

LETTER FROM THE CO TO THE M&O NOTIFYING THEM OF POTENTIAL TO BE USED AND REQUESTING UPDATED OCI INFORMATION AND COI STATEMENTS

Dear:

SUBJECT: American Recovery and Reinvestment Act of 2009 (Recovery Act)  
Financial Assistance Application Reviewers

The Department of Energy (DOE) has issued, or will be issuing, dozens of competitive Funding Opportunity Announcements (FOAs) to carry out projects to implement the Recovery Act. In accordance with the urgency to create green jobs, jumpstart the economy, and make progress in addressing global warming, DOE is committed to expeditiously completing the merit review of the applications submitted in response to these FOAs. It is expected that many of these applications will contain highly technical information that will require a certain level of expertise on the part of those reviewing the applications. Therefore, DOE is seeking employees with certain levels of expertise to review applications. Because there are many FOAs and many program offices issuing FOAs, we are utilizing this streamlined approach to addressing organizational conflict of interest issues, rather than having the contractor respond to each request for updated organizational conflict of interest (OCI) information.

A list of the FOAs that have been issued, and a brief description of the subject matter covered, is available at <http://www.energy.gov/recovery/funding.htm>. In accordance with DEAR 952.209-72, please review this list to determine if your organization could have any organizational conflicts of interest in performing work for DOE in connection with these FOAs. It is important that your organization is not biased because of its financial, contractual, organizational, or other interests related to the proposed work, and that your organization does not obtain an unfair advantage over other parties by virtue of performing work for DOE.

In addition, DEAR 970.0371-6 provides that an employee of a management and operating contractor may not make work-related decisions if the employee's personal concern, e.g. significant personal interest, is incompatible with the interest of the Government.

Any of your employees asked to support or whom you may propose as having the requisite expertise to support this tasking must treat application information as proprietary, must not disclose or discuss any related information with any unauthorized person, and will be required to sign a nondisclosure acknowledgement, similar to what non-Federal evaluators or advisors sign under 48 C.F.R. § 915.207-70(e)(6). A copy of a standardized nondisclosure acknowledgement and conflict of interest assurance is enclosed.

Please update your OCI certifications/disclosures and provide DOE with all relevant information related to this work area. Provide all relevant information, including, but not

limited to, information about any FOA in which (a) you have submitted or plan to submit an application, (b) you are or will be participating as a team member or potential subgrantee/subcontractor in any capacity, or (c) you have or will have provided support such as intellectual property, personnel, or facilities. We would appreciate a response by \_\_\_\_\_. Further, to provide DOE with clear assurance that the individuals who will be involved will be free of conflicts and appreciate the sensitivity of this program, we will be asking reviewers to execute individual conflict of interest acknowledgments in a form substantially similar to the attached document. Responses regarding individual reviewers will be needed as soon as possible after a reviewer is identified.

Please contact the undersigned if you have any questions or wish to discuss this matter.

C.O. signature