has also taken longer than expected to secure the contract between Algenol and one of its major partners which has allowed some funds associated with their efforts to be utilized during the extension period (003) to complete the 'preliminary' activities as well as these 'continuing' activities.

The revised scope, including these on-going efforts, is consistent with acceptable and previously approved BP1 activities. The overall budget associated with the original scope is being extended to cover the on-going efforts within activities previously budgeted and approved.

SECTION III – TECHNICAL EVALUATION SUMMARY

A. For each cost category, the Project Officer and the Specialist will complete his/her Technical Evaluation of the Negotiated Costs to confirm that they are all reasonable, allowable, and allocable. Additional comments should be added as necessary and as indicated below.

*****This Section has been intentionally left blank as the budget has not changed from the approved budget in 002*****

1. Personnel:
   Total Negotiated Personnel Costs: $Exemption 4 Not Applicable, the recipient did not propose personnel costs: ☐

Project Officer:
The proposed personnel costs have not changed from the originally approved budget.
Specialist: Negotiated labor rates are reasonable: ☒

2. Fringe Benefits:
   Total Negotiated Fringe Benefit Costs: $Exemption 4 Not Applicable, the recipient did not propose fringe benefit costs: ☐

Specialist:
The proposed fringe benefit costs have not changed from the originally approved budget.

3. Travel:
   Total Negotiated Travel Costs: $Exemption 4 Not Applicable, the recipient did not propose travel costs: ☐

Project Officer:
The proposed travel costs have not changed from the originally approved budget.
☒ Specialist concurs.

4. Equipment:
   Total Negotiated Equipment Costs: $Exemption 4 Not Applicable, the recipient did not propose equipment costs: ☐

Project Officer:
The proposed equipment costs have not changed from the originally approved budget.
☒ Specialist concurs.

5. Supplies:
   Total Negotiated Supplies Costs: $0 Not Applicable, the recipient did not propose supplies costs: ☐

Project Officer:
The proposed supplies costs have not changed from the originally approved budget.
☒ Specialist concurs.

6. Contractual:
   Total Negotiated Contractual Costs: $Exemption 4 Not Applicable, the recipient did not propose contractual costs: ☐

Project Officer:
The proposed contractual costs have not changed from the originally approved budget.
☒ Specialist concurs.

7. Construction:
   Total Negotiated Construction Costs: $0 Not Applicable, the recipient did not propose construction costs: ☐

Project Officer:
The proposed construction costs have not changed from the originally approved budget.
☒ Specialist concurs.

8. Other Direct Costs:
Total Negotiated Other Direct Costs: $0 Not Applicable, the recipient did not propose other direct costs: ☐

Project Officer: The proposed other direct costs have not changed from the originally approved budget.
☒ Specialist concurs.

9. Indirect Charges:
Total Negotiated Indirect Costs: $Exemption 4 Not Applicable, the recipient did not propose indirect costs: ☐

Specialist: The proposed indirect costs have not changed from the originally approved budget.

10. Cost Share:

Project Officer: Project is a: ☒ Research ☒ Development ☐ Demonstration ☐ Other: (Explain) The minimum recipient's cost share required for this award is: Exemption The recipient proposed cost share for this award is: Exemption Does the proposed cost share meet the minimum requirement: ☒ Yes ☐ No
Specialist: Is the proposed cost share: ☒ Cash ☐ In-kind All proposed cost share for Budget period 1 is proposed as cash contributions from Algenol ($Exemption 4), DOW ($Exemption 4), and Membrane Technology and Research, Inc. ($Exemption 4). Third Party cost share commitment letters were obtained previously.

B. The following Project Officer and Specialist evaluation and negotiation commentary and recommendations address their agreement on all additional considerations for this award.

1. Please list any other special provisions agreed upon for inclusion in this award and describe the rationale for their inclusion below.

The revised SOPO will replace the existing SOPO.

2. If a negotiation strategy, or strategies, is/are specified in the selection statement, provide a discussion below of how this was addressed and resolved.

Exemption 4 of Total Project Costs must be kept aside from the project budget as contingency for the project. This contingency is applicable to total project costs (BP2 forward) and will be verified by the Project Officer as requested and discussed in the Contingency Appendix that will be attached to the award. Contingency will be reported and tracked as well to address the Exemption requirement per the Selection Statement.

3. Any other comments or concerns of the Project Officer and/or Specialist for this award, and the recommended approach to mitigating them, will be explained and addressed below.

The Contracting Officer and the Project Officer have conferred about how this action potentially affects costs associated with BP2. There is an understanding that the actual effect of this action on BP2 costs must be addressed at the time BP2 is pursued, whether the effect is a reduction in overall BP2 costs or full utilization of remaining BP2 funds due to cost increases, more refined costs or some other reason.

4. Is this a Recovery Act award? ☒ Yes ☐ No
   - If Yes, does the Buy American Act apply (see applicability below)? ☐ Yes ☒ No
   - If Yes, does Davis Bacon Act apply (see applicability below)? ☒ Yes ☐ No

If the answer to either the Buy American Act or Davis Bacon Act questions is Yes, provide a short discussion below on: 1) the type of entity; 2) what applies; Davis Bacon, Buy American, or both; 3) whether it applies to the prime, subrecipient, or both; and 4) work to be performed that requires applicability of Buy American and/or Davis Bacon.

Algenol Biofuels Inc. includes construction activities, and therefore is subject to the Davis Bacon Act (DBA). DBA will apply to both the Recipient and their subrecipients, throughout the entirety of the project (Budget Periods 1 & 2).

SECTION IV – RECOMMENDATIONS/APPROVAL

Signatures of the Project Officer and Specialist, indicating their recommendations, as indicated below, will occur after their mutual agreement on the contents of this document, and before the review and approval process for the action. The signatures below indicate that the costs in the negotiated budget are reasonable, allowable, and allocable.

1. Technical Recommendation

The project costs are acceptable and should be considered for a financial assistance award. The resources have been reviewed relative to the Statement of Project Objectives and are found to be reasonable, except as previously noted herein.

Christy Sterner — Signature
12/3/10 — Date

Christy Sterner
Project Officer

2. Specialist Recommendation

In view of the above analysis, the technical evaluation, and considering all known factors, this Award is recommended.

Molly R Hames — Signature
12/03/10 — Date

Molly Hames
Grants and Agreements Specialist

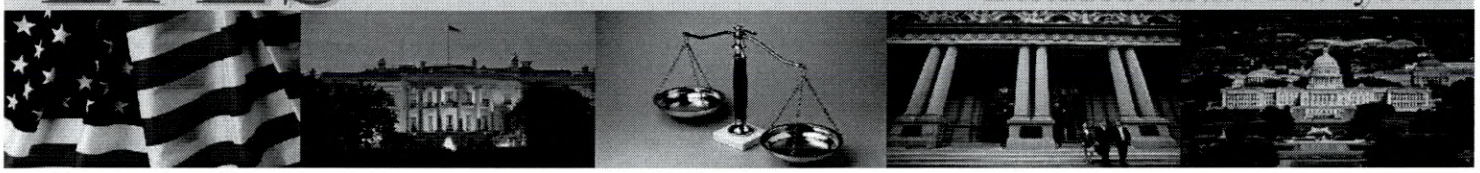
3. Contracting Officer Approval

☒ I concur with the above recommendation and have determined that the Recipient is responsible. I consider this Award to be in the best interest of the Government, and approve the award documents.

☐ In view of the analysis, the technical evaluation, and considering all known factors, I have determined that the Recipient is responsible. This Award is considered to be in the best interest of the Government and approved.

Michael A. Schledorn — Signature
12/3/2010 — Date

Michael A. Schledorn
Contracting Officer



Search - Current Exclusions

> Advanced Search
> Multiple Names
> Exact Name and SSN/TIN
> MyEPLS
> Recent Updates
> Browse All Records

View Cause and Treatment Code Descriptions

> Reciprocal Codes
> Procurement Codes
> Nonprocurement Codes

Agency & Acronym Information

> Agency Contacts
> Agency Descriptions
> State/Country Code Descriptions

OFFICIAL GOVERNMENT USE ONLY

> Debar Maintenance
> Administration
> Upload Login

EPLS Search Results

Results **1** - **1** of **1**

Search Results for Parties Excluded by

Firm, Entity, or Vessel : Algenol Biofuels, Inc.
Firm, Entity, or Vessel : The Dow Chemical Company
Firm, Entity, or Vessel : Georgia Institute of Technology
Firm, Entity, or Vessel : Membrane Technology and Research, Inc.
Individual : Craig R. Smith
Individual : Katie McFadden

As of 02-Dec-2010 11:26 AM EST

Save to MyEPLS

Page: **1**

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

Name	Smith, Craig E.
Classification	Individual
Exclusion Type	Reciprocal
Description	Convicted of Clean Air Act or Clean Water Act violation- ineligible for awards to be performed at this Facility Only: C.W.S. Industries, Inc., 726-C Kaighns Ave., Camden, NJ 08103 (Violating Facility)

Address(es) --

Verify Street 1	
Verify Street 2	
Address	Cherry Hill, NJ, 08003
DUNS	none

CT Action(s) --

Action Date	24-Feb-2003
Termination Date	Indef.
CT Code	H
Agency	EPA
Agency POC	EPA Contacts
EPLS Create Date	23-Mar-2004
EPLS Modify Date	

Record History

Page: **1**

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

Back **New Search** **Report** **Excel** **XML** **ASCII** **Printer-Friendly**

Resources

> Search Help
> Public User's Manual
> FAQ
> Acronyms
> Privacy Act Provisions
> News

Reports

> Advanced Reports
> Recent Updates
> Dashboard

Archive Search - Past Exclusions

> Advanced Archive Search
> Multiple Names
> Recent Updates
> Browse All Records

Contact Information

> For Help: Federal Service Desk

Hames, Molly

From: Crawford, Lalida
Sent: Thursday, December 02, 2010 1:49 PM
To: Hames, Molly
Subject: FW: Status of Algenol Amendment

-----Original Message-----
From: Schledorn, Michael
Sent: Monday, November 29, 2010 2:50 PM
To: Sterner, Christy; Crawford, Lalida
Cc: Buck, Michael
Subject: RE: Status of Algenol Amendment

REDACTED
EXEMPTION 5

- deliberative process

Michael A. Schledorn
Chief, RE Branch II/Contracting Officer Golden Field Office U.S. Department of Energy
303.275.4993
800.644.6735 X4993 (toll free)
303.275.4830 FAX
michael.schledorn@go.doe.gov

--- OFFICIAL USE ONLY ---
May be exempt from public release under the Freedom of Information Act, 5 U.S.C. 552, Exemption 5 - Privileged Information.

-----Original Message-----
From: Sterner, Christy
Sent: Monday, November 29, 2010 2:45 PM
To: Schledorn, Michael; Crawford, Lalida
Cc: Buck, Michael
Subject: RE: Status of Algenol Amendment

Hi Mike,

REDACTED
EXEMPTION 5
- deliberative process

REDACTED
EXEMPTION 5
- deliberative process

Best regards,

Christy Sterner
U.S. DOE

Go to http://www.eere.energy.gov/golden/funding.aspx for important news regarding Grants.gov.

-----Original Message-----
From: Schledorn, Michael
Sent: Monday, November 29, 2010 2:34 PM
To: Sterner, Christy; Crawford, Lalida
Cc: Buck, Michael
Subject: RE: Status of Algenol Amendment

REDACTED
EXEMPTION 5
- deliberative process

Michael A. Schledorn
Chief, RE Branch II/Contracting Officer Golden Field Office U.S. Department of Energy
303.275.4993
800.644.6735 X4993 (toll free)
303.275.4830 FAX
michael.schledorn@go.doe.gov

--- OFFICIAL USE ONLY ---
May be exempt from public release under the Freedom of Information Act, 5 U.S.C. 552, Exemption 5 - Privileged Information.

-----Original Message-----
From: Sterner, Christy
Sent: Monday, November 29, 2010 2:27 PM
To: Crawford, Lalida
Cc: Buck, Michael; Schledorn, Michael
Subject: Status of Algenol Amendment
Importance: High

Hi Lalida,

REDACTED
EXEMPTION 5
- deliberative process

Best regards,

Christy Sterner
Project Officer
U.S. Department of Energy
Golden Field Office
Phone: 303-275-4720
Fax: 303-275-4753
email: christy.sterner@go.doe.gov

Go to http://www.eere.energy.gov/golden/funding.aspx for important news regarding Grants.gov.

PMC 112.2
(08/27/2009)

U.S. DEPARTMENT OF ENERGY
PROJECT MANAGEMENT CENTER

REQUEST FOR REVIEW

☒ Normal Review ☐ Expedited Review Date: 12/02/2010

Justification for Expedited Review _____

Award Number: DE-EE0002867 FOA Number, if new award: REDACTED EXEMPTION 4

Item(s) For Review: Budget revision; lift subcontractor hold and reopener clause. Total Project: $
Federal Funds: $ 24,331,431

Specialist Listed on Award: Molly Hames Phone: 303-275-4864

Specialist Who Prepared Award: _____ Phone: _____

Note to Specialist: Send 72 Hour Congressional Notification for FOA action reviews, as required.

☒ PEER REVIEW

Comments:

REDACTED EXEMPTION 5 - deliberative process

Signature:

☐ CONTRACTING OFFICER REVIEW

☐ Approved ☒ Approved subject to comments below/attached ☐ Not Approved; Comments below/attached

Comments: Add additional comments on BP2 Cost to technical evaluation

Signature: _____ Date: 12/3/2010

☐ INDEPENDENT REVIEW

Comments:

Signature: _____ Date: _____

☐ LEGAL REVIEWS – SEE PAGE 2 **(Delete page 2 if not required)**

☐ OAFA BRANCH CHIEF REVIEW

☐ Approved ☐ Approved subject to comments below/attached ☐ Not Approved; Comments below/attached

Comments:

Signature: _____ Date: _____

☐ DIRECTOR FINANCIAL ASSISTANCE REVIEW – SEE PAGE 3 **(Delete page 3, if not required)**

☐ HEAD OF CONTRACTING ACTIVITY REVIEW – SEE PAGE 3 **(Delete page 3, if not required)**

4. Briefly describe and explain any substantial change(s) to the original Statement of Project Objectives submitted by the recipient:

5.

Project Officer Commentary: The purpose of this action is to add tasks to BP1 that were previously slated for BP2. The addition of the six tasks does not result in a budget change – no funds need to be added to BP1 to perform the additional tasks. All but one of the additional tasks are continuing efforts from e[redacted] Architect/EPC firm, is really extending the original task of finding an [redacted] finalizing agreements with both. The table below includes a task by task discussion relating the additional task elements to existing BP1 efforts and the rationale for maintaining the existing budget with no changes.

REDACTED
EXEMPTION 5
– deliberative process

Additional Task Element	Existing Related Task	Rationale for Budget Not Changing
A.12, A.12.1: On-going demo of organism performance at 4500L scale in saltwater, outdoors	A.2.2.3 Preliminary work at 4500L Scale (subtask under A.2.2 – Demonstrate growth in salt water across scales)	Work was included in original scope related to demo at 4500L scale. Availability of resources and associated funding allows the additional task of continuing this work to be pursued in BP1 rather than BP2.
A.13: Initiate architect/EPC firm	A.5 Architect Search and Site Selection, Design and Construction Planning, Employee Recruiting	In the original scope, funds were allotted for finding, reviewing, and selecting an architectural firm and EPC contractor. There are funds remaining in this task that can now be used to put contracts in place with both and begin initial work covered under BP1 and NEPA.
A.14: Compile final design specifications	Related to all unit op tasks: A.3.1.11.2; A.4.1.1.3; A.4.1.2.3; A.4.1.3.3; A.4.1.4.4.2; A.4.1.6.1.4; A.4.1.6.2.3; A.4.1.7.6; A.4.2.1.1.4; A.4.2.1.2.4; A.4.2.1.3.4; A.4.2.1.4.4	All engineering and design tasks included generation of preliminary design specifications. It was originally agreed that final design would occur early in BP2 (as close to 100% as possible within the NEPA regulations). Remaining funds associated with the engineering and design can be used in BP1 to further the design to as close to final as possible (prior to BP2).
A.15: On-going recruitment of Plant Manager, Engineer, and Project Manager	A.5.3 Personnel Recruiting (A.5.3.1; A.5.3.2; A.5.3.3; A.5.3.4)	Recruitment has taken longer than expected and the much of the funds originally allotted for this effort are available to continue the effort.
A.16: Continued flexible film photobioreactor evaluation	A.3: Flexible Film Photobioreactor Development	As with many of the other tasks, this effort was begun under the original scope and budget. There are funds remaining in this effort from the original BP1 budget that can further this effort through the additional task, using existing personnel.
A.17: Program Management BP1	A.9 Program Management of Extended DOE Phase 1 Activities	It makes sense that if there were funds remaining from the original tasks noted above, there would be program management activities and funds available for continuing these efforts.

As noted in the Table above, funds were originally allocated to the 'beginning' or 'preliminary' activities associated with each of these 'continuing' activities. Therefore, the budget in itself has not changed. More of the originally planned activities will be pursued with this extended scope for BP1 than originally planned under the current scope and budget. It

STRIPES 'ASSISTANCE AGREEMENT' (COVER PAGE) TEMPLATE LANGUAGE FOR NEW AWARDS AND AWARD MODIFICATIONS

MODIFICATIONS:

Please add the following language to all award modifications in STRIPES at MAIN/TEXT/Header Text

The purpose of this modification is to delete and replace the Statement of Project Objectives (Attachment 2).

All other terms and conditions remain unchanged.

In Block 7 of the Assistance Agreement, the Period of Performance reflects the beginning of the Project Period through the end of the current Budget Period, shown as 01/29/2010 through 03/31/2011. For multiple Budget Periods, see Special Terms and Conditions, Provision 4, "Award Project Period and Budget Periods."

The total amounts reflected in Blocks 12 and 13 of the Assistance Agreement do not include the Federally Funded Research and Development Center (FFRDC) funding amount of $424,480, which will be funded directly.

DOE Award Administrator: Molly Hames
E-mail: molly.hames@go.doe.gov
Phone: 303-275-4864

DOE Project Officer: Christy Sterner
E-mail: christy.sterner@go.doe.gov
Phone: 303-275-4720

Recipient Business Officer: Katie McFadden
E-mail: Katie.McFadden@Algenolbiofuels.com
Phone: 239-498-2000

Recipient Principal Investigator: Craig Smith
E-mail: craig.smith@algenolbiofuels.com
Phone: 239-498-2000

Please add the following statement to all new awards in STRIPES at MAIN/TEXT/Header Text
Add 'Electronic Signature Defined' statement

STATEMENT OF PROJECT OBJECTIVES
Algenol Biofuels Inc.
Recovery Act: Integrated Pilot-Scale Biorefinery for Producing Ethanol from Hybrid Algae

A. PROJECT OBJECTIVES

1. Demonstrate the commercial potential of DIRECT TO ETHANOL™ technology by building a pilot-scale DIRECT TO ETHANOL™ integrated biorefinery.

2. Operate a pilot-scale DIRECT TO ETHANOL™ integrated biorefinery that uses approximately 2 tonnes per day of carbon dioxide from industrial emissions as the feedstock for making ethanol.

3. Implement an integrated biorefinery project that will immediately create or save more than 300 well-paying high-tech jobs in Florida.

4. Assess the economic and environmental impact of a new breakthrough energy technology that could eventually create billions of dollars of economic value and thousands of new well-paying jobs while consuming large quantities of carbon dioxide from industrial emissions, displacing petroleum, and moving the U.S. toward energy independence.

5. Assemble a consortium of private industry, federal laboratories, and academic institutions that will contribute to the development, construction, operation and optimization of Algenol's pilot-scale integrated biorefinery and can contribute to future improvements in DIRECT TO ETHANOL™ technology.

B. PROJECT SCOPE

The DOE Office of Energy Efficiency and Renewable Energy (EERE) has established performance goals. Among these goals are to: 1) dramatically reduce, or even end, dependence on imported oil; and 2) spur the creation of the domestic bio-industry. To that end, the Office of the Biomass Program is offering to fund integrated biorefinery projects under this FOA entitled "Demonstration of Integrated Biorefinery Operations." The FOA lists three main criteria for selection: 1) technical merit and rationale; 2) credible economics and competitive advantages that justify an award; and 3) knowledge and experience in project management.

Algenol and its collaborators have collectively prepared a project that is responsive to the selection criteria as detailed below.

Exemption 4

Exemption 4

C. TASKS TO BE PERFORMED

Exemption 4

Exemption 4

Exemption 4

Exemption 4

PMC 128.1
08-2010

U.S. Department of Energy
Project Management Center

FINANCIAL ASSISTANCE AWARD
INDEX and CHECKLIST
(BUYER USE ONLY)

Award #: DE-EE0002867 / 004
Recipient Name: Algenol Biofuels, Inc.
FOA #: DE-FOA-0000096
Specialist: Molly Hames
Contracting Officer: Michael Schledorn
Project Officer: Christy Sterner

Program: The Office of the Biomass Program
Phone: 303-275-4864
Phone: 303-275-4993
Phone: 303-275-4720

n Item	*Indicate Completion of Action Item by inserting a date in the applicable box below*	
1	Verify Recipient's Registration and Delinquent Federal Debt Status with the Central Contractor Registration (CCR) (http://www.ccr.gov)	CCR Registration Valid through: 04/05/2011; file copy under tab AWD-001
2	Verify Recipient's registration with FedConnect (goto P:\STRIPES\Fedconnect Reports)	Registration Confirmed on: 12/02/2010
3	Vendor Supplier/Site Information Form; send completed PMC 128.8a to 'GO ASAP Enrollment' mailbox	Sent on: N/A; file copy under tab AWD-001

STRIPES Index #	Supporting Document		Form #	applicable	not applicable	Supporting Document Naming Convention	pdf. required
AWD-001	Award Index and Checklist		PMC 128.1	X		AWD-001 AWDChecklist	
	AWD-001a	Vendor Supplier/Site Information Form	PMC 128.8a		X		
	AWD-001b	CCR Registration	n/a	X			
AWD-002	Selection Statement		n/a		X	AWD-002 SelStat	.pdf
AWD-003	Determination of Non-Competitive Financial Assistance (DNFA) Documentation (include Request for Review PMC.112.2)		PMC 109.x		X	AWD-003 DNFADocs	batch .pdf
AWD-004	HCA Approval (Total Project Value greater than $25M and less than $50M) (include Request for Review PMC.112.2)		n/a		X	AWD-004 HCAApvl	.pdf
AWD-005	HQ Business Clearance Documentation (Total Project Value greater than or equal to $50M)						
	AWD-005a	HQ Business Clearance Worksheet	PMC 107.1		X	AWD-005 HQBusClrDocs	batch .pdf
	AWD-005b	HQ Business Clearance Transmittal Letter(s)	PMC 107.2		X		
	AWD-005c	HQ Business Clearance; Correspondence received from HQ	n/a		X		
)-006	Congressional Affairs Notification		DOE F 4220.10		X	AWD-006CongNotification	.pdf
AWD-007	Successful Application Documentation (Prime)						
	AWD-007a	Application for Federal Assistance (Final SF-424 & Project Narrative)	SF-424		X	AWD-007a AppDocs (PRIME)	batch .pdf
		SF-424 (A or R&R) Budget Information	SF-424 (A or R&R)		X		
		Budget Justification	PMC 123.1		X		
		Disclosure of Lobbying Activities	SF-LLL		X		
		Cost Share Commitment Ltrs from Third Parties	n/a		X		
		Justification move SOPO Tasks into BP1	n/a	X			
AWD-008	National Environmental Policy Act (NEPA) Documentation						
	AWD-008a	NEPA Checklist	EF-1		X	AWD-008 NEPADocs	batch .pdf
	AWD-008b	NEPA Review	EF-2		X		
	AWD-008c	NEPA Determination	EF-2a		X		
AWD-009	Pre-Award Information Sheet		PMC 121.1		X	AWD-009 PreAwardInfo	.pdf
AWD-010	Dun&Bradstreet Risk Assessment		PMC 460.2		X	AWD-010 D&BAssessment	.pdf
AWD-011	Combined Technical Evaluation / Negotiation Memorandum		PMC 120.2	X		AWD-011 TechEvalNegMem	.pdf
AWD-012	Intellectual Property Law Division (IPLD) Documentation						

STRIPES Index #	Supporting Document		Form #	applicable	not applicable	Supporting Document Naming Convention	pdf. required
	AWD-012a	IPLD Petition for Advance Waiver of Patent Rights	PMC 133.2		X	AWD-012 IPLDDocs	batch .pdf
	AWD-012b	IPLD Pre-Award Review Request	PMC 133.3		X		
	AWD-012c	IPLD Recommendation	e-mail		X		
AWD-013	Cost Share Determination Documentation						
	AWD-013a	Cost Share Determination	PMC 112.2		X	AWD-013a CostShareDet	.pdf
	AWD-013b	Cost Share Waiver	PMC 142.2		X	AWD-013b CostShareWaiver	.pdf
AWD-014	Cost / Price Documentation						
	AWD-014a	Financial Information	PMC 410.1		X	AWD-014 CostPriceDocs	batch .pdf
	AWD-014b	Indirect Rate Agreement or Rate Proposal	n/a		X		
	AWD-014c	Response from C/P Analyst regarding Indirect Rates	PMC 420.3		X		
AWD-015	Excluded Parties List System (EPLS) Query (https://www.epls.gov)		n/a	X		AWD-015 EPLS	
AWD-016	Pre-Award Cost Request and Authorization		n/a		X	AWD-016 PreAwdCostAuth	.pdf
AWD-017	Justification for Use of Conditional Availability of Funds Provision		PMC 132.2		X	AWD-017 JustificationCondAvail	.pdf
AWD-018	Correspondence to Recipients (use this section for correspondence not issued at FOA level)		n/a	X		AWD-018 Correspondence	.pdf
[illegible]-019	Internal Review(s)						
	AWD-019a	Request for Review (Review of Award Package)	PMC 112.2	X		AWD-019a RvwAwdPkg	.pdf
AWD-020	Deviations						
Cover Page	Assistance Agreement Form		n/a	X			
Body	Special Terms and Conditions		n/a		X		
Attachment 1	Intellectual Property Provisions		n/a		X		
Attachment 2	Statement of Project Objectives		n/a	X			
Attachment 3	Federal Assistance Reporting Checklist and Instructions		DOE F 4600.2		X		
Attachment 4	Budget Information		n/a		X		
Attachment 5	Congintency Appendix		n/a		X		

Algenol Proposed DOE Extended Phase I Activities ALGENOL

- Timing: 10/1/10-12/31/10 activity
- $ REDACTED EXEMPTION 4 Total BP-1 unused budget as of 9/30/10
- $ Total (gross) proposed budget extension 10/1/10-12/31/10
- $3,803,420 – DOE share of unused budget as of 9/30/10
- $3,794,394 – DOE share of proposed budget extension through 12/31/10 activity
- Shifted WBS elements:
  -
  -
  -
  -
  -
  -

REDACTED
EXEMPTION 4

Attachment A: Resource Loaded Project Plan

ID	WBS	Task Name	Duration	Start	Finish	2009 Qtr 1	Qtr 2	Qtr 3	Qtr
1	**A**	Exemption 4							
2	A.1								
3	**A.2**								
4	**A.2.1**								
5	**A.2.1.1**								
6	A.2.1.1.1								
7	A.2.1.1.2								
8	A.2.1.1.3								
9	A.2.1.1.4								
10	**A.2.1.2**								
11	A.2.1.2.1								
12	A.2.1.2.2								
13	A.2.1.2.3								
14	A.2.1.2.4								
15	A.2.1.2.5								
16	**A.2.2**								
17	A.2.2.1								
18	A.2.2.2								
19	A.2.2.3								
20	A.2.2.4								
21	**A.2.3**								
22	A.2.3.1								
23	A.2.3.2								
24	A.2.3.3								
25	A.2.3.4								
26	A.2.3.5								
27	A.2.3.6								
28	**A.2.4**								
29	A.2.4.1								
30	**A.2.4.2**								
31	A.2.4.2.1								
32	A.2.4.2.2								
33	A.2.4.2.3								
34	A.2.4.2.4								
35	**A.3**								

Attachment A: Resource Loaded Project Plan

ID	WBS	Task Name	Duration	Start	Finish	2009 Qtr 1	Qtr 2	Qtr 3	Qtr
36	**A.3.1**	Exemption 4							
37	A.3.1.1								
38	A.3.1.2								
39	A.3.1.3								
40	A.3.1.4								
41	A.3.1.5								
42	A.3.1.6								
43	A.3.1.7								
44	A.3.1.8								
45	A.3.1.9								
46	A.3.1.10								
47	**A.3.1.11**								
48	A.3.1.11.1								
49	A.3.1.11.2								
50	**A.3.2**								
51	A.3.2.1								
52	A.3.2.2								
53	A.3.2.3								
54	**A.3.3**								
55	A.3.3.1								
56	A.3.3.2								
57	A.3.3.3								
58	**A.4**								
59	**A.4.1**								
60	**A.4.1.1**								
61	A.4.1.1.1								
62	A.4.1.1.2								
63	A.4.1.1.3								
64	**A.4.1.2**								
65	A.4.1.2.1								
66	A.4.1.2.2								
67	A.4.1.2.3								
68	**A.4.1.3**								
69	A.4.1.3.1								
70	A.4.1.3.2								

Attachment A: Resource Loaded Project Plan

ID	WBS	Task Name	Duration	Start	Finish	2009 Qtr 1	Qtr 2	Qtr 3	Qtr
71	A.4.1.3.3	Exemption 4							
72	**A.4.1.4**								
73	A.4.1.4.1								
74	A.4.1.4.2								
75	A.4.1.4.3								
76	**A.4.1.4.4**								
77	A.4.1.4.4.1								
78	A.4.1.4.4.2								
79	**A.4.1.5**								
80	A.4.1.5.1								
81	**A.4.1.5.2**								
82	A.4.1.5.2.1								
83	A.4.1.5.2.2								
84	**A.4.1.6**								
85	**A.4.1.6.1**								
86	A.4.1.6.1.1								
87	A.4.1.6.1.2								
88	A.4.1.6.1.3								
89	A.4.1.6.1.4								
90	**A.4.1.6.2**								
91	A.4.1.6.2.1								
92	A.4.1.6.2.2								
93	A.4.1.6.2.3								
94	**A.4.1.7**								
95	A.4.1.7.1								
96	A.4.1.7.2								
97	A.4.1.7.3								
98	A.4.1.7.4								
99	A.4.1.7.5								
100	A.4.1.7.6								
101	**A.4.2**								
102	**A.4.2.1**								
103	**A.4.2.1.1**								
104	A.4.2.1.1.1								
105	A.4.2.1.1.2								

Attachment A: Resource Loaded Project Plan

ID	WBS	Task Name	Duration	Start	Finish	2009 Qtr 1	Qtr 2	Qtr 3	Qtr
106	A.4.2.1.1.3	Exemption 4							
107	A.4.2.1.1.4								
108	**A.4.2.1.2**								
109	A.4.2.1.2.1								
110	A.4.2.1.2.2								
111	A.4.2.1.2.3								
112	A.4.2.1.2.4								
113	**A.4.2.1.3**								
114	A.4.2.1.3.1								
115	A.4.2.1.3.2								
116	A.4.2.1.3.3								
117	A.4.2.1.3.4								
118	**A.4.2.1.4**								
119	A.4.2.1.4.1								
120	A.4.2.1.4.2								
121	A.4.2.1.4.3								
122	A.4.2.1.4.4								
123	**A.4.2.1.5**								
124	A.4.2.1.5.1								
125	A.4.2.1.5.2								
126	**A.5**								
127	**A.5.1**								
128	A.5.1.1								
129	**A.5.2**								
130	A.5.2.1								
131	A.5.2.2								
132	A.5.2.3								
133	**A.5.3**								
134	A.5.3.1								
135	A.5.3.2								
136	A.5.3.3								
137	A.5.3.4								
138	**A.6**								
139	A.6.1								
140	A.6.2								

Attachment A: Resource Loaded Project Plan

ID	WBS	Task Name	Duration	Start	Finish	2009 Qtr 1	Qtr 2	Qtr 3	Qtr
141	A.6.3	Exemption 4							
142	A.6.4								
143	A.6.5								
144	A.6.6								
145	**A.7**								
146	A.7.1								
147	A.7.2								
148	A.7.3								
149	A.7.4								
150	**A.8**								
151	A.8.1								
152	A.9								
153	**A.10**								
154	A.10.1								
155	A.10.2								
156	A.11								
157	**B**								
158	**B.1**								
159	B.1.1								
160	B.1.2								
161	B.2								
162	B.3								
163	**B.4**								
164	B.4.1								
165	B.4.2								
166	B.4.3								
167	**B.5**								
168	**B.5.1**								
169	**B.5.1.1**								
170	B.5.1.1.1								
171	B.5.1.1.2								
172	B.5.1.1.3								
173	**B.5.1.2**								
174	B.5.1.2.1								
175	B.5.1.2.2								

Attachment A: Resource Loaded Project Plan

ID	WBS	Task Name	Duration	Start	Finish	2009 Qtr 1	Qtr 2	Qtr 3	Qtr
176	B.5.1.2.3	Exemption 4							
177	B.5.1.2.4								
178	**B.5.1.3**								
179	B.5.1.3.1								
180	B.5.1.3.2								
181	B.5.1.3.3								
182	B.5.1.3.4								
183	B.5.1.3.5								
184	B.5.1.3.6								
185	**B.5.1.4**								
186	B.5.1.4.1								
187	B.5.1.4.2								
188	**B.5.1.5**								
189	B.5.1.5.1								
190	B.5.1.5.2								
191	B.5.2								
192	B.5.3								
193	**B.6**								
194	B.6.1								
195	B.6.2								
196	B.6.3								
197	B.6.4								
198	B.6.5								
199	**B.7**								
200	**B.7.1**								
201	B.7.1.1								
202	B.7.1.2								
203	**B.7.2**								
204	B.7.2.1								
205	B.7.2.2								
206	B.7.2.3								
207	**B.7.3**								
208	B.7.3.1								
209	B.7.3.2								
210	B.7.3.3								

Attachment A: Resource Loaded Project Plan

ID	WBS	Task Name	Duration	Start	Finish	2009 Qtr 1	Qtr 2	Qtr 3	Qtr
211	B.7.3.4	Exemption 4							
212	B.7.3.5								
213	**B.7.4**								
214	B.7.4.1								
215	B.7.4.2								
216	B.7.4.3								
217	B.7.4.4								
218	B.7.4.5								
219	**B.7.5**								
220	**B.7.5.1**								
221	B.7.5.1.1								
222	B.7.5.1.2								
223	B.7.5.1.3								
224	B.7.5.1.4								
225	B.7.5.1.5								
226	**B.7.5.2**								
227	B.7.5.2.1								
228	B.7.5.3								
229	B.7.5.4								
230	B.7.5.5								
231	B.7.5.6								
232	B.7.5.7								
233	**B.7.6**								
234	**B.7.6.1**								
235	B.7.6.1.1								
236	B.7.6.1.2								
237	B.7.6.1.3								
238	B.7.7								
239	**B.8**								
240	**B.8.1**								
241	B.8.1.1								
242	**B.8.1.2**								
243	B.8.1.2.1								
244	**B.8.2**								
245	B.8.2.1								

Attachment A: Resource Loaded Project Plan

ID	WBS	Task Name	Duration	Start	Finish	2009 Qtr 1	Qtr 2	Qtr 3	Qtr
246	B.8.2.2	Exemption 4							
247	**B.9**								
248	B.9.1								
249	**B.10**								
250	B.10.1								
251	**B.11**								
252	B.11.1								
253	B.11.2								
254	**C**								
255	**C.1**								
256	C.1.1								
257	**C.2**								
258	C.2.1								
259	C.2.2								
260	C.2.3								
261	C.2.4								
262	C.3								
263	C.4								
264	C.5								

November 2, 2010

U.S. Department of Energy
Golden Field Office
1617 Cole Blvd
Golden, CO 80401-3393

RE: ALGENOL BIOFUELS INC
PHASE 1 – NO COST EXTENSION - JUSTIFICATION
GRANT #DE-EE0002867

Dear Ms. Sterner and Ms. English,

As per your request on our most recent conference call, please see below for the justification for the extension of funds in Phase 1 of the above referenced grant.

1.) Algenol has used the cash basis of reporting under the DOE contract. As of 9/30, Algenol has had a number of vendors and sub-recipients that have not invoiced for expenses incurred through 9/30. These funds have been moved to the "Extension" WBS elements.

2.) Due to the technical and educational requirements of the scientists working on the project, the hiring took longer than anticipated.

3.) Due to the above, we achieved a higher productivity level from our existing staff.

4.) More frugal and less than anticipated travel.

Please let me know if you have any questions or need additional information.

Regards,

Katie McFadden, CFO

PMC 120.1
(2/08)

U.S. DEPARTMENT OF ENERGY
GOLDEN FIELD OFFICE

FINANCIAL ASSISTANCE COMBINED COST/TECHNICAL EVALUATION AND NEGOTIATION MEMORANDUM

SECTION I - GENERAL INFORMATION

This technical evaluation/negotiation memorandum will be prepared jointly by the assigned DOE/Golden OCPM AND OAFA personnel, to document the specific action being evaluated and supported. Each office is responsible for certain sections of this document. The assigned OCPM and OAFA personnel responsible for the action will both sign this document upon its completion, demonstrating their agreement on its contents.

1. Recipient: Algenol Biofuels Inc.

2. Grant/Cooperative Agreement No.: EE0002867 Modification No. 004
   Requisition No: 11EE000946
   Project Title: Recovery Act: Integrated Pilot-Scale Biorefinery for Producing Ethanol from Hybrid Algae

3. Type of Action: ☐ New Award ☐ Renewal ☐ Continuation ☒ Revision
   Description of this Action: (NOTE: Indicate what is addressed by this Action only):
   The purpose of this action is to revise the scope for Budget Period 1 (BP1) for Algenol Biofuels' project entitled, "Recovery Act: Pilot-Scale Integrated Biorefinery for Producing Ethanol from Hybrid Algae" (DE-EE0002867). Some tasks from BP2 are being moved to BP1. The budget (approved in modification 002) remains unchanged although tasks are being added.

4. Award type, as determined at Procurement Strategy Meeting (for new awards): ☐ Grant ☒ Cooperative Agreement
   If Cooperative Agreement, provide the specifics of the Substantial Involvement. (Note: This language will be used in the Substantial Involvement provision of the award.):
   The Substantial Involvement Provision is not changing from what is currently in the award.

5. New/Revised Project Period for this Award: From: 01/29/2010 To: 12/31/2014
   New/Revised Budget Period 1 for this Award: From: 01/29/2010 To: 03/31/2011
   New/Revised Budget Period 2 for this Award: From: 04/01/2011 To: 12/31/2014

6. Compliance Assessment (skip if new award):
   a. Deliverables
      The Recipient is current in submitting required reports: ☒ Yes ☐ No
      If no, identify the delinquent report(s), indicate what action(s) have been taken to remedy the situation, and identify what further action(s) are necessary, if any:

   b. Financial
      The Recipient is current in meeting the cost share requirement: ☒ Yes ☐ No
      If no, indicate what action(s) have been taken to remedy the situation and validate why this new action should proceed:

7. Check the applicable box for Funding Appropriation: ☒ Energy and Water ☐ Other _____

8. Check the applicable box for Statutory Authority:
   ☒ 109-58, Energy Policy Act 2005
   ☐ 110-140, Energy Independence and Security Act 2007
   ☒ 111-5, Recovery Act (2009)
   ☐ Other: _____

9. Per 10 CFR 600, the preferred payment method for State/Local Governments, Institutions of Higher Education, Hospitals, or Other Non-Profit Organizations is **Advance**. The preferred Payment Method for For-Profit organizations is **Reimbursement**. If the preferred payment method is not planned for a new award, provide an explanation below. Also explain below if the payment method for the award is being changed by this action.

The recipient is receiving ARRA funds and will continue to be on the ACH payment method to monitor their funds to ensure costs outside of Budget Period 1 are not charged to the award.

10. Is the proposed Recipient on the debarred or suspended list? Yes ☐ No ☒
Are any of the proposed subrecipients/subcontractors on the debarred or suspended list? Yes ☐ No ☒
Is the Project Director on the debarred or suspended list? Yes ☐ No ☒
If yes for either response above, award cannot be made without obtaining a waiver. See attached waiver.
The review was conducted on the Internet on 12/02/2010 (Include Printout in permanent STRIPES file)
(Date)

11. A risk determination has been completed on the PMC Form 460.2 Yes ☐ N/A ☒

12. Negotiation:

	Government Negotiator(s)		Recipient Negotiator(s)	
	Name	**Organization**	**Name**	**Position**
1.	Molly Hames	Contract Specialist	Dr. Craig Smith	COO
2.	Christy Sterner	Project Officer	Pat Ahlm	Assistant Project Manager
3.	Christine English	Navarro Project Engineer	Dax Denman	Assistant Project Manager

SECTION II – NEGOTIATION SUMMARY

1. Please record any significant application or budget submissions that resulted in a revised budget in the Negotiation History Table below (including SF424A, budget justifications, e-mails, etc.):

Application/Budget Submission	Reference Document(s)	Date of Submission	Summary of Change
N/A			The previously approved budget (002) is not changing.

2. Complete Budget Table below (only include the original budget and final negotiated costs – the Percent of Total Negotiated Budget will calculate automatically)
Note: List proposed amounts by category even if there are no differences in the dollar amount.

Element of Cost	BP1 Approved Costs	Percent of Total Negotiated Budget	Fringe Benefits and Indirects	
			Proposed Rate	Negotiated Rate
Exemption 4	Exemption 4			
TOTAL				
Program Income	$0	0%		
DOE Share (non-FFRDC)	$9,896,607	Exemption 4		
DOE Share (FFDRC)	$424,480			
Total DOE Share	$10,321,087			
Non-Federal Cost Share	Exemption 4			

SEE ATTACHED SF 424A FOR BUDGET PERIOD BREAKDOWN

3. Total Allowable Adjustment without Concurrence from the Selection Official per the Selection Statement: 10%
Actual Total Adjustment based on Budget Table Above: 0%
Total Project Costs have not changed from Selection Statement – these are BP1 costs only.
Is the original budget the same as the negotiated budget: ☒ Yes ☐ No - The Budget is not changing from the current approved budget (002).

If No, please check all boxes that apply:
☐ Change in the Project Scope
☐ Changes due to Time Delays
☐ Math Errors in Budget
☐ Changes in Indirect/Fringe Costs Caused Changes in Direct Costs or Total Project Costs
☐ Indirect/Fringe Rates incorrectly applied
☐ Other (explain) _____

4. Briefly describe and explain any substantial change(s) to the original Statement of Project Objectives submitted by the recipient:

Project Officer Commentary: The purpose of this action is to add tasks to BP1 that were previously slated for BP2. The addition of the six tasks does not result in a budget change – no funds need to be added to BP1 to perform the additional tasks. All but one of the additional tasks are continuing efforts from existing BP1 tasks. The 'new' task, Initiate Architect/EPC firm, is really extending the original task of finding an architectural firm and EPC contractor, to initiating and finalizing agreements with both. The table below includes a task by task discussion relating the additional task elements to existing BP1 efforts and the rationale for maintaining the existing budget with no changes.

Additional Task Element	Existing Related Task	Rationale for Budget Not Changing
A.12, A.12.1: On-going demo of organism performance at 4500L scale in saltwater, outdoors	A.2.2.3 Preliminary work at 4500L Scale (subtask under A.2.2 – Demonstrate growth in salt water across scales)	Work was included in original scope related to demo at 4500L scale. Availability of resources and associated funding allows the additional task of continuing this work to be pursued in BP1 rather than BP2.
A.13: Initiate architect/EPC firm	A.5 Architect Search and Site Selection, Design and Construction Planning, Employee Recruiting	In the original scope, funds were allotted for finding, reviewing, and selecting an architectural firm and EPC contractor. There are funds remaining in this task that can now be used to put contracts in place with both and begin initial work covered under BP1 and NEPA.
A.14: Compile final design specifications	Related to all unit op tasks: A.3.1.11.2; A.4.1.1.3; A.4.1.2.3; A.4.1.3.3; A.4.1.4.4.2; A.4.1.6.1.4; A.4.1.6.2.3; A.4.1.7.6; A.4.2.1.1.4; A.4.2.1.2.4; A.4.2.1.3.4; A.4.2.1.4.4	All engineering and design tasks included generation of preliminary design specifications. It was originally agreed that final design would occur early in BP2 (as close to 100% as possible within the NEPA regulations). Remaining funds associated with the engineering and design can be used in BP1 to further the design to as close to final as possible (prior to BP2).
A.15: On-going recruitment of Plant Manager, Engineer, and Project Manager	A.5.3 Personnel Recruiting (A.5.3.1; A.5.3.2; A.5.3.3; A.5.3.4)	Recruitment has taken longer than expected and the much of the funds originally allotted for this effort are available to continue the effort.
A.16: Continued flexible film photobioreactor evaluation	A.3: Flexible Film Photobioreactor Development	As with many of the other tasks, this effort was begun under the original scope and budget. There are funds remaining in this effort from the original BP1 budget that can further this effort through the additional task, using existing personnel.
A.17: Program Management BP1	A.9 Program Management of Extended DOE Phase 1 Activities	It makes sense that if there were funds remaining from the original tasks noted above, there would be program management activities and funds available for continuing these efforts.

As noted in the Table above, funds were originally allocated to the 'beginning' or 'preliminary' activities associated with each of these 'continuing' activities. Therefore, the budget in itself has not changed. More of the originally planned activities will be pursued with this extended scope for BP1 than originally planned under the current scope and budget. It

has also taken longer than expected to secure the contract between Algenol and one of its major partners which has allowed some funds associated with their efforts to be utilized during the extension period (003) to complete the 'preliminary' activities as well as these 'continuing' activities.

The revised scope, including these on-going efforts, is consistent with acceptable and previously approved BP1 activities. The overall budget associated with the original scope is being extended to cover the on-going efforts within activities previously budgeted and approved.

SECTION III – TECHNICAL EVALUATION SUMMARY

A. For each cost category, the Project Officer and the Specialist will complete his/her Technical Evaluation of the Negotiated Costs to confirm that they are all reasonable, allowable, and allocable. Additional comments should be added as necessary and as indicated below.

*****This Section has been intentionally left blank as the budget has not changed from the approved budget in 002*****

1. Personnel:
   Total Negotiated Personnel Costs: $Exemption 4 Not Applicable, the recipient did not propose personnel costs: ☐

Project Officer: The proposed personnel costs have not changed from the originally approved budget.
Specialist: Negotiated labor rates are reasonable: ☒

2. Fringe Benefits:
   Total Negotiated Fringe Benefit Costs: $Exemption 4 Not Applicable, the recipient did not propose fringe benefit costs: ☐

Specialist: The proposed fringe benefit costs have not changed from the originally approved budget.

3. Travel:
   Total Negotiated Travel Costs: $Exemption 4 Not Applicable, the recipient did not propose travel costs: ☐

Project Officer: The proposed travel costs have not changed from the originally approved budget.
☒ Specialist concurs.

4. Equipment:
   Total Negotiated Equipment Costs: $Exemption 4 Not Applicable, the recipient did not propose equipment costs: ☐

Project Officer: The proposed equipment costs have not changed from the originally approved budget.
☒ Specialist concurs.

5. Supplies:
   Total Negotiated Supplies Costs: $0 Not Applicable, the recipient did not propose supplies costs: ☐

Project Officer: The proposed supplies costs have not changed from the originally approved budget.
☒ Specialist concurs.

6. Contractual:
   Total Negotiated Contractual Costs: $Exemption 4 Not Applicable, the recipient did not propose contractual costs: ☐

Project Officer: The proposed contractual costs have not changed from the originally approved budget.
☒ Specialist concurs.

7. Construction:
   Total Negotiated Construction Costs: $0 Not Applicable, the recipient did not propose construction costs: ☐

Project Officer: The proposed construction costs have not changed from the originally approved budget.
☒ Specialist concurs.