

**Questions posted May 10, 2010**

1. When does Phase II start date? Assume July 1?

**Answer:** Per the FOA, "*Projects that are selected for Phase 2 will receive no more than a 4 month extension to Phase 1 to allow DOE and the Phase 2 Recipient(s) sufficient time to negotiate the full scope and budget for Phase 2. DOE reserves the right to award Phase 2 anytime during this 4 month period*". DOE will not extend a Phase 1 project beyond September 30, 2010; therefore, it is likely that no more than a 3 month extension will be provided. Further, depending upon the positive cooperation and responsiveness of the Phase 2 Recipient, DOE will be able to make the full Phase 2 award more quickly. Any start date proposed by the Recipient is subject to negotiation with DOE if the project is selected.

2. What are the SOPO tasks for Phase II?

**Answer:** Applicants are asked to stick to the framework of the eight tasks that were developed in the Statement of Project Objectives for Phase I. Now that Applicants should be moving on to the latter tasks (e.g. Task 6.0 Detailed Design, Task 7.0 Construction, Task 8.0 Testing), these tasks should be presented with more detail. Some tasks (e.g. Task 1.0 Project Management and Planning and Task 4.0 Permitting) may continue throughout Phase II. If the Applicant is proposing work beyond this framework, they are free to add additional tasks and subtasks.

3. Can we get a feel for how long the decision process for picking a NEPA contractor would take?

**Answer:** Assuming a third-party contract arrangement would be used, the time required to get a NEPA contractor would be based on: (1) the time required for the Applicant to recommend to DOE the candidate environmental firms, (2) the submission to DOE and the Applicant of a brief statement of qualifications and a statement of "no conflict of interest" by each candidate firm, (3) the review and approval (or selection) by DOE of one of the candidate firms, (4) establishment of a (draft) contract between the selected candidate firm and the Applicant, (5) review and approval of the Applicant's (draft) contract with the selected environmental firm, and (6) the establishment of an MOU between the selected firm, DOE and the Applicant. This process might take one week or several weeks. To save time, the Applicant may initiate their process of identifying candidate firms (or bidding process) prior to notice of award of a Phase II; however, this would be done at risk of DOE not selecting the Applicant's project for continuation into Phase II. Please see on the ICCS AOI #1 webpage the previously prepared questions and answers on third-party contract arrangements for NEPA services.

4. When will the NEPA certification process start and how long do they feel the NEPA certification will take?

**Answer: Assuming that "NEPA certification" refers to completion of the NEPA process, the answer is that the process schedule will depend on many factors, such as: (1) the time required to complete planning and preliminary design work that will support the analysis of environmental impacts; (2) the time required to complete necessary field studies, if any; (3) the time to prepare, review and approve the NEPA documents; and (4) the time to undertake public participation and to respond to public comments. Environmental Assessments (EAs) usually take 4 to 12 months. Environmental Impact Statements (EISs) usually require 16 to more than 36 months. The NEPA process will begin after the Applicant's project is selected for Phase II.**

5. If the NEPA certification will take up to 4 months of the 36 could we start Detailed Design earlier?

**Answer: Applicants may conduct preliminary design work, project planning, and activities necessary to support the NEPA process, prior to DOE's completion of the NEPA process. Until the NEPA process is complete to a CX, FONSI, or ROD, DOE cannot cost share in detailed design work, construction and activities that would adversely (and significantly) affect the environment or limit the choice of alternatives. However, the Applicant could choose to undertake such activities at risk of not receiving cost-share from DOE.**

6. If we choose to start activities before NEPA certification (at our own risk) and subsequently we receive a NEPA FONSI, can we be reimbursed for activities started early?

**Answer: After DOE concludes the NEPA process with a CX, FONSI, or ROD (as appropriate for the project) and after DOE and the Applicant sign a Cooperative Agreement for Phase II, DOE would reimburse the Applicant for any previously expended cost-share expenses in accordance with the Cooperative Agreement and applicable cost principles.**

7. Do we budget for contingency funds?

**Answer: No, contingency is not an allowable cost under this program.**

8. We have not chosen all of the contractors/consultants required for Phase II - we will be going through competitive bids once the detailed engineering phase is completed (in phase II) where appropriate. Can we list the consultant purpose and estimated budget costs - and complete the required documentation for authorization during phase II?

**Answer: Yes.**