eligible applicants identified as consortium members. EDA at its discretion may fund all or only some of the originally proposed component projects, or parts or modified versions thereof, depending on the viability and feasibility of those components and the availability of funds.

In addition to all required forms as detailed in section D.2. of this NOFO, each component application must submit a Project Narrative that addresses all activities that will be undertaken to complete the individual component project within the Tech Hub and briefly summarizes how the component supports the overall Tech Hub's goals, referring back to the Overarching Narrative.

Applicants are strongly encouraged to provide a clear and concise narrative that includes a compelling justification for the component project, articulates the connection to the consortium's selected core technology area, and the expected outcome(s) that will result from the proposed component project. A competitive application will contain the following elements in the Project Narrative:

- Section 1: Project Description and Scope of Work

Section 1a: An executive summary of no more than 250 words that includes the project component title, identifies the name of the lead organization for the project and, if applicable, the applicant implementing the component project, and provides a project overview.

Section 1b: A scope of work of no more than one page linked to the project's purpose and key milestones, including deliverables. The scope of work should align with and support claims made elsewhere in the project narrative and in the budget narrative. EDA may incorporate this section into the award if selected for funding.

- Section 2: Regional Industry Assets and Needs

Section 2a: A description of the component project's location or region. The location or region should directly correspond to Questions 14 and 16 of Form SF-424 and align with or be a subset of

the chosen geography defined in the Overarching Narrative or should indicate how the project is otherwise deeply interconnected with existing assets in the Hub.

Section 2b: A brief description of how the proposed project supports the Hub's economy related to the selected core technology area described in the Overarching Narrative. Identify and describe assets that the project will leverage (e.g., sources of innovation, capital, workforce, infrastructure), partners (whether or not those partners are consortium members), and constraints (e.g., infrastructure, workforce, and capital) that the projects and commitments will enable the Hub to overcome.

- **Section 3: Challenges, Opportunities, and the Solution**

What problems is your project trying to solve or what challenges is it trying to address? Describe the opportunity and the specific solutions. What existing evidence suggests that this project will address the problems you are trying to solve? Describe in detail how the solutions align with specific opportunities or tackle structural challenges. Explain how achievable the solution is (e.g., have you piloted this project or are you adapting a solution that succeeded in another context?). If the solution is completely new, what research has been done that leads you to believe the outcomes are achievable? Why is this opportunity ripe for your chosen geography, and why now? Identify and describe your Hub's assets, resources, and capacity related to this project and how this project will leverage and strengthen them in pursuit of the Tech Hub's goals.

- **Section 4: Partners and Program Outreach**

Section 4a: Describe any former, current, or future partnerships/working relationships with public and/or private entities at the national, state, regional, and/or local level that will be working on this project. Provide a brief description of each entity and specific detail on the roles and responsibilities of these collaborators including effectiveness of past collaboration efforts.

Section 4b: Describe the specific communities and populations that the project will serve and affect, and explain the rationale for how participants and beneficiaries are targeted. Provide an estimate of how many people, organizations, and communities will be affected by the project either directly or indirectly, and indicate how the project will serve and benefit historically underserved, underrepresented, and vulnerable populations in your Hub's economy.

- **Section 5: Measurable Goals and Impacts**

What are the anticipated goals you hope to achieve (i.e., outcomes) and what outputs do you plan to measure to assess and demonstrate progress towards those outcomes? Anticipated outcomes should be specific, measurable, attainable, relevant and timebound (SMART), and the application should indicate why and how these outcomes were selected, including existing evidence that suggests these outcomes are appropriate. Applicants should include interim goals or milestones against which the Hub and EDA can monitor progress as well as ultimate desired outcomes. Applicants should include baseline measures that describe the current state from which to assess any potential changes and should describe how the organization (in collaboration with other consortium members as applicable) will achieve those outcomes. Applicants must describe and budget for overarching Hub-level evaluation activities in one Component Project, and Component Project-level evaluation activities either in each Component Project application or in the single Component Project that encompasses overarching Hub-level evaluation. Applicants selected for funding must use a platform system to track their metrics in a machine-readable format; applicants should include a description of their respective platforms or systems and, if no such system exists,

should include their acquisition and implementation in the project narrative and budget. Applicants should also be prepared to participate in program evaluation activities required by EDA.

- **Section 6: Sustainability and Evolution or Sunsetting Plan**

Provide a sustainability plan that addresses anticipated challenges, potential barriers, and a forecast of post-award period operations. If the project should continue in perpetuity or for the foreseeable future, describe how it will evolve and sustain after federal funds have been spent. If the project's activities will end after achieving a certain goal, describe the ramp-down and sunseting and what if any new follow-on activities are expected or necessary. Include a description of how this project will contribute to the Hub becoming self-sustaining and globally competitive once grant funds have been expended.

(3) Eligible Activities

Through this program, EDA can provide funding to support a wide range of non-construction and construction activities, broadly organized into workforce development, business and entrepreneur development, technology development and maturation, and infrastructure-related activities.¹⁵ Consortia should seek to propose and submit applications for a coherent, interconnected portfolio of projects across these (or a subset of these) four categories that complement and reinforce each other and other capital and policy commitments. EDA encourages recipients to ensure that projects use strong labor standards in line with the Commerce and Labor Departments' Good Jobs Principles.¹⁶

Eligible workforce development activities broadly include projects that design, implement, develop, update, or expand programs that train and place workers (including but not limited to Registered Apprenticeships and other quality work-and-learn models) as well as other educational programs. Strong workforce development proposals will match the training to current and future employer needs and place training participants into good jobs.¹⁷ EDA expects workforce development activities to be in line with DOC's workforce best practices,¹⁸ support placement into and retention in good jobs, including union jobs, and incorporate worker input into their design and delivery.¹⁹ EDA encourages workforce development activities to involve employers directly to better align labor supply and demand; ensure that training participants are placed into good jobs, including through employer hiring commitments; include outreach to underserved populations and recruitment and retention incentives like wraparound services (e.g., childcare, transportation); and adopt recruitment and hiring practices such as skills-based hiring that tap into the talents of existing workers and remove barriers to good jobs applicants from underserved communities, including those without four-year degrees. See Section A.1.b.ix for more details on what makes a strong workforce development project.

Eligible business and entrepreneur development activities include projects that train entrepreneurs, enable technology commercialization, increase the formation and deployment of and access to capital for new or growing businesses, and build mentorship networks.²⁰ Business and entrepreneur activities

¹⁵ 15 U.S.C. § 3722a(f)(2).

¹⁶ <https://www.dol.gov/general/good-jobs/principles>.

¹⁷ 15 U.S.C. § 3722a(f)(2)(A).

¹⁸ See <https://www.commerce.gov/issues/workforce-development>.

¹⁹ U.S. Department of Commerce and U.S. Department of Labor, Good Jobs Principles, <https://www.dol.gov/general/good-jobs/principles>.

²⁰ 15 U.S.C. § 3722a(f)(2)(B).

should consider the needs of companies at all ages, sizes, and levels of maturity and should enable new companies to form and established companies to evolve and grow.

Eligible technology development and maturation activities include projects that deploy technologies, facilitate technology and knowledge transfer, provision facilities to test and mature technologies, and create new sources of capital for businesses to start and grow through technology development, adoption, or deployment.²¹ Activities should involve actual and potential customers where relevant and should seek to develop and strengthen customer-supplier relationships to develop the markets for relevant technology products and services (and within their supply chains) and to facilitate customer input into supplier technology development and maturation goals.

Eligible infrastructure activities include projects for the construction of buildings, such as a testbed or demonstration facility, and infrastructure necessary for projects in the three categories described above (e.g., connectivity or supporting infrastructure).²² It is important that investments in infrastructure and construction projects be carried out in ways that produce high-quality infrastructure, avert disruptive and costly delays, are environmentally responsible, and promote efficiency. Moreover, EDA encourages recipients to ensure that construction projects use strong labor standards, including project labor agreements and community benefit agreements that offer wages at or above the prevailing rate and include local hire provisions to promote effective and efficient delivery of high-quality infrastructure projects.²³ Using these practices in construction projects may help to ensure a reliable supply of skilled labor that would minimize disruptions, such as those associated with labor disputes or workplace injuries.

(4) Investment Examples within the Regional Tech Hubs Program

Like a previous EDA competition, the Build Back Better Regional Challenge (see <https://www.eda.gov/funding/programs/american-rescue-plan/build-back-better>), the Tech Hubs Program seeks to invest in multiple, simultaneous, interconnected projects that accelerate regional economic development. The Tech Hubs Program is aggressively focused on investing in activities that will enable a region that already has R&D assets in a manner that catalyzes their emergence over the next decade as self-sustainably, globally economically competitive in its selected core technology area.

Illustrative, example component projects include (but are not limited to):

- a “first of its kind”, world-class demonstration facility or testbed that provides startups access to shared facilities to bring products and services in a consortium’s selected core technology area to market faster;
- a strategy to bring entrepreneurship- and industry-focused faculty researchers and innovators to the university and national lab that have a proven track record of creating new startups in a consortium’s selected core technology area (researchers would have joint appointments at the lab, university, and private sector companies);
- a program that ensures workers collaborate directly in the demonstration of new technologies to inform the design of those technologies—as well as their deployment, production, and delivery—with the perspective, experience, and input of workers;

²¹ 15 U.S.C. § 3722a(f)(2)(C).

²² 15 U.S.C. § 3722a(f)(2)(D).

²³ See section D.2.d. of this NOFO for requirements related to the Build America, Buy America (BABA) Act as set forth in the Infrastructure Investment and Jobs Act.

- the re-purposing of an existing site or facility (such as a former auto or coal plant or other brownfield), including helping an ongoing business to transition to new products or processes to promote the advance of the core technology;
- one or more workforce training programs, jointly designed with employers and other sector partners, through which workers would be trained on critical skills (e.g., operating cutting-edge technologies) on the job or at the demonstration facility before being placed into jobs with employers that made hiring commitments;
- an industry-led workforce training partnership to implement innovative approaches to workforce development, including wraparound services (e.g., childcare, transportation), relevant to employer demand in the relevant core technology area;
- partnerships with organizations that support employer adoption of hiring and employment practices that tap into the talents of existing workers and remove barriers to good jobs, such as skills-based recruitment and hiring practices;
- a technology supply chain program that helps existing small manufacturers throughout the Hub purchase the necessary equipment and hire workers that allow it to transition into domestic manufacturing in the supply chains of the consortium's selected core technology area (small businesses would have access to the demonstration facility to try out new machinery);
- convening supply chains, ranging from lead firms to small suppliers, to provide clear demand signals and technical assistance to support investment in the core technology area;
- an "Office of Regional Innovation" led by the new RIO to spearhead the entire industry transition strategy, ensure common industry engagement between the labs and universities and oversee industry partnerships at the new demonstration facility and ensure they are well-staffed with industry-focused economic development and technology practitioners;
- a hub-wide strategy, specific to the consortium-selected core technology area, to blend and braid multiple funding sources and programs around industry's needs related to the consortium's selected core technology area; and
- a capital networks strategy that crowds in and syndicates significant follow-on funding.

(5) Policy Examples within the Regional Tech Hubs Program

EDA recognizes Hubs will need to undertake significant new commercialization policies and programming to accelerate their growth and achieve global competitiveness. EDA will fund implementation strategies in Phase 2 that are paired with commitments to institute creative and impactful commercialization policy changes that may not require EDA funding to implement. The Tech Hubs Program offers maximum flexibility to fund or otherwise support new public and regional policies, and Hubs are encouraged to describe in applications for this NOFO the types of policy changes they are considering, such as:

- hub-wide standardization of licensing and technology transfer practices, including frameworks to pursue intellectual property protection, among research institutions;
- innovation voucher programs that enable researchers to provide technical (including but not limited to legal, engineering, capital, etc.) support to small-and-medium sized manufacturers;
- tenure and other academic promotion rules that reward patenting, faculty-created startups, and other economic development outcomes (in lieu of only publications);
- investments "outside the fence" at national labs, including micro-labs and other pre-competitive environments that connect labs to industry;
- private sector R&D facilities that provide access to researchers to accelerate commercial outcomes;

- strategies to build local talent pipelines to increase the number of high-skilled—including both U.S. and foreign-born—students retained in the Hub as entrepreneurs and workers;
- commitments of endowments and other sources of regional capital to invest in regional startups that are committed to domestic manufacturing;
- commitments to funding and implementing programs that expand the labor supply in critical industries by providing enabling services like childcare and transportation;
- commitments to adopt hiring practices that identify and seek out the existing skills and talents of workers and remove barriers to good jobs, regardless of credentials or degrees;
- coordination between regional entrepreneurship ecosystem organizations, including standardized outcome reporting;
- commitments, such as plans to remove regulatory barriers to multifamily housing, to better ensure affordable housing availability, especially as the Hub accelerates its growth;
- a supplier diversity program, including proactive commitments to supplier diversity and working with supplier diversity organizations across a range of services including professional services in order to grow a pool of diverse domestic suppliers;
- partnerships between research institutions and labor unions or organizations representing workers that incorporate diverse groups of workers earlier and more intensively in the R&D and commercialization processes;
- expanding innovative asset repurposing and workforce retention for fossil fuel (coal, oil, and natural gas), power plant, auto manufacturing, and other communities impacted by the transition to a net-zero greenhouse gas economy; and
- public, private, and university sector institutions that create new leadership positions meant to accelerate technology-based global competitiveness.

EDA aims to provide maximum flexibility both in terms of what the Tech Hubs Program can fund (but see ineligible projects in section A.1.c.i.7. below) as well as what constitutes a meaningful policy commitment. The above examples are not meant to be an exhaustive list but are examples of investments and policy changes consortia might consider. EDA encourages other creative ideas to shift a Hub's academic, research, and innovation incentives to those that promote global competitiveness.

(6) Investment and policy commitments

EDA will evaluate Phase 2 Full Applications in part based on the policy and investment commitments the Tech Hub is able to attract and demonstrate. See section E.1.a.3. Investment and policy commitments may range widely, including, e.g., substantial infrastructure investment that leverages Tech Hubs funding, agreements to hire workers who complete Tech Hubs-funded training, subsidized access to demonstration facilities, depending on the Hub's chosen geography, selected core technology area, and existing assets. Investment and policy examples set forth in subsections A.1.c.i.4-.5 may be partially or fully supported by commitments. Additionally, EDA will publish a companion Policy and Investment Commitment Menu that includes additional examples and a Commitment Form that applicants should use to document each commitment.

(7) Ineligible Projects under this NOFO

Some projects are generally ineligible for EDA funding under this NOFO, including projects that do not have a clear and direct nexus with any of the four broad categories of eligible activities (e.g., construction of a recreation facility or of general housing). Projects that are ineligible for funding, however, may be part of the overall concept of the Tech Hub and communicated through a capital or policy commitment. Applicants who are unsure whether their proposed project is eligible under this NOFO should consult the EDA Point of Contact (POC) listed in section G.

Funds may not be used, directly or indirectly as an offset for other funds, to support or oppose collective bargaining.

2. Statutory Authorities for EDA's Tech Hubs Program

The statutory authority for this program is section 28 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. § 3722a).

B. Federal Award Information

1. What Funding Is Available Under this Announcement?

Across the Consolidated Appropriations Act, 2023 and the Disaster Relief Supplemental Appropriations Act, 2023 (both enacted in Public Law 117-328), Congress appropriated EDA \$500,000,000 to remain available until expended to implement the Tech Hubs program.²⁴

If an applicant is awarded funding, neither DOC nor EDA is under any obligation to provide any future funding in connection with that award or to make any future award(s). Amendments or renewals of an award to increase funding or to extend the period of performance are at the sole discretion of DOC and EDA.

Publication of this announcement does not obligate DOC or EDA to award any specific grant or cooperative agreement or to obligate all or any part of available funds. The granting of any award is subject to the availability of funds at the time of award as well as to DOC priorities at the time of award. Neither DOC nor EDA will be held responsible for application preparation costs.

Under Tech Hubs Phase 2, EDA anticipates funding Component Projects with an approximate combined total of \$50-75 million in Federal funds in each of approximately 5-10 Hubs. Total Federal funding amounts per Hub and per Component Project, however, will vary depending on the nature of the projects, the location of the Hub, and the selected core technology area. The individual award amount will vary by Tech Hub cluster and will depend on the nature and cost of the proposed component projects.

Depending on demand under this NOFO, EDA may exercise its discretion to adjust the total amount available under this NOFO to ensure funds are used to maximum effect.

2. What Type of Funding Instrument Will Be Used to Make Awards? How Long Will a Project's Period of Performance Be?

Funding Instrument: Subject to the availability of funds, EDA may award grants or cooperative agreements to eligible applicants for Implementation awards. EDA will award a cooperative agreement on a case-by-case basis if substantial agency involvement is required. For a cooperative agreement, the nature of EDA's "substantial involvement" (to be included in the terms and conditions of the award) will generally be collaboration between EDA and the recipient on the scope of work, including administering subawards to other consortium members. However, other possible examples of EDA's "substantial involvement" may include but is not limited to: (i) authority to halt immediately an activity if detailed performance specifications are not met; (ii) stipulation that the recipient must meet or adhere to specific procedural requirements before subsequent stages of a project may continue; and (iii)

²⁴ In the event that Congress appropriates additional funds to the program in FY 2024, EDA may allocate additional funding to this competition.

operational involvement and monitoring during the project to ensure compliance with statutory requirements.

Period of Performance: The period of performance for a Phase 2 Implementation project may vary depending on the scope of work. EDA expects that most projects will range from 24 to 60 months and that all projects will proceed efficiently and expeditiously.

C. Eligibility Information

1. Eligible Applicants

Only consortia that EDA Designated as Tech Hubs in Phase 1 are eligible to apply for grants under Phase 2 of this competition. However, the membership of the consortia may evolve between Phase 1 and Phase 2.

Each consortium **must** include at least one each of the following as a member, one of whom should serve as the lead institution to receive an award under this NOFO:

- (1) Institutions of higher education, which may include Historically Black Colleges and Universities, Tribal Colleges or Universities, and Minority-Serving Institutions;
- (2) State, territorial, local, or Tribal governments or other political subdivisions of a State, including State and local agencies, or a consortium thereof;
- (3) Industry or firms in relevant technology, innovation, or manufacturing sectors;
- (4) Economic development organizations or similar entities that are focused primarily on improving science, technology, innovation, entrepreneurship, or access to capital; and
- (5) Labor organizations or workforce training organizations, which may include State and local workforce development boards as established under 29 U.S.C. §§ 3111 and 3122.

Consortia **may** also include one or more of:

- (1) Economic development entities with relevant expertise, including a district organization (as defined in section 300.3 of title 13, Code of Federal Regulations, or successor regulation);
- (2) Organizations that contribute to increasing the participation of underserved populations in science, technology, innovation, and entrepreneurship;
- (3) Venture development organizations (as defined in 15 U.S.C. § 3722(a));
- (4) Organizations that promote local economic stability, high-wage domestic jobs, and broad-based economic opportunities, such as employee ownership membership associations and State or local employee ownerships and cooperative development centers, financial institutions and investment funds, including community development financial institutions (see 12 U.S.C. § 4702(5)) and minority depository institutions (see 12 U.S.C. § 1463 note or considered a minority depository institution by the appropriate Federal banking agency or the National Credit Union Administration);
- (5) Elementary schools and secondary schools, including area career and technical education schools (as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. § 2302));
- (6) National Laboratories (as defined in 42 U.S.C. § 15801);
- (7) Federal laboratories;
- (8) Manufacturing extension centers;
- (9) Manufacturing USA Institutes;
- (10) Transportation planning organizations;
- (11) A cooperative extension services (as defined in 7 U.S.C. § 3103(6));

- (12) Organizations that represent the perspectives of underserved communities in economic development initiatives; and
- (13) Institutions receiving an award under the National Science Foundation's Regional Innovation Engines program (42 U.S.C. § 19108).

2. Cost Sharing or Matching

a. EDA Investment Rate

Because all Phase 2 Implementation Grants made under this NOFO will be for the Hubs' initial performance period, such grants may be awarded with a maximum 90% federal grant rate. With \$50,000,000 in total funding this means the federal amount is \$45,000,000 and the local match requirement is \$5,000,000. If the eligible consortium is led by a Tribal government, the federal share may be awarded at a maximum 100% rate. Applicants will be expected to discuss and justify their maximum federal grant rate and demonstrate the sources of local match (see section C.2.b. below) in the application materials. See 15 U.S.C. § 3722a(f)(5).

b. Documentation of Cost Sharing or Matching

Applications must include commitment letters or equivalent documents that demonstrate, to the satisfaction of EDA, that all matching funds (regardless of kind, *e.g.*, cash, loans, bonds, in-kind) from all sources (*e.g.*, any applicant, any co-applicants, and any other sources of matching funds) referenced in the application will be unencumbered, unrestricted, and committed at the time of award and that are signed by authorized representatives of the sources of the matching funds. Authorized representatives must have the authority to execute documents and to obligate and expend funds on behalf of their respective organizations.

Each matching share commitment letter must state whether the contribution is cash, loans, bonds, or in-kind; if in-kind, provide a valuation for in-kind contributions. In-kind match must consist of contributions directly related to the proposed project, such as services, equipment, or space. EDA will fairly evaluate all in-kind contributions, which must be eligible project costs and which must meet applicable federal cost principles and uniform administrative requirements.

Additional documentation may be requested by EDA to substantiate the availability of the matching funds. For example, if bonds are contemplated as match, counsel opinion of the applicant's bonding authority and eligibility of the bonds for use as match, along with full disclosure of the type of bonds and the schedule of the applicant's intended bond issue, are required.

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

In addition, applicants should indicate if other Federal funds have been secured for, or have been requested to support, any portion of the project for which an EDA investment is proposed. Applicants should describe how the EDA investment will complement, leverage, or otherwise align with other public and private investments to implement the project. Where other Federal funding may be involved in the project, the applicant should provide the Federal program name and contact information with their application to facilitate interagency coordination and avoid duplication of resources. Note that consistent with 2 CFR § 200.306, not all sources of Federal funding may be allowed as match and applicants shall raise any concerns as early as possible with the POC listed in section G.

D. Application and Submission Information

An applicant must submit a complete application, as detailed in Sections A and D.2. of this NOFO to be considered for funding. EDA intends to review each application expeditiously upon receipt of the complete application. EDA may request additional documentation or information from the applicant to make an eligibility determination. EDA also may, in its sole discretion, continue review of any application with minor defects or errors, while the applicant supplies the missing information. EDA will reject any documentation of eligibility that the agency determines is inaccurate or incomplete, which may cause the application to be rejected. Please see Section E of this NOFO for more information on award criteria and the review and selection process.

1. Obtaining an Application and Electronic Submission through EDGE

An applicant must obtain, complete, and submit an application electronically through the Economic Development Grants Experience (EDGE) at sfgrants.eda.gov. EDA will not accept paper, facsimile, or email transmissions of applications except as provided below. In order to obtain and submit an application through EDGE, an applicant must register for an EDGE account at sfgrants.eda.gov. As part of the registration process, you will register one Authorized Representative for your organization, however, multiple points of contact may be registered or added by the applicant to the application workspace to view or work on completing the application. The Authorized Representative will be the only official with the authority to submit applications.

a. Verification of Submission

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

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

It is the applicant's responsibility to verify that its submission was timely received and submitted successfully through EDGE. To see the date your application was submitted, log on to EDGE and click on the Submitted Application section from the Home Page.

If you experience a systems issue with EDGE, see Section D.7. below for instructions.

b. Alternatives to Electronic Submission

To accommodate an applicant's accessibility requirements, a paper version of this application may be obtained by contacting the appropriate POC listed in section G of this NOFO. Or if an applicant is otherwise unable to submit an application through EDGE for reasons beyond the control of the applicant, EDA, in its sole discretion, may pre-approve in writing submission via an alternate method (e.g., email).

2. Content and Form of Application Submission

a. What is required for a complete Implementation Grant application?²⁵

A phase 2 application will include (1) an Overarching Narrative, (2) Component Applications, (3) Letter(s) of Consortium Commitment, and (4) all EDA-required forms as described below.

The following table provides a complete list of documents required for a complete application for an Implementation Grant. For Component Application requirements, see section b. below.

- (1) **One Form SF-424** (Application for Federal Assistance) from the lead member.
- (2) **Letter or letters of Consortium Commitment** As required in section A.1.b.iv. of this NOFO, a letter or letters identifying the lead member as well as evidencing that each consortium member has read the application and is committed to executing its roles, responsibilities, or commitments related of the Tech Hub. EDA discourages form letters of support and encourages letters describing concrete engagement and commitments from consortia members. In the letter identifying the lead member, the lead entity should self-identify which entity type it is consistent with types of entities eligible for membership in a consortium as delineated in section C.1. of this NOFO.
- (3) **One Overarching Narrative** (not to exceed 10 single-sided 8.5x11-inch pages, with a minimum 12-point font and 1-inch margins) that discusses in detail all the requirements outlined in sections A.1.b and A.1.c of this NOFO. If more than 10 pages of Project Narrative is submitted, only the first 10 pages will be reviewed.
- (4) **One Overarching Risk Mitigation Plan** (not to exceed 10 single-sided 8.5x11-inch pages, with a minimum 12-point font and 1-inch margins) that includes the Hub's cybersecurity plan (including how they are acquiring, funding, and coordinating the services of a cybersecurity and threat intelligence firm), critical infrastructure security plan (i.e., how they plan to physically protect Tech Hubs-funded projects and related critical infrastructure), intellectual property (IP) protection and technology control plan (including but not limited to an agreement governing IP management among consortium members), a personnel security plan, and investment security plan (i.e., how they plan to prevent potential adversaries from exploiting investment to undermine U.S. national security and economic competitiveness). If more than 10 pages of Overarching Risk Mitigation Plan is submitted, only the first 10 pages will be reviewed.
- (5) **One Form CD-511** (Certification Regarding Lobbying) from the lead member.
- (6) **One Form SF-LLL** (Disclosure of Lobbying Activities) from the lead member, if applicable. Form SF-LLL is only required if the applicant has reportable lobbying activities.
- (7) **One Form SF-328** (Certificate Pertaining to Foreign Interests) from the lead member.
- (8) **3-8 Component Project Applications** See Section b. below.

²⁵ In the event of discrepancies between instructions provided in any of the forms and this NOFO, the requirements for complete applications as stated in this NOFO will control.

b. Component Applications

In addition to the Overarching Narrative, the lead applicant and/or other members of the applicant's consortium should submit a total of approximately 3-8 component applications. Consortia may consult with EDA via the POC listed in section G of this NOFO to determine the best lead applicant for each Component Application.

The narrative (see requirements in sections A.1.b and A.1.c of this NOFO) and tables in section D.2.b describe the EDA and Federal grant assistance forms and other documentation required for a Phase 2 Component Project Application. EDA will require a complete set of forms and documents for each component project within the Full Application. For example, if the proposed regional Tech Hub is proposing three component projects—e.g., 1. a strategic plan, 2. a workforce development project, and 3. a new building to house a demonstration facility—EDA would in general expect three sets of application forms, each appropriate to an application for the given component project. The tables may serve as a checklist for applicants in preparing their submissions and are organized by the various construction and non-construction project types that might comprise a Tech Hub.

While the Overarching Narrative is not a component project and is not funded separately, all Component Project Applications will be considered holistically in the context of the Overarching Narrative. For more details on competition criteria, please see section E.1.

EDA staff members are available to provide applicants with technical assistance regarding application requirements. Additionally, EDA may contact the applicant to clarify application materials received.

Finally, EDA may request a particular component project not be included in the Full Application or be re-scoped to fit within budget and timing constraints. Note that all component projects are expected to be completed within five years.

Each component project that is part of the Full Application must include the following materials:

- (1) **One Form SF-424** (Application for Federal Assistance).
- (2) **Component Project Narrative** (not to exceed 6 single-sided 8.5x11-inch pages, with a minimum 12-point font and 1-inch margins) that discusses in detail all the requirements outlined in sections A.1.b and A.1.c of this NOFO. If more than 6 pages of a Project Narrative are submitted, only the first 6 pages will be reviewed.
- (3) **One Form CD-511** (Certification Regarding Lobbying) from the consortium member submitting the component project application.
- (4) **One Form SF-LLL** (Disclosure of Lobbying Activities) from the consortium member submitting the component project application, if applicable. Form SF-LLL is only required if the consortium member applying has reportable lobbying activities.
- (5) **Non-Profit Documentation**, if applicable: If the consortium member submitting the component project application is a non-profit organization that is not an institution of higher education, a copy of the applicant's articles of incorporation, bylaws, and a current certificate of good standing.
- (6) **One Form SF-328** (Certificate Pertaining to Foreign Interests) from the consortium member submitting the component project application.

(7) One Component Project Risk Mitigation Plan, if applicable (not to exceed 4 single-sided 8.5x11-inch pages, with a minimum 12-point font and 1-inch margins) that describes the specific cybersecurity, critical infrastructure security, intellectual property security, personnel security, and investment security activities relevant to the Component Project and aligned with the Overarching Risk Mitigation Plan.

(8) *Project-Specific Budget and Supplementary Materials, see charts below.

Applications for **construction assistance** components (including applications for design and engineering with construction activities) must include the following additional documents:

1. **One Form SF-424C** (Budget Information—Construction Programs) per project.
2. **One Budget Narrative** per project that clearly identifies and justifies how funds in each line item of the budget (Form SF-424C) will be used to support the proposed project. The Budget Narrative should specifically address each budget line item (including both the Federal Share and matching non-Federal Share), and the narrative total should match the total project costs listed in both the SF-424 question 18 line g and SF-424C (“Total Project Costs”). This includes describing any other Federal funds that have been secured or requested to support the project (see section A.1). The Budget Narrative should include itemized valuations of any in-kind matching funds. The non-Federal Share, whether in cash or in-kind, is expected to be paid out at the same general rate as the Federal Share; however, if the applicant’s Budget Narrative proposes otherwise, applicants must also include information that clearly indicates what project elements the matching share funds will support and explain why deviation from paying out at the same general rate is required for the project to be implemented. *Please note: In lieu of a separate Budget Narrative, this information may be included in the Preliminary Engineering Report as required by section C of the ED-900C.
3. **One Form SF-424D** (Assurances—Construction Programs) from each co-applicant, as applicable.
4. **One Form ED-900B** (Beneficiary Information Form) from each beneficiary of the proposed project, as applicable.
5. **One Form ED-900C** (EDA Application Supplement for Construction Programs) and accompanying supporting documentation, *e.g.*, Preliminary Engineering Report.
6. **One Form ED-900E** (Calculation of Estimated Relocation and Land Acquisition Expenses).
7. **Documentation of Matching Share** for each matching share source, such as a commitment letter, board resolution, proof of bonding authority, or similar document, as applicable.
8. **Environmental Documentation** that will enable EDA to comply with its NEPA responsibilities. A narrative outline that details required components may be accessed in EDA’s website at: https://www.eda.gov/sites/default/files/2023-01/07_Environmental-Narrative-Template-and-Application-Certification-Clause.docx. The documentation should reflect whether the component project is categorically excludable or should be a draft environmental assessment or environmental impact statement, as funded by the technical assistance award. Applicants should consult with the POC in section G of this NOFO to ensure the appropriate documentation is prepared.

9. One Applicant's Certification Clause (see Appendix A to the environmental narrative noted above) completed separately and signed by each co-applicant, as applicable. 10. Map of project site.
Applications for non-construction assistance must include the following additional documents: 1. One Form SF-424A (Budget Information—Non-Construction Programs). 2. One Budget Narrative that clearly identifies and justifies how funds in each line item of the budget (Form SF-424A) will be used to support the proposed project. The Budget Narrative should specifically address each budget line item (including both the Federal Share and matching non-Federal Share), and the narrative total should match the total project costs listed in both the SF-424 question 18 line g and SF-424A ("Totals"). This includes describing any other Federal funds that have been secured or requested to support the project (see section A.1). The Budget Narrative should include itemized valuations of any in-kind matching funds. The non-Federal Share, whether in cash or in-kind, is expected to be paid out at the same general rate as the Federal Share; however, if the applicant's Budget Narrative proposes otherwise, applicants must also include information that clearly indicates what project elements the matching share funds will support and explain why deviation from paying out at the same general rate is required for the project to be implemented. 3. Documentation of Matching Share for each matching share source, such as a commitment letter, board resolution, proof of bonding authority, or similar document, as applicable.

The following table provides a complete list of documents required for a complete component project application: construction, design and engineering (without a construction component), and non-construction.

Table: Summary of Required Documentation for Each Component Project

Documentation	Construction	Design & Engineering	Non-Construction
Component Project Narrative	X	X	X
SF-424 (Application for Federal Assistance)	X	X	X
Matching Share Documentation	X	X	X
CD-511 (Certification Regarding Lobbying)	X	X	X
SF-LLL (If Applicable)	X	X	X
SPOC Documentation (If Applicable)	X	X	X
Indirect Cost Rate Documentation (If Applicable)		X	X

Section D: Application and Submission Information

Organizational/Non-Profit Documentation (If Applicable)	X	X	X
SF-328 (if applicable)	X	X	X
Component Project Risk Mitigation Plan (if applicable)	X	X	X
SF-424A (Budget Information—Non-Construction Programs)			X
SF-424C (Budget Information—Construction Programs)	X	X	
SF-424D (Assurances—Construction Programs)	X	X	
ED-900B (Beneficiary Information Form) from each beneficiary, as applicable	X		
ED-900C (EDA Application Supplement for Construction Programs) and supporting documentation, <i>e.g.</i> , Preliminary Engineering Report (PER).	X		
ED-900D (Requirements for Design and Engineering Assistance)		X	
ED-900E (Calculation of Estimated Relocation and Land Acquisition Expenses)	X		
Environmental Narrative	X	X	
Certification Clause (with environmental narrative)	X	X	
Map	X	X	
Budget Narrative	X	X	X

All documentation and data submitted should be current and applicable as of the date submitted. Applicants are encouraged to contact the appropriate POC for technical assistance before submitting an application. EDA staff members are available to provide applicants with technical assistance regarding application requirements. Additionally, EDA may contact the applicant to clarify application materials received.

c. Environmental and Historic Preservation Requirements

All applicants for EDA construction assistance (including design and engineering assistance) are required to provide adequate environmental information. Each application will be reviewed by EDA for compliance with the National Environmental Policy Act (NEPA) of 1969, as amended. During the NEPA review process, applicants may be instructed to contact the designated State and/or Tribal Historic Preservation Officer (SHPO/THPO), provide approvals from other governmental agencies, or provide more detailed environmental information. EDA, after compliance with requirements for consultation with Federally-recognized Indian Tribes, may require applicants to participate in Tribal consultation, as necessary. The implementing regulations of NEPA require EDA to provide public notice of the availability of project-specific environmental documents, such as environmental impact statements, environmental assessments, findings of no significant impact, and records of decision, to the affected public. For further guidance and information, please refer to section G for a contact. Applicants will be notified of any changes to these requirements via Grants.gov.

d. Required Use of American Iron, Steel, Manufactured Products, and Construction Materials and Compliance with Davis-Bacon

All applicants for EDA infrastructure construction under this NOFO are required to comply with the Build America, Buy America (BABA) Act as set forth in the Infrastructure Investment and Jobs Act. As required under BABA, none of the funds provided under any award in this program may be used for a project for infrastructure unless:

1. all iron and steel used in the project are produced in the United States—this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
2. all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
3. all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States. BABA only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, these BABA requirements do not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does BABA apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

When necessary, recipients may apply for, and EDA may grant, a waiver from these requirements. EDA will notify the recipient of the process for requesting a waiver from these requirements upon request. A request to waive the application of BABA must be in writing. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the Office of Management and Budget's Made in America Office. Further detail on BABA and the waiver process is described at <https://www.madeinamerica.gov>.

In addition, the Recipient and any subrecipients, must, comply and require each of its contractors and subcontractors employed in the completion of the Project to comply with the Davis-Bacon Act, as amended (40 U.S.C. §§ 3141–3144, 3146, 3147; 42 U.S.C. § 3212). The Davis-Bacon Act requires minimum wages for mechanics and laborers employed on Federal Government public works projects to be based on the wages that the Secretary of Labor determines to be prevailing for the corresponding classes of laborers and mechanics employed on projects of a character similar to the contract work in the civil subdivision of the State in which the Project is to be performed, or in the District of Columbia if the Project is to be performed there.

e. Copy of Negotiated Indirect Cost Rate Agreement (if applicable)

As noted in EDA's Standard Terms and Conditions for Construction Projects (Construction ST&Cs) (see section F.2.b., below), indirect costs are generally not applicable to construction awards.

If indirect costs are included in the budget for non-construction projects, the applicant must include documentation to support the indirect cost rate they are using (unless claiming the 10 percent de minimis indirect cost rate, discussed below). The applicant must submit a copy of its current, approved, and negotiated indirect cost rate agreement (NICRA). The maximum dollar amount of allocable indirect costs for which EDA will reimburse a recipient will be the lesser of the (i) line-item amount for the federal share of indirect costs contained in the EDA-approved budget for the award, or (ii) federal share of the total allocable indirect costs of the award based on either (a) the indirect cost rate approved by EDA (or applicable cognizant federal agency), provided that the cost rate is current at the time the costs were incurred and provided that the rate is approved on or before the award end date, or (b) other acceptable documentation as indicated below.

If the applicant does not have a current or pending NICRA, it may propose indirect costs in its budget; however, the applicant must prepare and submit an allocation plan and rate proposal for approval within ninety calendar days from the award start date (unless claiming the 10 percent de minimis indirect cost rate, discussed below). See 2 C.F.R. part 200 Apps. III, IV, V, VI, VII for guidance. The allocation plan and the rate proposal shall be submitted to EDA's Office of Regional Affairs (or the applicable cognizant federal agency). The applicant should include a statement in its Budget Narrative that it does not have a current or pending NICRA and will submit an allocation plan and rate proposal to EDA or the applicant's cognizant federal agency for approval.

In accordance with 2 CFR § 200.414(f), an applicant that does not have a current negotiated or provisional NICRA, may elect to charge a de minimis rate of 10 percent of modified total direct costs (subject to the exceptions of § 200.414(f)). No documentation is required to justify the 10 percent de minimis indirect cost rate; however, an applicant electing to charge a de minimis rate of 10 percent must include a statement in its Budget Narrative that it does not have a current negotiated (including provisional) rate and is electing to charge the de minimis rate.

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

- a NICRA;
- a Certificate of Indirect Costs from the Department of the Interior (DOI) or EDA (See: <https://www.eda.gov/sites/default/files/filebase/archives/2021/files/tools/grantee-forms/Certificate-of-Indirect-Costs-template.pdf>);
- an acknowledgment received from EDA and a Certificate of Indirect Costs in the form prescribed at 2 C.F.R. pt. 200, app. VII; or

- a Cost Allocation Plan approved by a federal agency (note that cost allocation plans or indirect cost rates approved by state agencies are not acceptable).

f. Unique Entity Identifier (UEI) and System for Award Management (SAM)

Applicants are required to: (i) be registered in SAM; (ii) provide a valid unique entity identifier (UEI) in the application; (iii) make certain certifications (see also section H.5 of this NOFO); and (iv) continue to maintain an active SAM registration with current information at all times during which they have an active federal award, or an application or plan under consideration by a federal awarding agency. EDA may not make a federal award to an applicant until the applicant has complied with all applicable UEI and SAM requirements and, if an applicant has not fully complied with the requirements by the time the EDA is ready to make an award, EDA may determine that the applicant is not qualified. Recipients will be subject to reporting requirements, as identified in OMB guidance published at 2 C.F.R. parts 25 and 170. All subawardees must have a UEI before any subawards are made.

3. Submission Dates and Times

The deadline for Phase 2 Applications is **4:59 p.m. Eastern Time on February 29, 2023**. Applications received after this deadline will not be reviewed or considered. Only applicants that were Designated as Technology Hubs in Phase 1 are permitted to apply to Phase 2.

EDA may amend, cancel, or withdraw the Tech Hubs Phase 2 NOFO at any time.

4. Intergovernmental Review

Applications are subject to the requirements of Executive Order (EO) 12372, “Intergovernmental Review of Federal Programs,” if a State has adopted a process under EO 12372 to review and coordinate proposed Federal financial assistance and direct Federal development (commonly referred to as the “single point of contact review process”). All applicants must give States and local governments a reasonable opportunity to review and comment on the proposed Project, including review and comment from area-wide planning organizations in metropolitan areas. To find out more about a State’s process under EO 12372, applicants may contact their State’s Single Point of Contact (SPOC). Names and addresses of some States’ SPOCs are listed on OMB’s website at <https://www.whitehouse.gov/wp-content/uploads/2023/06/SPOC-list-as-of-2023.pdf>.

Based on the applicant’s State, EDA requires the following documentation:

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

5. Funding Restrictions

EDA will not reimburse pre-award project costs under this NOFO. Under no circumstances will EDA or DOC be held responsible for application preparation expenditures, which are distinguished from pre-award project costs.

It is DOC policy that funds may not be used to pay for management fees in excess of costs or profits, unless statutorily authorized. Additionally, the use of project funds to make equity or hybrid investments in businesses is not an allowable cost.

Funds may not be used, directly or indirectly as an offset for other funds, to support or oppose collective bargaining.

6. Other Submission Requirements

After EDA reviews an application, EDA may contact the applicant to request additional documentation to clarify or substantiate submitted application materials, depending on the type of project proposed. Examples of additional documentation may include, but are not limited to, title verification, documentation of the value of in-kind contributions, evidence all funding is available and committed to the project, proof of eligibility (*e.g.*, organizational documentation such as articles of incorporation, bylaws, and a current certificate of good standing), or documentation required for environmental or legal compliance. This additional documentation will be required to ensure that the proposed project complies with all applicable rules and regulations prior to EDA's issuance of an award. EDA will provide applicants a reasonable amount of time to provide any additional documentation. Failure to provide complete and accurate supporting documentation in a timely manner when requested by EDA may result in the denial of an application.

7. EDGE Systems Issues

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

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

E. Application Review Information

Throughout the review and selection process, EDA reserves the right to seek clarification in writing from applicants whose application packages are being reviewed. EDA may additionally ask applicants to clarify application materials, objectives, and work plans, or modify budgets or other specifics necessary to comply with Federal requirements. EDA may also use statistical methods to normalize the scoring. EDA will screen submitted materials to verify that all required forms are complete, and all required documentation is included. Applications that do not contain all elements listed in section [Error! R](#)

[reference source not found](#). will not be reviewed, with limited exceptions where non-substantive missing information or forms can be supplied after original submission. EDA, in its sole discretion, may continue the review process for applications with non-substantive issues that may be easily rectified or cured.

1. Criteria, Review, and Selection Process

a. Implementation Grants Review

For all consortia that submit a Full Application for Implementation Grants, the entire application, including the Overarching Narrative and all Component Projects, will be evaluated by at least three individuals and scored against the below criteria. While EDA will evaluate the portfolio of component projects within a Tech Hub application holistically, individual component projects within a proposed application may not get funded, and EDA expects in some cases to negotiate the scope and nature of certain component projects or the overall mix of projects.²⁶

EDA expects any region capable of becoming a globally competitive technology hub must be able to address the listed criteria, which serve as a strategic planning framework for any region pursuing this goal and which form the basis of a useful exercise even for those that do not receive implementation funding in this first Tech Hubs implementation funding competition.

The criteria and their respective point values follow; applications can earn a maximum of 80 points:

1. **Project quality, ability to execute, and private sector integration.** (16 points) Under this criterion, EDA will assess the evidence and analyses that underlie the projects' design, the Hub's ability to execute in light of the projects' plans (*e.g.*, are staffing plans, timelines, and goals unrealistic, subawards overly complicated, are benchmarks realistic), the interconnections and interfaces among the component projects, and the role of the private sector, including how the Hub leverages private capital. In evaluating proposals against this criterion, EDA will consider questions such as—
 - How likely is it that the Hub can successfully execute the proposed work to completion?
 - How strongly do the Component Projects align with and complement each other, the overarching approach, and other relevant Federally funded work?
 - How will you leverage and build on the existing innovation assets in the Hub?
 - To what extent do the component projects accelerate technology innovation, development, and maturation, and how does collaboration among the Hub's consortium members and other regional actors increase the likelihood, magnitude, and speed of innovation, production, and delivery of new technologies?
 - How strongly is the private sector engaged, how many quality firms are strong participating consortium members, and is their engagement and participation aligned with and key to the Hub's strategy?
 - What makes the firms—and their engagement and participation—high quality and relevant?
 - Has the Hub identified customers for its technology products and services (and for relevant companies in the supply chain)?
 - What new good jobs will the private sector create to satisfy new or increased demand for these products and services?

This criterion includes the statutory considerations found at 15 U.S.C. § 3722a(h)(1) (potential to advance development, deployment, and domestic manufacturing KTFA), (4) (how the consortium will

²⁶ Individual component projects not funded as part of a Tech Hub may be funded under another EDA NOFO.

engage with the private sector), (8) (organization of activities of regional partners), (11) (alignment of education institutions' activities with selected core technology area), and (12) (sustainability of the consortium).

2. **Impact on economic and national security.** (16 points) Under this criterion, EDA will assess the extent to which the Tech Hub's strategy will likely lead to inclusive growth and long-term stability in the chosen geography and to a globally competitive industry cluster in a selected core technology area aligned with United States economic and national security goals within a decade. In evaluating proposals against this criterion, EDA will consider questions such as—

- How does the Hub's increased competitiveness in the selected core technology area increase economic resilience and stability of the chosen geography?
- How does it inclusively increase the economic prosperity of individuals within the Hub across communities and populations?
- What is the selected core technology area's forecasted relevance and importance in the future of the global economy?
- How will the Hub's leadership in this technology area support a more secure United States?
- How likely is it that both the innovation and manufacturing of these technologies will remain in the United States?
- How robust is the Hub's plan to protect U.S. national and economic security and mitigate risk?
- To what extent does the plan address national priorities ranging among climate change, supply chain resiliency, accelerating the pace of innovation in critical technologies²⁷, and beyond?
- How will entities and individuals protect access to and use, production, delivery, and deployment of these technologies, including relevant intellectual property and know-how?

This criterion includes the statutory considerations found at 15 U.S.C. § 3722a(h)(1) (potential to advance development, deployment, and domestic manufacturing of technologies critical to national security and economic competitiveness), (2) (likelihood of positive regional economic effect), and (13) (enhance economic, environmental, and energy security of the U.S. by promoting domestic innovative clean technologies and advanced manufacturing practices).

3. **Investment and policy commitments.** (16 points) Under this criterion, EDA will assess the commitments' relevance to and alignment with the Hub's strategy and component projects, the magnitude or significance of the commitments, and their expected and likely impacts. In evaluating proposals against this criterion, EDA will consider questions such as—

- How specific, timely, and relevant are the commitments that the Hub's consortium members and partners across organizational types and sectors (*e.g.*, public, private, nonprofit, etc.) have made?
- How much additional investment will the Hub's projects attract and crowd in?
- What are the nature (for-profit, patient, first-loss, philanthropic, etc.) and magnitude of the intended impacts of the commitments, and how likely are the commitments to result in those impacts?

²⁷ See, *e.g.*, National Science and Technology Council, [Critical and Emerging Technologies List Update](#) (Feb. 2022); Department of Defense, Office of the Under Secretary of Defense for Research and Engineering, [USD\(R&E\) Technology Vision for an Era of Competition](#) (Feb. 2022); Office of the Director of National Intelligence, [FY2022-2026 ODNI S&T Investment Landscape](#).

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

This criterion includes the statutory considerations found at 15 U.S.C. § 3722a(h)(3) (leverage the resources of federally funded research and development), (9) (support local and regional businesses through procurement), and (11) (alignment of education institutions' activities).

4. Developing, recruiting, and retaining talent and workforce. (8 points) Under this criterion, EDA will assess the Hub's current talent pool alongside the nature and feasibility of its strategy to maintain, strengthen, and grow that pool, as well as the extent to which the Hub's strategy is centered on and considers the needs and potential of the region's workers and their access to good jobs. In evaluating proposals against this criterion, EDA will consider questions such as—

- What is the Hub's current market of researchers, entrepreneurs, financiers, inventors, and workers?
- Where are the largest skill needs?
- How will the Hub address those skill needs, and how can EDA be confident these approaches are likely to succeed?
- How will the Hub continuously and iteratively evolve talent development, recruitment, and retention strategies alongside evolving demand for talent and while improving job quality?
- To what extent are workforce development projects employer-led, and have employers made concrete commitments to hire?
- How will employers support the retention of workers?
- How will the Hub ensure equitable access to workforce training programs and good jobs, including through recruitment for training programs and wraparound services?
- Is there adequate housing to support the influx of workers? If not, what are the plans to permit and develop the necessary housing?
- How effectively are labor organizations or labor federations and other organizations representing workers integrated into the Hub, its proposed projects, and target outcomes?

This criterion includes the statutory considerations found at 15 U.S.C. § 3722a(h)(2) (likelihood of increasing the number of high wage domestic jobs), (5) (workforce development and skills acquisition programming), (6) (STEM opportunities), and (10) (ensure that growth produces opportunity across the identified region and for economically disadvantaged, minority, underrepresented and rural populations).

5. Capital formation, deployment, and access. (8 points) Under this criterion, EDA will assess the Hub's current capital ecosystem, how the Hub proposes to address gaps in that ecosystem that affect companies in the Hub's selected core technology area, and the feasibility that component projects and commitments will materially improve access to capital. In evaluating proposals against this criterion, EDA will consider questions such as—

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

This criterion includes the statutory considerations found at 15 U.S.C. § 3722a(h)(7) (how the eligible consortium plans to develop partnerships with community development financial institutions, minority depository institutions, and other sources of private investment in support of private sector activity).

6. **Equity and diversity.** (8 points). Under this criterion, EDA will assess proposed strategies, approaches, key metrics, and projects that increase equitable economic growth and ensure that underserved communities are represented in and benefit from the Hub. In evaluating proposals against this criterion, EDA will consider questions such as—

- Who benefits from the Hub’s activities and the desired economic growth?
- How meaningfully does the Hub engage underserved communities (including but not limited to women, Black, Latino, and Indigenous and Native American persons, Asian Americans, and Pacific Islanders) in planning, and how will benefits of the Hub’s growth be shared equitably (including but not limited to the extent to which the Hub’s activities will increase the number of high-wage, high-quality domestic jobs—including union jobs—available to residents)?
- Will the Hub create new opportunities for economically disadvantaged and underrepresented populations (including rural populations), whether through new career paths or through increased participation of underserved businesses or communities?
- What approaches are being used to build and retain wealth for underserved and disadvantaged populations to support equitable and inclusive and development?
- Did the applicant propose meaningful plans that are highly likely to ensure that economic opportunities are increased for all underserved populations?

This criterion includes the statutory considerations found at 15 U.S.C. § 3722a(h)(2) (creating new economic opportunities for economically disadvantaged and underrepresented populations), (5) (partnerships with community colleges, HBCUs, MSIs, Tribal Colleges and Universities), (9) (support of local and regional businesses through procurement), and (10) (ensure that growth produces opportunities across the region and for economically disadvantaged, minority, underrepresented and rural populations; consider affordable housing availability and primary and secondary education).

7. **Governance, leadership, and evaluation.** (8 points) Under this criterion, EDA will assess the strength of the consortium’s leadership team and RIO (or its plan to identify and hire one) and the framework and mechanisms the consortium will use to govern its activities, measure progress, build evidence, and continuously improve. In evaluating proposals against this criterion, EDA will consider questions such as—

- How will the Hub coordinate and govern its consortium?
- How will the Hub strengthen the culture and concentration of innovation in its chosen geography?
- How are the Hub’s innovation and other critical assets closely and durably interconnected?
- Where relevant to the Hub and its vision, to what extent has the consortium secured or is it trying to secure other sources of capital, and how are those funds complementary to and aligned with each other and the proposed funding for EDA?
- What is the makeup of the Hub’s leadership team, including the Regional Innovation Officer (RIO),²⁸ and how does the Hub plan to maintain the strength and effectiveness of that team for a decade or more (including as the membership of that team evolves)?
- To what extent are Hub leadership involved in existing technology- and innovation-centric economic initiatives?

²⁸ Salaries for the RIO and other key leadership roles must be funded for five years. Consortia will not be negatively evaluated if they cannot find independent funding for these expenses, but they must include those costs in one or more component applications.

- How will the consortium, its leadership, and its members measure and evaluate success?
- How will the consortium approach challenges as an opportunity to learn and improve?

This criterion includes the statutory considerations found at 15 U.S.C. § 3722a(h)(8) (organization of activities of regional partners) and (11) (alignment of education institutions activities with selected core technology area).

EDA will sort the resultant scores into tiers of similarly scored applications, and some or all applications will advance to a second level review by an Investment Review Committee (IRC) of at least three reviewers. The IRC will review the applications collectively using the same criteria listed above and relevant selection factors. EDA may, in its discretion and including at the IRC's request, consult experts outside of EDA on the merits of proposed component projects to assist the IRC in its evaluation. The IRC will present the Selection Official with a recommended portfolio of applications and how to apply the selection factors discussed in section E.2. below.

EDA's final decision on whether to fund a project in Phase 2 is dependent upon the ability of the applicant to provide sufficient documentation of the project's compliance with applicable rules and regulations.

EDA at its discretion may fund all or only some of the originally proposed component projects and may negotiate with applicants on the scope and nature of certain component project applications of the overall mix of applications depending on the viability and feasibility of those components and the availability of funds.

b. Due Diligence

If application is recommended for funding, the applicant still may have to complete certain due diligence requirements. After an application has been reviewed and evaluated, EDA may request that the applicant submit additional documents and information to allow EDA to fully evaluate compliance with applicable rules and regulations, including organizational documentation such as articles of incorporation, bylaws, and a current certificate of good standing.

In the case of construction projects, such additional due diligence may include:

- i. Title verification (*e.g.*, proof of project ownership);
- ii. Documentation of matching funds; and
- iii. Documentation required for environmental or legal compliance. This may include, but is not limited to: 404 Clean Water Act permits from the U.S. Army Corps of Engineers and accompanying environmental documentation (environmental assessment or environmental impact statement), Phase I and Phase II environmental assessments, state environmental assessment documentation (for compliance with state environmental statutes such as the Massachusetts Environmental Policy Act (MEPA) or the California Environmental Quality Act (CEQA)), archeological and biological surveys, and proof of coordination with resource agencies.

If the applicant provides the requested information and supporting documentation in a timely fashion and EDA determines the project is fully compliant with applicable rules and regulations, the application will be forwarded to the Grants Officer for a final decision. Applicants that do not provide the additional information and supporting documentation in a timely fashion or who are deemed not to be in compliance with applicable rules and regulations will receive notification their application was not successful.

c. Security, Resilience, and Cybersecurity

It is the policy of the United States to strengthen the security and resilience of its critical infrastructure against all hazards, including physical and cyber risks, consistent with Presidential Policy Directive 21 - Critical Infrastructure Security and Resilience²⁹ and the National Security Memorandum on Improving Cybersecurity for Critical Infrastructure Control Systems.³⁰ Each applicant selected for Federal funding under this notice must demonstrate, prior to the signing of the grant agreement, effort to consider and address physical and cyber security and privacy risks relevant to the type and scale of the project. Projects that have not appropriately considered and addressed physical and cyber security and resilience in their planning, design, and project oversight, as determined by the Department of Commerce and the Department of Homeland Security, will be required to do so before receiving funds.

Regarding Cybersecurity, applicants must describe in their Risk Mitigation Plan measures taken to ensure that practices are consistent with current industry best practices for cybersecurity, such as the NIST Cybersecurity Framework³¹ and Cybersecurity and Infrastructure Security Agency (CISA) Cybersecurity Performance Goals (CPGs)³² and relevant privacy regulations. These performance goals provide a baseline set of cybersecurity practices broadly applicable across critical infrastructure with known risk-reduction value, a benchmark for critical infrastructure operators to measure and improve their cybersecurity maturity, and a combination of recommended practices for information technology (IT) and operational technology (OT) owners, including a prioritized set of security practices.

d. Intellectual Property Protection

Innovation and technology advancement are critical to maintaining and strengthening economic and national security positions. Strategic competitors target intellectual property, know-how, and related information and data to challenge U.S. leadership in emerging technologies.³³ The evolving threat landscape, coupled with today's digitized world, provides a large attack surface for adversaries to steal, compromise, alter, or destroy sensitive information that is critical to economic and national security. The Department seeks applicants that have made themselves resilient to these attacks, and applicants must describe in their Risk Mitigation Plan how they will protect intellectual property and control access to and use of technologies. The Department will evaluate projects based on their ability to mitigate risks related to intellectual property theft and transfers of knowledge and know-how (see, e.g., the criterion set forth in section E.1.a.2) to adverse or malign actors, including those posed by insider threats; external influence from foreign entities of concern; dependence on foreign-owned, -sourced, or -directed inputs, equipment, or expertise; and espionage.

2. Selection Official's Decision

Implementation Grant applications recommended for funding and also deemed fully compliant with applicable rules and regulations, will be forwarded for final selection review and approval by the

²⁹ Presidential Policy Directive/PPD-21, Critical Infrastructure Security and Resilience (Feb. 12, 2013).

³⁰ National Security Memorandum on Improving Cybersecurity for Critical Infrastructure Control Systems (Jul. 28, 2021).

³¹ National Institute of Standards and Technology, Framework for Improving Critical Infrastructure Cybersecurity Version 1.1 (Apr. 16, 2018).

³² Cybersecurity & Infrastructure Security Agency, Cross-Sector Cybersecurity Performance Goals, <https://www.cisa.gov/cross-sector-cybersecurity-performance-goals>.

³³ National Counterintelligence and Security Center, [Protecting Critical and Emerging U.S. Technologies from Foreign Threats](#) (Oct. 2021).

Selection Official. The Selection Official will select a portfolio of Implementation Grants to fund based on the recommendations of the IRC and the selection factors listed below. The final portfolio may differ from the recommendations of the IRC to ensure the selection factors below are adequately met:

- i. The extent to which the application meets the overall objectives of section 28 of Stevenson-Wydler (15 U.S.C. § 3722a);
- ii. The applicant's performance under previous Federal financial assistance awards, including whether the grantee submitted required performance reports and data;
- iii. The availability of program funding;
- iv. The extent to which the application includes a feasible plan that accounts for the specific needs of historically underserved areas and populations with a high likelihood that those populations will realize an equitable share of the project's benefits;
- v. To achieve balance in the portfolio across geographies, populations, and technologies, including but not limited to the maturity of those technologies;
- vi. The feasibility of the applicant's overall strategy and of its Component Projects, individually and in combination;
- vii. The extent to which the application will significantly benefit a small and rural community;
- viii. The extent to which the application's consortium includes a member that is a State or territory that is eligible to receive funding from NSF's Established Program to Stimulate Competitive Research (EPSCoR);
- ix. The extent to which the consortium is headquartered in a low population State that is eligible to receive funding from NSF's EPSCoR;
- x. The extent to which the application significantly engages and benefits underserved communities in and near metropolitan areas;
- xi. The extent to which the application leverages institutions of higher education serving populations historically underrepresented in STEM, including Historically Black Colleges and Universities, Tribal Colleges or Universities, and Minority-Serving Institutions; and
- xii. The extent to which the application would significantly benefit a region whose economy significantly relies on or has recently relied on coal, oil, or natural gas production or development.

The Selection Official will prepare a final list of recommendations for funding and document the rationale for its selections.

3. Review of Responsibility/Qualification Information in SAM.gov

EDA, prior to making a Federal award with a total amount of Federal Share greater than the simplified acquisition threshold, is required to review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (formerly FAPIIS). See 41 U.S.C. § 2313.

Each applicant, at its option, may review information in the designated integrity and performance system accessible through SAM and comment on any information about itself that a Federal awarding agency previously entered and is currently in the designated integrity and performance system accessible through SAM. EDA will consider any comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a judgment about the

applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as described in 2 C.F.R. § 200.206.

F. Federal Award Administration Information

1. Federal Award Notice

If an applicant successfully and timely completes all due diligence requirements and the application is selected for funding, EDA will notify the successful applicant in writing. This notice is not an authorization to begin work, however; work should not be undertaken until the award is signed by EDA and the applicant's authorized representative, as discussed below.

The EDA Grants Officer will issue the award (Notice of Award), which is the authorizing financial assistance award document and includes Specific Award Conditions and the DOC Financial Assistance Standard Terms and Conditions (DOC ST&Cs), as described in section F.2.b., below.

By accepting the Notice of Award, the applicant agrees to comply with all award provisions. EDA will provide the Notice of Award to the applicant's authorized representative through EDGE. The applicant's authorized representative must review and accept the Notice of Award without modification within 30 calendar days of the date of receipt.

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

EDA will notify unsuccessful applicants in writing to the applicant's authorized representative. EDA will retain unsuccessful applications in accordance with EDA's record retention schedule.

2. Administrative and National Policy Requirements

a. Uniform Administrative Requirements, Cost Principles, and Audit Requirements

Recipients of an EDA award will be bound by the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) as set forth in 2 C.F.R. part 200.

b. DOC Financial Assistance Standard Terms and Conditions

Recipients of all non-construction EDA awards will be bound by the DOC ST&Cs applicable on the date of the award. The DOC ST&Cs may be accessed at the following website:

http://www.osec.doc.gov/oam/grants_management/policy/default.htm.

Recipients of an EDA construction award will be bound by EDA's Construction ST&Cs. The Construction ST&Cs may be accessed at <https://www.eda.gov/grant-resources/find-grant-resources/grantee-guidance/construction-awards> under the header "Standard Terms and Conditions for RLF and Construction Projects."

Recipients of DOC financial assistance are obligated to comply with Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color or national origin, and Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination against people with disabilities, in Federally assisted programs or activities. Recipients of Federal financial assistance are obligated to comply with Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in their Federally assisted education or training programs or activities.

c. DOC Pre- Award Notification Requirements

DOC will apply the Pre-Award Notification Requirements for Grants and Cooperative Agreements effective December 26, 2014, 79 Fed. Reg. 78,390. The Pre-Award Notice may be accessed at the Government Printing Office (GPO) website at <https://www.govinfo.gov/content/pkg/FR-2014-12-30/pdf/2014-30297.pdf>.

3. Reporting

a. Reporting Frequency and Format

All recipients are required to submit financial, performance, and impact reports in accordance with the terms and conditions of the grant award, generally no less than semi-annually. All project progress and financial reports must be submitted to the applicable EDA program officer in an electronic format to be determined at the time of award.

b. Federal Funding Accountability and Transparency Act of 2006

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

c. Performance Reporting and Evaluation

EDA will require additional data on activities, outputs, and outcomes of the funded investment, in part to fulfill the requirements of the Government Performance and Results Act (GPRA). EDA anticipates that recipients will be expected to track their engagement activities within the scope of work, with project beneficiaries, and other project stakeholders. EDA further anticipates recipients will be expected to collect data, using surveys of beneficiaries or clients if necessary, on the outputs and outcomes of project activities, such as jobs created/retained, private investment attracted, the number of strategic plans or economic development tools developed, the number of new business partnerships formed, or the range of new capabilities acquired. EDA plans to collect this information using Forms ED-915 (Public Works, Economic Adjustment Infrastructure and Revolving Loan Fund Investments), ED-916 (Semi-annual Program Outputs Questionnaire for EDA grantees), ED-917 (Annual Capacity Outcomes Questionnaire for EDA Grantees serving clients), and ED-918 (Annual Capacity Outcomes Questionnaire for EDA Grantees). For more information, please refer to <https://www.eda.gov/performance/gpra>. EDA may also engage with external entities to perform third-party program evaluations, which will require cooperation between the grantee, organizations within their service area, and the evaluating institution(s).

d. Requirements for Recipients with More than \$10 Million in Federal-wide Funding

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

G. Federal Awarding Agency Contact

For questions concerning this Tech Hubs Phase 2 NOFO or for more information about EDA programs, you may contact techhubs@eda.gov. EDA's website at <http://www.eda.gov> provides additional information on EDA and its programs.

H. Other Information

1. Right to Use Information

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

2. Freedom of Information Act Disclosure

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

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

3. Notice of Government-Wide Procurement Restriction

The general rule for Federal financial assistance is that contractors that develop draft specifications, requirements, statements of work, invitations for bids or requests for proposals are prohibited from competing for the final procurement. For instance, a professional engineer or architect who prepared the Preliminary Engineering Report for an EDA application would be excluded from bidding on the same work under the award under 2 C.F.R. § 200.319. Under 2 C.F.R. 200.317, only State recipients are expressly exempt from this prohibition. Local governments and Indian Tribes may also take advantage of the exemption in two narrow circumstances: (i) if they are required (by statute, for example) to follow the State's procurement rules in full and without exception; or (ii) if they are required to follow a specific State procurement rule that creates an explicit conflict with the prohibition in 2 C.F.R. § 200.319(a) (*i.e.*, there is a statute that requires or permits the local government or Indian Tribe to award the final procurement to the same contractor that developed the draft specifications). Absent one of these two scenarios, the local government or Indian Tribe must comply with the prohibition. Applicants are encouraged to contact EDA using the contact information in Section G. of this Phase 2 NOFO with any questions regarding application of this regulation.

4. Past Performance and Non-Compliance with Award Provisions

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

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

As discussed in section D.2.f., all applicants are required to be registered in SAM before applying under this NOFO. SAM requires registering entities to certify compliance with all limitations imposed by annual appropriation acts. For corporations, this certification includes that the corporation:

- (a) Was not convicted of a felony criminal violation under a Federal law within the preceding 24 months, unless a Federal agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government; and/or
- (b) Does not have any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, unless a Federal agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

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

- (a) To the best of its knowledge and belief, has filed all Federal tax returns required during the three years preceding the certification;
- (b) Has not been convicted of a criminal offense under the Internal Revenue Code of 1986; and/or
- (c) Has not been notified, more than 90 days prior to certification, of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial process.

6. EDA's Non-Relocation Policy

If an application is selected for award, the recipient will be required to adhere to a specific award condition relating to EDA's non-relocation policy as follows:

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

convenience or material noncompliance, which may include the establishment of a debt requiring the Recipient to reimburse EDA.

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

7. NOFO Changes Communicated on Grants.gov

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

8. Disclosure of Information

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

9. Audit Requirements

Single or program-specific audits shall be performed in accordance with the requirements contained in the Uniform Guidance (see 2 C.F.R. part 200, Subpart F, “Audit Requirements”).

The Uniform Guidance requires any non-Federal entity (*i.e.*, non-profit organizations, including non-profit institutions of higher education and hospitals, States, local governments, and Indian Tribes) that expends Federal awards of \$750,000 or more in the recipient’s fiscal year to conduct a single or program-specific audit in accordance with the requirements set out in the OMB Uniform Guidance.

10. Fraud Awareness Training

Consistent with 2 CFR part 200, in signing a financial assistance award, Recipient personnel responsible for managing the Recipient’s finances and overseeing any contractors, sub-contractors or sub-grantees, will be required to complete the training PowerPoint entitled “Compliance with EDA Program Requirements” and return the signed Certificate of Training Completion to EDA as instructed by the Agency. Further, Recipient will be required to monitor award activities for common fraud schemes and report suspicious activity to EDA and the Office of Inspector General.

11. Office of Inspector General Rights and Responsibilities

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

a. Disclosures

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

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

b. Reporting

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

c. Whistleblower Protection

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

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

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