



Q&A: Fiscal Year 2020 TCF Solicitation

Questions are sorted in reverse chronological order, and have a number assigned to them for cross-reference, if necessary.

Questions may have been edited for clarity or brevity. OTT is not addressing duplicate questions.

Q&A will also post here: https://proposalsott.inl.gov/Home/TCF_Resources.aspx

Q #	Date Asked	Subject	Question	Answer
41	12/10/19	OUO and Export Controlled information in Full Proposals	Per question 12 of the FAQs, the labs were able to include OUO and export controlled information in the PED submissions. Can we also include OUO and Export Controlled information in our Full Proposals (including the Technical Summary/Abstract) if it is marked appropriately? We have one proposal in particular that will be very difficult to describe without including Export Controlled information.	You may include the information as long as it is appropriately marked.
40	12/10/19	Letters of Commitment	Does DOE want letters of commitment from partners not providing cost share? For example, if we have a partner who will perform part of the work under a subcontract should we include a letter of commitment from that partner in addition to the letter of commitment from the cost share partner?	<p>Please see the response to Q#39.</p> <p>OTT will not penalize applicants who wish to include letters of support from entities that will play a part in their project without contributing to cost share—such as subcontractors or potential customers—but its interest is in confirming that the cost share-providing partners are on board and willing to execute a CRADA or other approved partnership agreement.</p>
39	12/09/19	Letter of support/ confidentiality	Our application will include several letters of support from industry who are interested in using the technology if the proposal is awarded and the technology is commercialized. However, one company has mentioned in their letter that the support expressed therein is confidential and that public disclosure of the letter or support is not allowed without their written approval. How should the formatting of the letters of support be handled to ensure that the industry names and letter contents remain confidential? How should the proposal be formatted to ensure that mention of the company, support letter, or	<p>Please see the response to Q#9 about partner anonymity.</p> <p>If the entity in your case is not a cost share providing partner, but a potential customer who only wishes to express support confidentially, please see Section VI.B. on pages 24 & 25 of the Solicitation about marking trade secrets or commercial or financial information that is privileged or confidential and exempt from public disclosure.</p> <p>Please note that OTT only requires letters of commitment from entities that will contribute cost share—and therefore will sign a CRADA or other approved partnership agreement.</p>



Q #	Date Asked	Subject	Question	Answer
			contents therein, remain confidential and not disclosed to the public?	
38	12/09/19	Letter of commitment/ CRADA	The letter of commitment template was not used by our industry partner. If the plan is to use a CRADA for the awarded project, does the letter of commitment require an explicit declaration that a CRADA will be used?	A CRADA is the default agreement. It is only if the lab and private partner want permission to use a different agreement type that the letter of commitment must contain a request to do so. If you plan to use a CRADA, the letter need not mention it—again, because it is the default, or assumed, agreement type.
37	12/08/19	Deadline for changes to PEDS	We will shortly be submitting our full proposal for the FY 2020 solicitation for the Technology Commercialization Fund. The period of performance that we indicated for our Topic 2 project on the Proposal Eligibility Declaration was only 24 months; I am writing to ask if it is possible to request an extension for the project, to 36 months.	No. As stated on pages 18 and 19 of the Solicitation, the deadline to request allowable changes was last month.
36	12/06/19	Deadlines to submit	We just found out about the TCF call yesterday. After looking at it, it would be a great opportunity to transfer two pieces of technology to the commercial world Is it still possible to send in one or two proposals on 12 December?	No. As stated several times in the Solicitation, the first step in the proposal process is to submit a mandatory Proposal Eligibility Declaration, which was due in October. The TCF is an annual Solicitation. Please work with your technology transfer office to ensure the Solicitation is distributed within your facility next year.
35	12/06/19	Cost Share	If for an 18-month project the total cost-share requirement is met does it matter whether it is met every year of the project or one year may have larger cost-share than the other?	There may time times within the period of performance that the cost share/matching funds contribution is more or less than 50%. It must be at least 50% of total project costs at the conclusion of the project.
34	12/4/19	Budget template formula errors	I believe there may be an error in the TCF budget template calculations. Also, it looks like the Yes/No calculation in cells the cells about having met the cost share are missing.	You are correct. OTT corrected these errors and moved a column. The new file is 2020 TCF Budget Template v3 , and is available in PROPs and on the TCF resources page webpage. OTT apologizes.
33	11/26/19	Contract/ University	In a case where a TCF project was awarded and the PI moved to a University and wants to continue being involved with the project, does TCF allow for funding to be sent to that new institution?	Please see the responses to Q# 31 and #30. In addition, it should go without saying that the DOE facility would remain the TCF performer in the scenario you lay out.



Q #	Date Asked	Subject	Question	Answer
32	11/25/19	Contract/ University	If my project is selected, can I use the funding to sub-contract a University to collaborate with a faculty and PhD student there?	Please see the responses to Q# 31 and #30.
31	11/25/19	Contract/ University	I have a partner for the 50% cost share, it is a company. In addition, I would like to have in my team a colleague from a university – he would have a small role in the project, as he has contributed to it in the past. If awarded, I would establish a contract with that university, so that a small portion of the TCF funds would flow to him. Is this is an acceptable scenario for TCF?	Yes, but the DOE lab also has a duty to inform the partner company funding 50% that the university may also be involved in the TCF project, which may affect the IP ownership.
30	11/21/19	Purchasing products and services from a project partner	Can a lab spend TCF funds at the industry partner, understanding that such funds do not count toward the partner cost share requirements? For example, SNL has a project with XYZ Corp (\$750k each). XYZ provides all \$750k in cost share in the form of cash, labor and other allowable forms of cost share to fulfil their entire obligation. Can SNL send some of their \$750k to XYZ to purchase services or products?	As stated on page 45 of the Solicitation, "[b]y law, TCF funds cannot flow to a partner for work scope that is covered by a CRADA. Other types of agreements may be used with the prior approval of OTT. If a contract is used as a partnership vehicle, TCF funds applied to the contract could flow to the partner. The 50% match requirement remains regardless of the type of partnership agreement a lab uses." If the facility intends to use a CRADA as the partnership vehicle, it may enter into a contract with the partner to procure products and services with TCF funding providing the contract covers a separate and distinct work scope from that of the TCF CRADA. Applicants should make sure their prospective partnership arrangements comply with all DOE and CRADA directives and conditions.
29	11/21/19	TCF project start date	Our PIs are asking when to begin their budget plan. I see notification is to occur in Spring 2020, but please advise as to a project start date.	There is no single TCF project start date, and OTT is unable to provide one. This spring is still the anticipated timeframe for selection notification, which is not an authorization to begin performance. Selected projects are required to finalize the Scope of Work (SOW)/Work Plan with the funding Program Office(s) prior to work authorization and



Q #	Date Asked	Subject	Question	Answer
				release of funds. Projects with private partners must also execute a CRADA or other approved agreement before they begin work.
28	11/19/19	Contract	If a project wants to use a contract mechanism other than a CRADA, does the lab need to take any additional action beyond having our partner include the request for a different type of agreement, along with the rationale, in their Letter of Commitment? For example, should the lab contact OTT directly with this request prior to the proposal submission?	No other action is necessary at this time. OTT will evaluate all requests to use an agreement type other than a CRADA after the full proposal deadline.
27	11/19/19	Changing my PED	How do I change my full proposal from a topic 1 to a topic 2? And how do I add the partner? Can I add a second partner before I submit my full proposal?	As stated on page 19 of the Solicitation (section V.C.1.c), to change or update information such as the PI, partner, Topic, TCF funding request, or period of performance, please email TCF@hq.doe.gov. OTT will not consider changes to Technology Area(s) and justification(s), or Mission Narratives. The deadline to make updates or changes is 5:00 p.m. (ET) November 27, 2019. OTT will not consider requests to make changes after the deadline.
26	11/12/19	Delegation rights in PROPs	How do I give access to my TCF FY20 proposals to our pre-awards administrator?	<p>You will need to delegate your proposal. Once you login, click Applications at the top of the page. Then click the lock icon to the left of the Tracking ID of the proposal you want to delegate. A new window opens. Click + Create New Request under New and Pending Delegation Requests. Enter the delegate's first name, last name, and email address.* Next, select the permission level you want to give your delegate (Proposal Admin=full rights or Proposal Viewer= only able to view the proposal). Once you have entered all information, click the check icon to complete the process.</p> <p>*Delegates must have an existing user account. If the delegate does not have an existing user account, they will need to create one. Delegations requests cannot be processed without an active user account.</p>



Q #	Date Asked	Subject	Question	Answer
				This topic was also addressed in the FY20 TCF Solicitation Webinar , which can be found here: https://proposalsott.inl.gov/home/tcf_resources.aspx
25	11/12/19	Responsibility for cost share discrepancy.	We would like to define a stage gate approach to technology maturation under a Topic 2 TCF proposal where in-kind matching funds are provided by our industry partner. If the project is funded, initial work scope would be completed at the laboratory, with limited contribution from the partner. Once certain technical milestones are achieved at the lab, the partner's involvement will increase. If the initial project work results in a "no-go" decision, there will be an imbalance of DOE vs Matching Funds utilized (e.g. DOE 75%, Matching 25%). How would DOE ask the lab contractor to address such a discrepancy if the project is terminated early due to technical challenges?	As stated on page 45 of the Solicitation, "[t]he lead DOE Facility is responsible for any funding gap should a TCF project fail to obtain from partners or other collaborators the statutorily required 50% of total project costs from non-federal sources."
24	11/06/19	Partnership Agreement/ Contract Mechanism	If a TCF proposal includes in-kind cost share contribution from a prospective customer who will not be a CRADA partner, what contract mechanism can the lab use to get this in-kind contribution from the prospective customer?	Please see the response to Q#10.
23	11/02/19	Cost Share	We are considering a TCF proposal that will include services from the supplier, manufacturer, service provider and the end customer for the project. Is it possible to include the supplies provided by the supplier, and the testing and validation costs provided by the service provider and end customers as in-kind cost share for the project, where the sole CRADA/development partner is the manufacturer?	Please see the response to Q#10.



Q #	Date Asked	Subject	Question	Answer
22	11/04/19	TOPIC 2 award amount	The award amount of \$250,000 to \$1,500,000 for Topic 2 TCF is the total amount for the whole period of 12-36 months, or just for the first year?	The award amounts cited in the Solicitation are total amounts.
21	10/31/19	Period of Performance	Can you advise if the period of performance for topic 2 should end 9/30/2022? The FOA specifies up to 36 months however the budget file runs through FY22 which if we presume a mid-year start, would have 36 months end in FY23.	OTT corrected the spreadsheet in response to your question, and thanks you for calling the issue to its attention. The updated budget template (v2) now seeks input for year 1 year, year 2, and year 3 as applicable to specific proposals. The current budget spreadsheet is available in PROPs and on the TCF resources page: https://proposalsott.inl.gov/Home/TCF_Resources.aspx If applicants have already filled out the original version of the template, OTT will accept it.
20	10/29/19	Selection Notification	If my PED is selected for the full proposal phase and I submit my proposal, then when do I find out if I will be funded or not.	As stated on page 1 of the Solicitation, OTT anticipates making selection notifications in spring 2020.
19	10/16/19	Submissions	How many total PEDs were submitted?	A total of 348 PEDs were submitted.
818	10/09/19	IP	Is an IP that is held by DOE (rather than the contractor) eligible for TCF participation?	OTT needs more information to answer this question: <ul style="list-style-type: none"> • What is the connection between the lab/contractor and the IP? • What rights to the IP does the lab/contractor currently have? • Why does the lab/contractor want to pursue this IP? Was it assigned to the lab/contractor?
17	10/08/19	File Naming	According to the call information, the declaration file should be save using the naming convention below. This is found on page 58. However on the website system [PROPs], the naming convention is noted differently as shown below: Name File: 2020_TCF_PED_ "Tracking ID#".pdf (Please let me know which is correct	Apologies for the confusion between the naming convention cited in the Solicitation and the information in PROPs. PROPs has been updated. OTT will accept either file name convention.
16	10/05/19	IP clause	Is there a standard IP clause for agreements allowed in TCF proposals?	There is no TCF-specific standard IP clause. For an agreement such as a CRADA, there is common IP language and guidance. Your DOE



Q #	Date Asked	Subject	Question	Answer
				facility's legal counsel must approve any changes that deviate from the model CRADA.
15	10/05/19	Partnership Agreements /ACT	Is ACT an acceptable alternative agreement for Topic 2? If so, must the ACT be in lab's contract when applying for TCF or can adding the ACT to the contract be in process?	Applicants should work with their Technology Transfer Offices, DOE site offices, and prospective partners to find the best solution given their unique situation when the need for an alternative partnership agreement arises. An ACT can be pursued as an alternative agreement; however, the ACT must be in the Laboratory's M&O contract when submitting a full proposal to the TCF. The partner's Letter of Commitment must include the request for a different type of approved agreement, along with the rationale.
14	10/03/19	Mission relevance	Will a fusion-related technology be considered for funding by the Office of Nuclear Energy if it fits in one of the eligible sub-categories?	The TCF is a competitive solicitation. It is incumbent on applicants to submit proposals that accurately articulate their relevance to the technology areas and mission descriptions in Appendix A of the Solicitation
13	10/03/19	Partnership Agreements	What other "approved partnership agreement" can be used for Topic 2?	Because there are different circumstances across the 21 TCF-eligible Facilities and their myriad prospective partners, OTT makes an effort to be flexible to other agreements apart from the default CRADA. Applicants should work with their Technology Transfer Offices, DOE site offices, and prospective partners to find the best solution given their unique situation when the need for an alternative arises. Examples of alternatives include contracts and Materials Transfer Agreements. The partner's Letter of Commitment must include the request for a different type of approved agreement, along with the rationale.
12	10/01/19	OOU and export controlled information	Can we include OOU and export controlled information in the PED? Our drone technology is part of an IDR, is OOU, and export controlled.	Yes. It must be marked appropriately.
11	09/30/19	Mission narrative /character limit	Can references be included for the mission narrative outside of the 5,000 character limit?	No.
10	09/28/19	Cost Share/ Partnership Agreements	We are considering a TCF proposal that will include testing and validation of the subject technology from a	A) It is possible that a collaborator, not party to CRADA, could provide matching funds through a direct relationship with the



Q #	Date Asked	Subject	Question	Answer
			<p>prospective customer. The customer will not be a development partner, and thus is not a likely CRADA participant. Is it possible to include their testing and validation costs as in kind cost share? The most likely agreement that would be in place is an NDA.</p> <p>The IP is jointly owned by the lab and a third-party development partner that would also likely participate in the TCF project under a CRADA. The development partner would not be able to provide all of the required cost share, so we would like to include contribution from the prospective customer (testing / validation costs).</p>	<p>project's CRADA partner. Matching funds can be cash or in-kind. There should be a written agreement between the DOE facility or the CRADA partner and the third party/collaborator that requires the third party to provide the matching funds. Consult your DOE facility's legal staff for advice on how to obligate the third party to provide the matching funds and ensure the matching funds meet DOE's requirements pertaining to in-kind contributions. Matching funds are subject to audit by the Department or other authorized government entities (e.g., GAO). DOE Facilities are responsible for making sure the TCF cost share requirements are met.</p> <p>B) Please see the responses to Q#1 about co-owned IP.</p>
9	09/26/19	Partner Anonymity	<p>We have a partner who is interested in a TCF project but is concerned that award announcements will publicly link their company to the national lab when they prefer not to disclose this working relationship. Is it possible for DOE to withhold certain partner names in any public information about the project?</p>	<p>Private sector partnerships are key to the TCF program as a whole, but OTT may consider a request not to disclose in its selection announcement the name and location of a specific project partner. A prospective TCF partner that wishes to remain anonymous should include this request in its Letter of Commitment, along with its reasoning. OTT will make a determination during its Full Proposal eligibility review, and will let the PI and lab POC know if it decides not to forward the proposal to Independent Merit Review.</p> <p>DOE is required to report annually on its technology transfer and partnership activities. Information about TCF project partners is included in these reports. There is no mechanism for project partners to remain anonymous in such reports.</p>
8	09/25/19	Identifying partners	<p>Is it acceptable to list TBD for the industry partner in the PED with the intent of finding an industry partner in time to list for the full proposal?</p>	<p>Yes. While it is helpful to get partner information in the PED, applicants may add or change it between the PED and Full Proposal submissions. Please see Section V.C.1.c. "Changes to PEDs After 5:00 p.m. October 10, 2019," on page 18 of the Solicitation or slide 40 of the Applicant Webinar for information about</p>



Q #	Date Asked	Subject	Question	Answer
				making allowable changes, including to the partner fields, and for a specific deadline to request such additions or updates.
7	09/24/19	"IP mapping"	Is there any guidance or an example of "IP mapping" that my office may use to explain to the technical staff what is responsive to TCF FY20?	<p>"IP mapping" is mentioned once in the Solicitation (page 5), in the context of the types of activities that Topic 2 applicants will have undertaken to determine if their technology is viable for commercialization. There is no one single example of IP mapping, nor is OTT looking for documentation of the exercise, which might include analysis of:</p> <ul style="list-style-type: none">• The purpose of the technology, its content and the need it addresses• Improvements the technology may make to another technology or technical field• Relevant semantics and taxonomy to pursue a patent or copyright protection <p>Topic 2 applicants are required to have filed a non-provisional patent application or for copyright protection by the time DOE obligates funding for successful proposals, but they will have likely undertaken IP mapping or a similar exercise if they have already filed a non-provisional patent application or for copyright protection — either as a Topic 1 TCF project or independently. In any case, TCF proposals should focus on articulating their technologies' development at present and over the course of the project's period of performance, as well as its potential for commercialization. If an applicant wants to include specific references to an IP mapping exercise, its Technology Transfer Office would be a good resource for information about those options for the particular IP.</p>
6	09/20/19	Cost share commitment	Can the partner's cost share commitment be based on expected future financing? For example, can the company provide a letter of commitment based on funds they expect to receive after the proposal deadline (but before the project start)?	That is a decision for the DOE Facility to make. As stated on page 45 of the Solicitation, "The lead DOE Facility is responsible for any funding gap should a TCF project fail to obtain from partners or other collaborators the statutorily required 50% of total project costs from non-federal sources."



Q #	Date Asked	Subject	Question	Answer
				The Facility may also want to consider whether or how the proposal's independent merit reviewers may take into account such an arrangement in scoring Technical Merit Criterion 3: Project Team and Resources (20%).
5	09/19/19	Eligibility	If a researcher came from another national lab from which his existing IP was developed and filed, can he apply for the TCF at his current Facility?	Yes, but the researcher's current and former lab will need to agree the use of the IP on the TCF project, depending on the IP's ownership.
4	09/19/19	Partner Eligibility	Do TCF project partners need to be U.S. entities?	OTT has no program specific policy regarding foreign partners. Applicants should make sure their prospective partnership arrangements comply with all DOE policies regarding partnering with non-U.S. entities.
3	09/17/19	Eligibility	<p>Under "Additional Funding Eligibility Considerations" please clarify the following sentence: "Technologies previously funded as Topic 1 projects are eligible to submit Topic 2 proposals under the same field of use or market segment as the original TCF project." Does such a Topic 1 project need to be complete prior to submitting a Topic 2 proposal for the same field of use, or can the Topic 1 project be in progress at the time of Topic 2 proposal submission?</p>	<p>The eligibility conditions listed in the same section (page 9) apply to all proposals for follow-on TCF funding. Any earlier TCF projects must meet the following conditions:</p> <ul style="list-style-type: none">• The project (scope of work) is complete by the Full Proposal deadline, and was successful in accomplishing the project's goals.• The project has complied with all interim reporting requirements (a final report is due three months from the completion of the scope of work, but is not a precursor for selection).<ul style="list-style-type: none">o In addition to the Funding Program Office requirements, TCF Project recipients will be required to upload reporting to the Project Information Collection System (PICS) each calendar quarter and on an as-needed basis when requested by DOE's Office of Technology Transitions (OTT).• The new funding request meets the Solicitation's requirements and advances the technology toward commercialization.
2	09/16/19	IP	Is open source software that would be shared with the larger stakeholder community of interest to TCF? I'm thinking about software the lab has developed and would like to develop further by adding to its capabilities. A finite number of entities would actually	Full proposals that pass mission area relevance at the PED stage are independently merit reviewed against the criteria in the Solicitation. The relevant Program Office(s) may also provide input to the Merit Review Committee, which makes selection recommendations. Applicants should take care to describe projects



Q #	Date Asked	Subject	Question	Answer
			pay for it, but if it were developed further and offered freely I can see a lot of use across the US in private and public organizations.	and technologies—and their potential for commercial impact—that will perform well against other TCF proposals. Commercial impact can be interpreted broadly, to include how broadly a technology may be used, irrespective of whether it would generate significant revenues.
1	09/05/19	IP	Is IP that also has non-lab inventors eligible for TCF application	<p>The IP is eligible for the TCF if the DOE Facility has filed for or holds a provisional or non-provisional patent application or copyright protection (Topic 1) or a non-provisional patent application or copyright protection (Topic 2). If a non-lab employee or any entity other than the DOE Facility as filed for or holds these protections, the IP is not eligible for the TCF.</p> <p>To provide further guidance on IP with non-lab inventors, please let OTT know more about the circumstances of the other party's or parties' IP ownership.</p> <ul style="list-style-type: none">• Is the other party an intern, contractor, CRADA partner, or other collaborator?• Is this party obligated under contract to assign government use rights?• Do you expect the non-lab IP owner to contribute to the TCF project's non-federal cost share (either in cash or in-kind) as a CRADA partner?• Would the other party sign an agreement in the letter of commitment about U.S. manufacturing? <p>Amended answer 10-3-19: In cases where a DOE Facility co-owns IP that is the subject of a TCF proposal, the applicant shall document in the proposal:</p> <ul style="list-style-type: none">• That there is a co-owner of the technology• How the co-owner became a co-owner• The co-owner's involvement with the TCF project, including funding research and development activities, CRADA, etc.• Whether or not the laboratory and co-owner executed an agreement concerning licensing of the technology. CRADA

Q #	Date Asked	Subject	Question	Answer
				partners may also need to be party to this or another agreement with the lab and the IP's co-owners.