

# EXHIBIT J



# THE OFFICE OF CLEAN ENERGY DEMONSTRATIONS

October 11, 2023

Dr. Scott Brandt  
Alliance for Renewable Clean Hydrogen Energy Systems (ARCHES H2), LLC  
1111 Franklin Street, 8<sup>th</sup> Floor  
Oakland, California 94607

SUBJECT: Selection of Application Control #2779-1538 for Negotiation under  
Funding Opportunity Announcement Number DE-FOA-0002779,  
“Bipartisan Infrastructure Law: Additional Clean Hydrogen Programs (Section 40314):  
Regional Clean Hydrogen Hubs Funding Opportunity Announcement”; Pending OCED  
Award #DE-CD0000041

Dear Dr. Scott Brandt,

The Office of Clean Energy Demonstrations (OCED) within the U.S. Department of Energy (DOE) is pleased to inform you that your application, in response to the subject Funding Opportunity Announcement, has been selected for negotiation of a financial assistance award.

We are now ready to begin award negotiations, in which we will be working with your organization to obtain additional required documentation and information. This notification does not guarantee federal government funding, as funding will only be obligated after completion of a successful negotiation and approval by an OCED Grants and Agreements Officer. Further, receipt of this letter does not authorize the selectee to commence with performance of the project.

We are excited to share that DOE is planning to publicly announce that your project is selected for award negotiation later this week. **Please reach out to Allison Finder at [allison.finder@hq.doe.gov](mailto:allison.finder@hq.doe.gov) / 240-848-8656 as soon as possible to coordinate on your project’s public facing materials that DOE plans to publish. Please ensure your project selection announcement and any related public or press materials remain under strict embargo until 6 a.m. ET on October 13, 2023.**

DOE will host a national stakeholder call to share information on the H2Hubs program and selectees on **Monday October 16 at 2:00 p.m. ET**. In addition, DOE is planning to co-host with you virtual community briefings on your Hub. We propose **Wednesday October 25 from 8:00 – 9:30 p.m. ET** for your Hub and would like to discuss this date with you. Please contact **Suzanne Baker** at [suzanne.baker@hq.doe.gov](mailto:suzanne.baker@hq.doe.gov) to discuss timing for the community briefing on your Hub.

Please read this letter closely; it lays out the award negotiation process and documents you must submit.

## I. Award Negotiation Process

OCED would like the award negotiation process to proceed as rapidly as possible but assumes the process may take up to three months. The negotiation process can vary based on the complexity of the award, the extent of the timeliness and completeness of additional required document submissions, and the application document revisions needed. An OCED negotiation team member will contact you to schedule a kick-off meeting to introduce the team and discuss important next steps and required actions. Please visit the OCED website for guidance materials on [Award Negotiations](#).

Throughout the award negotiation process, it is critically important that you are responsive to requests from the OCED negotiation team, complete documentation accurately, and submit requested information by the stated due date. This is necessary to conduct efficient and timely award negotiations, and late submissions may cause a delay in the process.

## II. Prepare to Collaborate in Box

To provide a secure and efficient way to transfer, share and/or collaborate on documents in a centralized location, OCED is using Box for Federal Government. This version of the web-based commercial file sharing platform is hosted on a U.S. government cloud server that meets all requirements for securely sharing and storing “controlled unclassified information,” which includes confidential business information.

OCED has elected to use a highly structured, centrally controlled model to ensure that documents provided by each Selectee are segregated into a space created solely for that Selectee, or in some cases, for a specific type of sensitive information. Members of your team will be invited to upload documents into the relevant folders.

Please send the names and email addresses of the team members who will be uploading the information described below in Box to Grants Management Specialist, Karen Harting at [Karen.Harting@hq.doe.gov](mailto:Karen.Harting@hq.doe.gov).

If your organization already uses Box, then your team will be able to see any folders OCED has shared with them the next time they log in. If your organization is unfamiliar with Box, refer to the instructions in our [Box Introduction for OCED Selectees/Recipients](#) on how to create free, individual Box accounts for the relevant personnel. Please ensure that the requested information is certified by an employee within your organization with an appropriate level of authority to do so, such as the Chief Financial Officer.

## III. Required Documentation and Information

The following required documents are needed to begin award negotiation.

## A. Organization and Financial Management Documents

These documents are used to support the required pre-award organization and financial management review. Please submit the documentation listed below by **November 3, 2023**. The documents and templates can be found on the [Award Negotiations](#) page of the OCED website under the Document Submission Overview. All documents should be uploaded to the specified Box folders unless otherwise indicated.

### 1. Pre-Award Organization and Financial Management Questionnaire

Upload the completed [Pre-Award Organization and Financial Management Questionnaire](#) to the “1. Organization and Financial Management Documents” sub-folder of the “Pre-Award Submissions” area of your Box workspace.

### 2. Pre-Award Organization and Financial Management Review Required Documentation

The [Pre-Award Organization and Financial Management Review Required Documentation](#) provides detailed descriptions of the documents and file naming convention and serves as a checklist to assist you with submission. Please upload all documents or a ZIP file to the “1. Organization and Financial Management Documents” sub-folder of the “Pre-Award Submissions” area of your Box workspace.

### 3. Pre-Award Support Information

The [Pre-Award Support Information](#) is necessary for OCED to gather point of contact information; potential conflict of interests; and assurances/certifications. Please upload the completed form and any supporting documents to the “2. IP, NEPA, COI, Payment and Other Documents” sub-folder of the “Pre-Award Submissions” area of your Box workspace.

### 4. Pre-Award Support: Intellectual Property

The [Pre-Award Support: Intellectual Property](#) information is necessary for OCED to gather important information on intellectual property for use in OCED’s pre-award review process. Please upload the completed form and any supporting documents to the “2. IP, NEPA, COI, Payment and Other Documents” sub-folder of the “Pre-Award Submissions” area of your Box workspace.

### 5. Indirect Cost Rate Proposal (if applicable)

If you do not have a current Negotiated Indirect Cost Rate Agreement and you are not electing to claim the 10% de minimis rate and DOE/OCED is your cognizant agency for indirect costs, then upload an indirect cost rate proposal to the “3. Indirect Cost Rate Documents” sub-folder of the “Pre-Award Submissions” area of your Box workspace. For guidance on Indirect Cost Rate Agreements and Rate Proposals, please refer to the [Indirect](#)

[Cost Rate Agreement and Rate Proposal Guidance](#) document available on the [Award Negotiations](#) page.

## IV. Communication and Engagement Guidelines

OCED uses the OCED Communications Guidelines, OCED Engagement Guidelines, and DOE Branding Guidelines documents to ensure effective collaboration around branding, marketing, public statements, and stakeholder engagement. The OCED award negotiation team will walk through specific next steps and expectations during the kick-off and subsequent meetings. Please review these Guidelines on the [Award Negotiations](#) page of the OCED website under the Public Engagement section and be prepared with questions.

## V. Additional Clarifications and Expectations

You may not incur pre-award costs without prior written approval of the Grants and Agreements Officer. All pre-award costs are incurred at your risk. OCED does not guarantee or assume any obligation to reimburse costs incurred prior to receiving written authorization from the Grants and Agreements Officer.

OCED's decision on whether and how to distribute federal funds is subject to the National Environmental Policy Act (NEPA) and OCED must conduct a NEPA review for all proposed project activities prior to authorizing the use of federal funds. Since OCED has not completed the NEPA review process or issued a final determination for this project, you should carefully consider seeking legal counsel or other expert advice before taking any action related to the proposed project that would have an adverse effect on the environment or limit the choice of reasonable alternatives. If you do undertake such activities without prior written approval from the Grants and Agreement Officer, those costs may not be recognized as allowable cost share, and you run the risk of not receiving federal funding.

If you are unable to provide the required documentation and information by the submission date or have any questions concerning the requested information, please contact the Grants Management Specialist listed below.

Karen Harting, Grants Management Specialist (240) 690-1790 / [Karen.Harting@hq.doe.gov](mailto:Karen.Harting@hq.doe.gov)

On behalf of OCED, I congratulate you on your selection for award negotiations. I look forward to working with you to successfully complete award negotiations.

Sincerely,



Kristin L. Johnson

Supervisory Grants and Agreements Officer

c: Angelina Galiteva, CEO  
Eric Miller, DOE Provision Manager  
Crystal Farmer, DOE Program Manager, [crystal.farmer@hq.doe.gov](mailto:crystal.farmer@hq.doe.gov)  
Kristin L. Johnson, DOE Grants and Agreements Officer, [kristin.johnson@hq.doe.gov](mailto:kristin.johnson@hq.doe.gov)  
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