

2025 EPIC Pitch Competitions Official Rules

March 2025



Preface

The U.S. Department of Energy’s (DOE’s) Energy Program for Innovation Clusters (EPIC) Pitch Competitions will be governed by 15 U.S.C. §3719 and this official rules document. This is not a procurement under the Federal Acquisitions Regulations and will not result in a grant or cooperative agreement under 2 CFR 200. The prize administrator reserves the right to modify this official rules document if necessary and will publicly post any such notifications as well as notify registered prize participants.

The following table describes changes that may be implemented in this rules document.

Date	Modification
March 14, 2025	The entire rules document has been amended to comply with the Executive Order on Ending Radical and Wasteful Government DEI Programs and Preferencing, and Agency-Wide Policy to Promote Equal Opportunity.

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1 Executive Summary

The U.S. Department of Energy (DOE) Office of Technology Transitions (OTT) is launching the American-Made Energy Program for Innovation Clusters (EPIC) Pitch Competition program. This pitch competition program aims to infuse capital directly into startups nominated by previous EPIC Prize incubators.

1.1 Prizes

Through the EPIC Pitch Competition program, DOE seeks to fund organizations that are developing energy hardware technologies.¹ A minimum of two national pitch competitions for energy-related startups will be hosted in 2025. The competing startups will be nominated by previous EPIC winners (i.e., winners of the EPIC Prize past and present, including the funding opportunity announcement [FOA] and prize semifinalists, finalists, and grand prize winners). The EPIC Pitch Competition offers a minimum prize pool of \$105,000 per pitch competition, including first-, second-, and third-place prize winners and an incubator winner, as outlined in the table below. A minimum of a \$1,000* finalist award will be provided to finalists in each pitch competition. Bonus Prizes or additional funds may be added to any pitch competition. Bonus Prizes or additional prize funds may be added at any point. Any updates will be posted on the HeroX prize page and/or OTT webpages.

Pitch Competition Summary	Winners	Prizes (Award Amounts Are per Competition)
Startup Pitch Competitions (at least two pitch events will be held in 2025)	<ul style="list-style-type: none"> • Three startups per competition • One incubator per competition 	<ul style="list-style-type: none"> • First place: \$50,000 • Second place: \$20,000 • Third place: \$10,000 • Incubator that nominates first place: \$25,000 <p>*minimum of \$1,000 finalist payments</p>

¹ Any technology solution that involves physical products or processes, including those that are chemical or biological in nature.

1.2 Key Dates

The dates for each 2025 pitch event will be announced in 2025 with updates on the HeroX website: <https://www.herox.com/EPICPitchcompetitions>. A timeline with key dates will be updated on this site.

1.3 Eligibility and Competitors

This competition is open only to individuals; private entities (for-profits and nonprofits); nonfederal government entities such as states, counties, Tribes, and municipalities; and academic institutions, subject to the following requirements:

- An individual prize competitor (who is not competing as a member of a group) must be a U.S. citizen or permanent resident.
- A group of individuals competing as one team may win, provided that the online account holder of the submission is a U.S. citizen or permanent resident. Individuals competing as part of a team are eligible to participate if they are legally authorized to work in the United States.
- Private entities must be incorporated in and maintain a primary place of business in the United States.
- Academic institutions must be based in the United States.
- DOE employees, employees of sponsoring organizations, members of their immediate families (e.g., spouses, children, siblings, or parents), and persons living in the same household as such persons, whether or not related, are not eligible to participate in the prize.
- Individuals who worked at DOE (federal employees or support service contractors) within six months prior to the submission deadline of any contest are not eligible to participate in any prize contests in this program.
- Federal entities and federal employees are not eligible to participate in any portion of the prize.
- DOE national laboratory employees cannot compete in the prize.
- Entities and individuals publicly banned from doing business with the U.S. government, such as entities and individuals debarred, suspended, or otherwise excluded from or ineligible for participating in federal programs, are not eligible to compete.
- Individuals participating in a foreign government talent recruitment program² sponsored by a country of risk³ and teams that include such individuals are not eligible to compete.
- Entities owned by, controlled by, or subject to the jurisdiction or direction of a government of a country of risk are not eligible to compete.
- To be eligible, an individual authorized to represent the competitor must agree to and sign the following statement upon registration with HeroX:

² A foreign government-sponsored talent recruitment program is defined as an effort directly or indirectly organized, managed, or funded by a foreign government, or a foreign government instrumentality or entity, to recruit science and technology professionals or students (regardless of citizenship or national origin, or whether having a full-time or part-time position). Some foreign government-sponsored talent recruitment programs operate with the intent to import or otherwise acquire from abroad, sometimes through illicit means, proprietary technology or software, unpublished data and methods, and intellectual property to further the military modernization goals and/or economic goals of a foreign government. Many, but not all, programs aim to incentivize the targeted individual to relocate physically to the foreign state for the above purpose. Some programs allow for or encourage continued employment at U.S. research facilities or receipt of federal research funds while concurrently working at and/or receiving compensation from a foreign institution, and some direct participants not to disclose their participation to U.S. entities. Compensation could take many forms, including cash, research funding, complimentary foreign travel, honorific titles, career advancement opportunities, promised future compensation, or other types of remuneration or consideration, including in-kind compensation.

³ DOE has designated the following countries as foreign countries of risk: Iran, North Korea, Russia, and China. This list is subject to change.

I am providing this submission package as part of my participation in this prize. I understand that the information contained in this submission will be relied on by the federal government to determine whether to issue a prize to the named competitor. I certify under penalty of perjury that the named competitor meets the eligibility requirements for this prize competition and complies with all other rules contained in the official rules document. I further represent that the information contained in the submission is true and contains no misrepresentations. I understand false statements or misrepresentations to the federal government may result in civil and/or criminal penalties under 18 U.S.C. § 1001 and § 287, and 31 U.S.C. §§ 3729-3733 and 3801-3812.

Additional startup pitch competition eligibility requirements:

- Startups in the Pitch Competition must be nominated by a past EPIC Prize winner, including EPIC Rounds 1, 2, 3 and the EPIC FOA (DE-FOA-0002425). This includes semifinalists, finalists, and grand prize winners of the EPIC Prize Rounds.
- Startups must be private entities incorporated in and maintaining a primary place of business in the United States with majority domestic ownership and control.
- Startups must be focusing their efforts on hard-tech energy-related innovations that benefit the U.S. domestic market. Startups that are solely software or a business model innovation without being part of a hard-tech package are not eligible.
- Startups must have fewer than 500 employees.
- Startups may not have won prizes in any of the previous EPIC Pitch Competitions or Partner Pitch Competitions.
- Each past and current EPIC Prize winner can nominate a startup for each EPIC Pitch Competition. Should a startup be nominated by more than one EPIC incubator, the incubator who nominated the startup first will be connected to the startup nomination. The other nominating incubator will be eligible to nominate a different startup organization.
- The prize administrator may contract with an external organization to host the pitch competition. If the pitch host organization is also a past EPIC Prize winner, the hosting organization is ineligible to nominate a startup to compete in the pitch event they are hosting.

2 Background

2.1 Prize Background

The EPIC Pitch Competition is part of the American-Made Challenges program. Funded by DOE, the American-Made program incentivizes innovation through prizes, training, teaming, and mentoring, connecting the nation's entrepreneurs and innovators to America's national labs and the private sector.

EPIC supports incubators developing new programs that support energy entrepreneurs and startups. A subset of the overall EPIC Prize program activities is the EPIC Pitch Competition program. EPIC Pitch Competitions are meant to infuse capital directly into hard technology energy-related startups nominated by EPIC incubators.

Through the EPIC Prize and EPIC Pitch Competition programs, DOE seeks to fund organizations that are developing energy hardware technologies.

This rules document is for the EPIC Pitch Competition program. There will be a minimum of two pitch events, and the 2025 EPIC Pitch Competition will offer a minimum prize pool of \$105,000.

DOE helps power and secure America's future and ensure the country's role as a leader in science and technology. DOE's OTT was established by the U.S. Congress through the Energy Policy Act of 2005⁴ and reauthorized by the Energy Act of 2020 to "promote promising energy technologies for commercial purposes."⁵

According to the U.S. Department of Commerce's Economic Development Administration, over one million people in the United States start a business each year, and by the end of their first year, at least 40% of them will be out of business. Within 5 years, more than 80% of them will have failed.⁶ Along with strengthening existing industries, startups drive technology development, the creation of new industries, business model innovation, and job creation. Barriers to market entry for hardware or hard-tech⁷ startups are particularly high and include large capital requirements,⁸ long development times, and the need to integrate into complex systems and supply chains.⁹ EPIC was created to increase the number of businesses that successfully navigate the startup process and have major impacts on the U.S. economy and workforce by bringing new energy technologies to market.

OTT developed EPIC to encourage robust growth of regional energy innovation ecosystems across the United States. Innovation ecosystems, or clusters, increase the productivity of startups, drive the direction and pace of innovation, and stimulate the formation of new businesses, which further

⁴ U.S. Congress. *Energy Policy Act of 2005*. 109th Cong., August 8, 2005. Public Law 109-58. Improved Technology Transfer of Energy Technologies, 42 U.S. Code § 16391 (a).

⁵ U.S. Congress. *Consolidated Appropriations Act*. 116th Cong., 2021, Public Law 116-260. 134 Stat. 2597, Sec. 9003. <https://www.congress.gov/116/plaws/publ260/PLAW-116publ260.pdf>.

⁶ Lewis, David A., Elsie Harper-Anderson, and Lawrence A. Molnar. 2011. *Incubation Best Practices That Lead to Successful New Ventures*. U.S. Department of Commerce, Economic Development Administration.

⁷ Any technology solution that involves physical products or processes, including those that are chemical or biological in nature.

⁸ Wang, Hara, and Cyril Yee. 2020. *Climate Tech's Four Valleys of Death and Why We Must Build a Bridge*. Rocky Mountain Institute.

⁹ Garfield, David J., Kate E. Moore, and Richard Adams. 2019, *New Approaches to Energy Hardware Innovation and Incubation*. UMD and EFI, *Regional Clean Energy Innovation*.

reinforces the cluster itself. EPIC fulfills the congressional mandate for OTT to establish a competitive funding program for incubators supporting energy innovation clusters.¹⁰

OTT recognizes that technology startups, particularly in energy-related sectors, often require a variety of services over and above capital access, including mentorship, technology validation, business development, and connections to manufacturers. With the help of targeted business assistance—in the form of company incubation—entrepreneurs are better prepared to turn their innovations into successful new ventures that have a greater-than-average chance of success.¹¹ Incubators provide important services to help startups get to market and play an increasingly important role for companies and entrepreneurs.

Strong business incubation services, including, but not limited to, mentoring, entrepreneurial training, access to testing, and prototyping assistance, not only provide direct support for early-stage startups, but also have the potential to de-risk the startups for follow-on investment. Incubators can accelerate regional economic development, including promoting innovation and entrepreneurship in target communities, strengthen national innovation capacity, and expand domestic energy-related manufacturing. By screening applicant companies, helping them prototype, connecting entrepreneurs with manufacturers, and advising startups on business strategy, incubators play a critical role in supporting startups as they transition into the market. EPIC represents DOE's effort to engage with and support this important innovation community.

Since EPIC Round 2, startup pitch competitions have been an integral component of the EPIC Prize program. Starting in 2025, the EPIC Pitch Competition Program will be a distinct prize program focused solely on hosting startup pitch competitions and is meant to infuse capital directly to startups nominated by EPIC incubators.

2.2 Pitch Competitions

The EPIC Pitch Competition program is a national pitch competition program designed to identify the best energy-related startups, nominated by any winner in EPIC (past and present, including the FOA [DE-FOA-0002425] and prize semifinalists, finalists, and grand prize winners). Cash prizes will be awarded for first, second, and third place. The incubator who nominates the first-place startup will also receive a cash prize. A minimum of two startup pitch competitions will be held in 2025.

Specific pitch competition details will be added to HeroX website: <https://www.herox.com/EPICpitchcompetitions> once each EPIC pitch competition opportunity is announced.

2.3 Pitch Competition Prize Goal Requirements

Through the EPIC Pitch Competition program, DOE seeks to fund organizations that are developing energy hardware technologies benefiting the U.S. market. As such, the prize administrator must conclude that all the following statements are true when applied to your submission:

- The startup is a hard-tech startup nominated by EPIC incubators.
- The majority of activities that are described in and support the submission package are performed in the United States and have the potential to benefit the U.S. market.

¹⁰ Energy Act of 2020, Title IX, Section 1001-6G.

¹¹ Lewis, David A., Elsie Harper-Anderson, and Lawrence A. Molnar. 2011. *Incubation Best Practices That Lead to Successful New Ventures*. U.S. Department of Commerce, Economic Development Administration.

- The proposed solution represents an innovation that will move the industry beyond its current state.
- The proposed solution is not dependent on new, pending, or proposed federal, state, or local government legislation, resolutions, appropriations, measures, or policies.
- The proposed solution does not involve the lobbying of any federal, state, or local government office.
- The proposed solution is based on fundamental technical principles and is consistent with a basic understanding of the U.S. market economy.
- The submission content sufficiently confirms the competitor's intent to incubate early-stage technology and establish a viable U.S.-based business with revenues that do not solely depend on licensing fees of intellectual property.

3 Startup Pitch Competition Program

3.1 Goal

Nominated startups will showcase their business ideas for the opportunity to win cash prizes to further the commercialization of their energy technologies. Startups must be focused on a hard-tech energy innovation that benefits the U.S. domestic market. This startup pitch competition program aims to infuse capital directly to startups nominated by previous EPIC Prize incubators.

3.2 How To Enter

When a pitch competition is announced, past and current EPIC Prize incubator winners will nominate startups in their networks to participate in the EPIC Pitch Competition program via a Microsoft Form. Eligible startups will be invited by the prize team to submit an application on [HeroX](#) and to participate in the pitch competition. Competitors are responsible for submitting the required submission materials prior to the publicized pitch competition submission deadline.

3.3 Important Dates

Timelines for the 2025 EPIC Pitch Competitions will be updated in 2025 and posted to [HeroX](#) once each pitch event is announced.

3.4 Pitch Competition Process Overview

All current and past EPIC incubator winners (i.e., winners of the EPIC Prize past and present, including FOA and prize semifinalists, finalists, and grand prize winners) are eligible to nominate startups for the startup pitch competitions. Each incubator can only nominate ONE startup per pitch competition. Nominated startups will receive an invitation from the pitch host to submit a pitch competition submission package on [HeroX](#). Incubators may use whatever process they deem best to determine who to nominate, but the startups must meet the eligibility requirements outlined in [Section 1.3](#).

Each pitch competition will consist of the following steps:

1. Pitch competition announcement: The prize administrator announces the host and format for the upcoming pitch competition. Pitch competitions may be held as virtual or in-person events, as determined by the prize administrator¹² and pitch host.
2. Startup nominations: Eligible incubators each nominate one startup via Microsoft Forms, made available when a pitch competition is announced, to compete in the pitch competition. The startup must agree to participate (Step 4) to receive the nomination. If multiple incubators nominate the same startup, nominations will be processed on a first- come, first-served basis.
3. Invitation to compete: The pitch host invites nominated startups to participate in the pitch competition.
4. Participation confirmation: Startups accept their nominations by confirming their participation before the deadline set by the pitch host. If a startup does not accept its nomination or withdraws before the virtual pitch submission deadline, the nominating incubator may nominate a new startup, as long as the startup accepts the nomination by the deadline set by the pitch host.
5. Virtual pitch submission: By the deadline set by the pitch host, nominated startups

¹² The National Renewable Energy Laboratory (NREL) serves as the prize administrator for American-Made Challenges.

must submit a submission form and their virtual pitch submission materials on [HeroX](#). This submission will include:

- A 5-minute pitch video addressing the scoring criteria in the following sections (this video may, at the discretion of the prize administrator, be shared publicly)
 - One-page PDF providing a simplified overview of their technology
 - Self-certification that the startup meets the core eligibility requirements.
6. Submission evaluation and selection: All virtual pitch submissions will be independently reviewed through the evaluation and scoring process described in [Section 3.6.1](#). A subset of startups will be selected as finalists and will be invited to participate in the live pitch event.
 7. Live pitch competition preparation: The startup prepares their live pitch. The pitch host provides at least one informational webinar or preparation session for startups.
 8. Pitch competition finals: Finalist startups participate in the live pitch competition event. Finalist pitches are scored by a panel of expert reviewers.
 9. Announcement: Pitch competition winners will be announced at the conclusion of the live event. After the winners are publicly announced, the prize administrator requests the necessary information to distribute cash prizes.

3.5 What To Submit

A complete virtual pitch submission package for the EPIC Pitch Competition Prize should include the following items:

3.5.1 Virtual Pitch Competition Submission Elements

- Submission form on the [HeroX](#) platform, including self-certification that the startup meets the eligibility requirements
- One-page summary slide (will be made public)
- One-page technology description (PDF)
- Five-minute pitch video link from a public video sharing site (e.g., YouTube or Vimeo) addressing the scoring criteria below.

3.5.2 Live Pitch Competition Submission Elements

- PowerPoint slide deck adhering to applicable live event requirements, typically due ~2 weeks before the live event
- Participation in live pitch event.

The final format and allotted time for the live pitch activities will depend on the final event location. Once finalist teams are selected, event details will be provided by the pitch host to finalist teams and described in their invitation to compete. Each startup will be given equal time to do a live 5-minute pitch using a prepared slide deck. During the pitch, the startup should demonstrate a clear understanding of their technology, the market, the business model to commercialize the technology, and how their product and efforts can advance energy-related jobs in target communities.

3.6 Pitch Competition Scoring

All EPIC Pitch Competitions, virtual and live, will be evaluated using the scoring statements in the criteria statement table below. Independent expert reviewers will evaluate the submission materials for each pitch activity by assigning a single 1–6 score for each scored criteria section, based on their overall agreement or disagreement with the series of statements.

The 1–6 scoring rubric is as follows:

0	1	2	3	4	5	6
Non-Responsive	Strongly Disagree	Disagree	Slightly Disagree	Slightly Agree	Agree	Strongly Agree

Criteria statement table:

Category	Criteria Statements	Score (0-6)
Technology	<ul style="list-style-type: none"> The startup presents an impactful energy solution. The technology represents an innovative approach built on reasonable assumptions, valid technical foundations, and lessons learned from other notable efforts in the space. 	
Market Opportunity and Strategy	<ul style="list-style-type: none"> The startup has a strong understanding of the potential market. The target market segment is large enough to create an investable opportunity. 	
Business Model	<ul style="list-style-type: none"> The value proposition is clearly articulated. The startup is pursuing a compelling solution that will lead to a sustainable business with paying customers. 	
Team	<ul style="list-style-type: none"> The team's track record demonstrates notable entrepreneurial qualities such as adaptability, creativity, decisiveness, and resourcefulness. The team has the knowledge, experience, and determination to transform their technology into a viable business in the near future. 	
Investment Potential	<ul style="list-style-type: none"> The startup has demonstrated the ability to attract investment capital or grant funding. The assumptions used to estimate return on investment (ROI) are reasonable. 	
Presentation and Overall Impression	<ul style="list-style-type: none"> The presenter effectively communicated their startup's innovation and business plan. This startup should be strongly considered to win the pitch competition. 	
<i>Total Score</i>		___/36

3.7 How We Determine and Award Winners

The prize administrator screens all completed submissions and ensures that the teams are eligible. Then the prize administrator, in consultation with DOE, assigns subject-matter-expert panel reviewers who independently score the content of each submission and pitch. The reviewers will be composed of federal and nonfederal subject matter experts with expertise in areas relevant to the competition. They will review the competitor's submission package according to the criteria statements above.

3.7.1 Reviewer Panel Scoring

The scoring of submissions will proceed as follows:

- Experts will review each submission individually and assess the competitor's response to each statement under the criteria described in the table in [Section 3.7](#).
- Reviewers will score each section on a scale from 1–6, depending on the degree to which the reviewer agrees that the submission reflects the statements for consideration.
- Each section score will be added together to generate a total score for the submission.
- The total scores from each reviewer will be averaged to produce a final score for the competing team/organization. This score will inform the judge's decisions on prize awards.

3.7.2 Final Determination

DOE will designate a federal employee as the judge before the final determination of the winners. Final determination of the winners by the judge will take into account the reviewers' feedback and scores, application of program policy factors, and the interview findings (if applicable).

3.7.3 Announcement

Following the conclusion of the pitches, the reviewers will meet to recommend winners. The judge, a representative of OTT, will make the final selection of winners based on the scores and recommendation of the reviewer panel. Following the live pitch event, the prize administrator will publicly announce the winners. Finalist announcements for each round of pitch competitions will be posted publicly to [HeroX](#), and winners of each live pitch event will be announced in a DOE announcement and posted on [HeroX](#). Approximately 60 days after the contest closes, the prize administrator will request the necessary information to distribute the prizes.

3.8 Additional Terms and Conditions

See [Appendix 1](#) for additional requirements.

COMPETITORS THAT DO NOT COMPLY WITH THE ADDITIONAL REQUIREMENTS IN APPENDIX 1 MAY BE DISQUALIFIED.

Appendix 1: Additional Terms and Conditions

A.1 Requirements

Your submission for the prize is subject to the following terms and conditions:

- You must post the final content of your submission or upload the submission form online by 5 p.m. ET on the prize deadline date, before the prize's phase submission period closes. Late submissions or any other form of submission may be rejected.
- You must include all the required elements in your submission. The prize administrator may disqualify your submission after an initial screening if you fail to provide all required submission elements. Competitors may be given an opportunity to rectify submission errors due to technical challenges.
- Your submission must be in English and in a format readable by Microsoft Word or Adobe PDF. Scanned handwritten submissions will be disqualified.
- Submissions will be disqualified if they contain any matter that, in the sole discretion of the U.S. Department of Energy (DOE) or the National Renewable Energy Laboratory (NREL), is indecent, obscene, defamatory, libelous, and/or lacking in professionalism, or demonstrates a lack of respect for people or life on this planet.
- If you click "Accept" on the [HeroX](#) platform and proceed to register for any of the prizes described in this document, these rules will form a valid and binding agreement between you and DOE and are in addition to the existing [HeroX](#) Terms of Use for all purposes relating to these contests. You should print and keep a copy of these rules. These provisions only apply to the prize described here and no other prize on the [HeroX](#) platform or anywhere else.
- The prize administrator, when feasible, may give competitors an opportunity to fix nonsubstantive mistakes or errors in their submission packages.
- As part of your submission to this prize, you will be required to sign the following statement:

I am providing this submission package as part of my participation in this prize. I understand that the information contained in this submission will be relied on by the federal government to determine whether to issue a prize to the named competitor. I certify under penalty of perjury that the named competitor meets the eligibility requirements for this prize competition and complies with all other rules contained in the official rules document. I further represent that the information contained in the submission is true and contains no misrepresentations. I understand false statements or misrepresentations to the federal government may result in civil and/or criminal penalties under 18 U.S.C. § 1001 and § 287, and 31 U.S.C. §§ 3729-3733 and 3801-3812.

A.2 Verification for Payments

The prize administrator will verify the identity and role of all competitors before distributing any prizes. Receiving a prize payment is contingent upon fulfilling all requirements contained herein. The prize administrator will notify winning competitors using provided email contact information for the individual or entity that was responsible for the submission. Each competitor will be required to sign and return to the prize administrator, within 30 days of the date on the notice, a completed NREL Request for ACH Banking Information form and a completed W-9 form (<https://www.irs.gov/pub/irs-pdf/fw9.pdf>). In the sole discretion of the prize administrator, a winning competitor will be disqualified from the competition and receive no prize funds if: (i) the person/entity does not respond to notifications, (ii) the person/entity fails to sign and return the required documentation within the required time period, (iii) the notification is returned as undeliverable, (iv) the submission or person/entity is disqualified for any other reason.

In the event of a dispute as to any registration, the authorized account holder of the email address used to register will be deemed to be the competitor. The “authorized account holder” is the natural person or legal entity assigned an email address by an internet access provider, online service provider, or other organization responsible for assigning email addresses for the domain associated with the submitted address. All competitors may be required to show proof of being the authorized account holder.

A.3 Teams and Single-Entity Awards

The prize administrator will award a single dollar amount to the designated primary submitter, whether consisting of a single entity or multiple entities. The primary submitter is solely responsible for allocating any prize funds among its member competitors or teammates as they deem appropriate. The prize administrator will not arbitrate, intervene, advise on, or resolve any matters or disputes between team members or competitors.

A.4 Treatment of Submission Materials

The elements of the submission that are designated as public will become publicly available as part of this prize. Therefore, these elements must not include trade secrets or business-sensitive, proprietary, or otherwise confidential information.

If it is necessary to share trade secrets or business-sensitive, proprietary, or otherwise confidential information, it should only be done in an element that is NOT designated as public. Any confidential, proprietary, or privileged information must be marked as described below. Failure to comply with these marking requirements may result in the disclosure of the unmarked information under the Freedom of Information Act or otherwise.

The submission must be marked as follows and identify the specific pages containing trade secrets or confidential, proprietary, or privileged information: “Notice of Restriction on Disclosure and Use of Data: Pages [list applicable pages] of this document may contain trade secrets or confidential, proprietary, or privileged information that is exempt from public disclosure. Such information shall be used or disclosed only for evaluation purposes. [End of Notice]”

The header and footer of every page that contains confidential, proprietary, or privileged information must be marked as follows: “Contains Trade Secrets or Confidential, Proprietary, or Privileged Information Exempt from Public Disclosure.” In addition, each line or paragraph containing proprietary, privileged, or trade secret information must be clearly marked with double brackets.

DOE, the prize administrator, and any other third party supporting DOE in the contest assume no liability for the public disclosure of any information in the elements designated public and for any unmarked information any element NOT designated as public.

Furthermore, by making a submission and consenting to the rules of the prize, the competitor is granting to DOE, the prize administrator, and any other third parties supporting DOE in the contest a license to display publicly and use the elements of the submission that are designated as public and any unmarked information in the elements of the submission that are NOT designated as public for government purposes, including posting or linking elements on websites or publicizing the submissions and competitors in the media and other announcements. The competitor is granting to DOE, the prize administrator, and other third parties a limited license to use or disclose any properly marked information for evaluation purposes only.

A.5 Representation and Warranties

By entering, the competitor represents and warrants that:

1. The competitor's entire submission is an original work by the competitor and the competitor has not included third-party content (such as writing, text, graphics, artwork, logos, photographs, likenesses of any third party, musical recordings, clips of videos, television programs, or motion pictures) in or in connection with the submission, unless (i) otherwise requested by the prize administrator or disclosed by the competitor in the submission, and (ii) the competitor has acquired the necessary rights to use and to authorize others, including DOE, to use the submission, as specified throughout the rules.
2. To the best of the competitor's knowledge, the use of the submission in the prize, including any use by DOE or the prize administrator, does not and will not infringe upon or violate any rights of any third party or entity, including, without limitation, patent, copyright, trademark, trade secret, defamation, privacy, publicity, false light, misappropriation, intentional or negligent infliction of emotional distress, confidentiality, or any contractual or other rights.
3. All persons who were engaged by the competitor to work on the submission or who appear in the submission in any manner have:
 - a. Given the competitor their express written consent to submit the submission for exhibition and other exploitation in any manner and in any and all media, whether now existing or hereafter discovered, throughout the world;
 - b. Provided written permission to include their name, image, or pictures in or with the submission (or, if a minor who is not the competitor's child, the competitor must have the permission of the minor's parent or legal guardian), and the competitor may be asked by the prize administrator to provide permission in writing; and
 - c. Not been and are not currently under any union or guild agreement that results in any ongoing obligations resulting from the use, exhibition, or other exploitation of the submission.
4. The submission is free of malware.

A.6 Contest Subject to Applicable Law

All contests are subject to all applicable federal laws and regulations. Participation constitutes each participant's full and unconditional agreement to these official rules and administrative decisions, which are final and binding in all matters related to the contest. This notice is not an obligation of funds; the final award is contingent upon the availability of appropriations.

A.7 Resolution of Disputes

DOE is solely responsible for administrative decisions, which are final and binding in all matters related to the contest.

Neither DOE nor the prize administrator will arbitrate, intervene, advise on, or resolve any matters between team members or among competitors.

A.8 Publicity

The winners of these prizes (collectively, "winners") will be featured on DOE and NREL websites.

Except where prohibited, participation in the contest constitutes each winner's consent to DOE's and its agents' use of each winner's name, likeness, photograph, voice, opinions, and/or hometown and state information for promotional purposes through any form of media worldwide, without further permission, payment, or consideration.

A.9 Liability

Upon registration, all participants agree to assume any and all risks of injury or loss in connection with or in any way arising from participation in this contest. Upon registration, except in the case of willful

misconduct, all participants agree to and, thereby, do waive and release any and all claims or causes of action against the federal government and its officers, employees, and agents for any and all injury and damage of any nature whatsoever (whether existing or thereafter arising; whether direct, indirect, or consequential; and whether foreseeable or not) arising from their participation in the contest, whether the claim or cause of action arises under contract or tort.

In accordance with the delegation of authority to run this contest delegated to the judge responsible for this prize, the judge has determined that no liability insurance naming DOE as an insured will be required of competitors to compete in this competition per 15 U.S.C. § 3719(i)(2). Competitors should assess the risks associated with their proposed activities and adequately insure themselves against possible losses.

A.10 Records Retention and Freedom of Information Act

All materials submitted to DOE as part of a submission become DOE records and are subject to the Freedom of Information Act. Where necessary, materials should be marked as noted in [Section A.4](#). Such information will be withheld from public disclosure to the extent permitted by law. Without assuming any liability for inadvertent disclosure, DOE will seek to limit disclosure of such information to its employees and to outside reviewers when necessary for review of the application or as otherwise authorized by law. This restriction does not limit the government's right to use the information if it is obtained from another source.

Competitors will be notified of any Freedom of Information Act requests for their submissions in accordance with 29 C.F.R. § 70.26. Competitors may then have the opportunity to review materials and work with a Freedom of Information Act representative prior to the release of materials. DOE does intend to keep all submission materials private except for those materials designated as "will be made public."

A.11 Privacy

If you choose to provide [HeroX](#) with personal information by registering or completing the submission package through the contest website, you understand that such information will be transmitted to DOE and may be kept in a system of records. Such information will be used only to respond to you in matters regarding your submission and/or the contest unless you choose to receive updates or notifications about other contests or programs from DOE on an opt-in basis. DOE and NREL are not collecting any information for commercial marketing.

A.12 General Conditions

DOE reserves the right to cancel, suspend, and/or modify the prize, or any part of it, at any time. If any fraud, technical failure, or any other factor beyond DOE's reasonable control impairs the integrity or proper functioning of the prize, as determined by DOE in its sole discretion, DOE may cancel the prize. Any performance toward prize goals is conducted entirely at the risk of the competitor, and DOE shall not compensate any competitors for any activities performed in furtherance of this prize.

Although DOE may indicate that it will select up to several winners for each prize, DOE reserves the right to only select competitors that are likely to achieve the goals of the program. If, in DOE's determination, no competitors are likely to achieve the goals of the program, DOE will select no competitors to be winners and will award no prize money.

DOE may conduct a risk review, using government resources, of the competitor and project personnel for potential risks of foreign interference. The outcomes of the risk review may result in the submission being

eliminated from the prize competition. This risk review, and potential elimination, can occur at any time during the prize competition. An elimination based on a risk review is not appealable.

A.13 Program Policy Factors

While the scores of the expert reviewers will be carefully considered, it is the role of the prize judge to maximize the impact of prize funds. Some factors outside the control of competitors and beyond the independent expert reviewer scope of review may need to be considered to accomplish this goal. The following is a list of such factors. In addition to the reviewers' scores, the below program policy factors may be considered in determining winners:

- Geographic diversity and potential economic impact of projects
- Whether the use of additional DOE funds and provided resources are nonduplicative and compatible with the stated goals of this program and the DOE mission generally
- The degree to which the submission exhibits technological variety when compared to the existing DOE project portfolio and other competitors
- The degree to which the submission is likely to lead to increased employment and manufacturing in the United States or provide other economic benefits to U.S. taxpayers
- The degree to which the submission will accelerate transformational technological, financial, or workforce advances in areas that industry by itself is not likely to undertake because of technical or financial uncertainty
- The degree to which the submission supports complementary DOE-funded efforts or projects, which, when taken together, will best achieve the goals and objectives of DOE
- The degree to which the submission expands DOE's funding to new competitors and recipients who have not been supported by DOE in the past
- The degree to which the submission enables new and expanding market segments
- The degree to which the submission will have positive economic, social, quality of life, and/or environmental impacts on communities or the region
- Whether the use of additional DOE funds and provided resources are nonduplicative and compatible with the stated goals of this program and DOE's mission generally
- The level of industry involvement and demonstrated ability to accelerate commercialization and overcome key market barriers.

A.14 National Environmental Policy Act Compliance

This prize is subject to the National Environmental Policy Act (NEPA) (42 U.S.C. § 4321, et seq.). NEPA requires federal agencies to integrate environmental values into their decision-making processes by considering the potential environmental impacts of their proposed actions. For additional background on NEPA, please see DOE's NEPA website at <http://nepa.energy.gov/>.

While NEPA compliance is a federal agency responsibility and the ultimate decisions remain with the federal agency, all participants in the EPIC Pitch Competitions will be required to assist in the timely and effective completion of the NEPA process in the manner most pertinent to their participation in the prize competition. Participants may be asked to provide DOE with information on fabrication and testing of their device such that DOE can conduct a meaningful evaluation of the potential environmental impacts.

A.15 Definitions

Prize administrator: Prize administrator means the Alliance for Sustainable Energy, operating in its capacity under the management and operating contract for NREL, and OTT. When the prize administrator is referenced in this document, it refers to staff from both the Alliance for Sustainable Energy and OTT staff. Ultimate decision-making authority regarding prize matters rests with the selection official designated by OTT.

A.16 Return of Funds

As a condition of receiving a prize, competitors agree that if the prize was made based on fraudulent or inaccurate information provided by the competitor to DOE, DOE has the right to demand that any prize funds or the value of other noncash prizes be returned to the government.

ALL DECISIONS BY DOE ARE FINAL AND BINDING IN ALL MATTERS RELATED TO THE PRIZE.