

## ADVANCED LITHIUM METAL PRODUCTION TECHNOLOGY COMPETITIVE LICENSING OPPORTUNITY FREQUENTLY ASKED QUESTIONS

1. Question: Can a company compete for the exclusive commercial license without participating in the Phase 1 R&D license? How would they demonstrate “equivalent performance”?

Answer: Yes. Participation in a Phase 1 R&D license is not a mandatory prerequisite for consideration for the exclusive commercial license. That said, Offerors should carefully consider how they will demonstrate the core evaluation factors that Y-12 will use in its down-selection process—namely:

- Technical feasibility and maturity of the proposed approach
- Ability to execute complex process development and scale-up
- Readiness to transition to commercial operations

Entities that participate in Phase 1 will have the opportunity to demonstrate these capabilities through direct performance under real-world conditions, including achievement of defined technical milestones and operational progress.

Entities that do not participate in Phase 1 will need to demonstrate equivalent capability through alternative means, which may include:

- Prior experience developing or scaling similar electrochemical, metallurgical, or lithium processing technologies.
- Demonstrated success in pilot-scale or commercial deployment of comparable systems
- Independent technical validation, modeling, or experimental data supporting their approach
- A highly credible and well-supported execution and commercialization plan

Ultimately, Y-12 will evaluate all candidates based on total demonstrate capability, risk profile, and likelihood of successful commercialization, rather than participation pathway alone.

2. Question: What are the specific technical and business milestones that will be used to evaluate R&D licensees for down-selection?

Answer: Down-selection to an exclusive commercial license will be based on successful completion of a series of defined technical and business milestones that collectively demonstrate advancement from laboratory proof-of-concept to commercial readiness.

Technical milestones are expected to focus on:

- Validation of key process steps under conditions relevant to industrial operation
- Demonstration of lithium metal production meeting target performance metrics, including purity, yield, and process efficiency
- Evidence of process stability, repeatability, and scalability
- Successful design, construction, and operation of a pilot-scale system

Business and operational milestones are expected to include:

- Development and implementation of quality assurance and quality control protocols
- Establishment of workforce training and operational procedures
- Demonstration of supply chain considerations and production planning
- Advancement of a credible commercialization strategy, including market identification and deployment planning

Milestones will be clearly defined in each R&D license agreement, including measurable success criteria and timing expectations. Y-12 may tailor milestone definitions to align with each licensee's proposed technical approach while maintaining consistent expectations for overall performance and readiness.

3. Question: What is the expected format and frequency of reporting on progress toward milestones?

Answer: R&D licensees will be required to provide regular, structured reporting to document progress and support evaluation.

At a minimum, reporting is expected to include:

- Written technical progress reports describing work performed, results achieved, and alignment with planned milestones
- Supporting data and analysis sufficient to substantiate claims of performance or milestone completion
- Identification of technical challenges, risk, and mitigation strategies
- Updates on schedule, resource utilization, and any deviations from the proposed plan

Reporting will generally occur on a periodic basis (e.g., quarterly), with additional deliverables required as key milestone completion points.

In addition to written reports, Y-12 may require:

- Periodic technical review meetings
- Milestone review presentations

- Site visits or demonstrations, as appropriate

The specific reporting format, frequency, and level of detail will be defined in the license agreement. These represent are intended to ensure consistent visibility into progress while allowing flexibility based on the scope and pace of work.

4. Question: How many R&D licenses does Y-12 intend to award?

Answer: Y-12 has not established a predetermined number of R&D licenses to be awarded under this solicitation. The number of awards will depend on the quality, completeness, and credibility of proposals received, as well as the technical and commercial capabilities of the Offerors and broader strategic considerations.

Y-12 may elect to award multiple R&D licenses to foster competition and diversify technical risk, a single license if one proposed clearly stands out, or no licenses if submissions do not meet expectations. This flexible approach is intended to ensure that licensing decisions are aligned with both technical success and commercialization objectives.

5. Question: Will the Government provide funding or financial support for R&D activities?

Answer: No. This RFP and the associated licensing opportunity do not include Government funding.

Offerors are expected to fund their own research, development, scale-up, and commercialization efforts and must demonstrate access to sufficient financial resources to execute their proposed plans.

While other mechanisms within the DOE may exist, such as Cooperative Research and Development Agreements (CRADAs) or other funding programs, they are separate from this RFP, subject to independent approval processes, and not guaranteed.

Offerors should not rely on the availability of Government funding when preparing their proposals unless such funding has been independently secured.

6. Question: How will Y-12 ensure fairness and transparency during the competitive down-selection process?

Answer: Y-12 will implement a structured and consistent evaluation process to ensure fairness across all participants. This includes the use of clearly defined technical and business milestones, consistent evaluation criteria, and documented assessments of performance.

Evaluations may be supported by technical documentation, independent validation, testing, or site visits, as appropriate.

Y-12 will also ensure that proprietary and competitively sensitive information submitted by Offerors is protected in accordance with DOE policies and will not be shared between participants.

Communications and clarifications will be managed in a manner that ensures equitable access to information, including through publicly posted FAQ updates. While Y-12 retains discretion in evaluation decisions, the process is designed to be objective, well-documented, and consistently applied.

7. Question: What information will be included in the technical data package available under NDA?

Answer: The technical data package is intended to provide Offerors with sufficient information to understand the technology and prepare informed proposals.

It is expected to include patent documentation, summaries of laboratory-scale experimental work, performance data demonstrating proof-of-concept results, and high-level process descriptions.

The level of detail will be sufficient to support technical evaluation while also protecting sensitive information and complying with applicable policies. Additional details regarding the specific contents of the data package may be provided upon execution of the non-disclosure agreement.

8. Question: What does "limited technical support" from Y-12 entail?

Answer: "Limited technical support" refers to discretionary engagement by Y-12 personnel to assist licensees in understanding and advancing the technology.

This may include periodic technical discussions with subject matter experts (up to 3 hours per month), clarification of experimental results or process concepts,

and access to certain analytical capabilities or facilities. In some cases, access to laboratory or pilot-scale infrastructure may be considered.

All such support will be defined in the license agreement or related arrangements and will be subject to availability, DOE policies, and applicable security and operational requirements.

Y-12 does not intend to serve as the primary R&D performer, and licensees will be responsible for leading development activities.

9. Question: Has Y-12 conducted a freedom-to-operate analysis?

Answer: Y-12 has not made any representations regarding freedom-to-operate.

Offerors are solely responsible for conducting their own due diligence to identify any third-party intellectual property that may be required and for securing the necessary rights to support commercialization.

This approach is consistent with standard practice in technology licensing and ensures that each Offeror fully evaluates its own commercial risk.

10. Question: How will background and foreground intellectual property be handled?

Answer: Background IP, defined as IP developed prior to execution of the license, remains the property of the Government and will be licensed to the extent necessary under agreed terms.

Foreground IP, or new developments arising during the R&D phase, will be addressed in the license agreement and structured in accordance with DOE technology transfer policies.

This may include provisions addressing ownership of improvements, Government use rights, and the integration of improvements into the broader technology base.

11. Question: What defines "pilot-scale demonstration"?

Answer: The RFP does not prescribe a specific production capacity or system size for pilot-scale demonstration, recognizing that appropriate scale may vary depending on the technical approach and intended commercial application.

Offerors are expected to define what constitutes pilot-scale within their proposal and to demonstrate that the proposed scale is sufficient to validate process performance, operational stability, and economic feasibility.

The focus is on achieving a meaningful demonstration of scalability and commercial relevance rather than meeting a predefined size threshold.

12. Question: What level of financial capability must be demonstrated?

Answer: Although no fixed financial threshold is specified, Offerors must demonstrate that they have access to sufficient financial resources to execute their proposed development and commercialization plans.

This includes both near-term R&D activities and longer-term scale-up and deployment. Acceptable approaches may include committed internal funding, external investment, or strategic partnerships.

Phased investment strategies are acceptable if they are realistic, well-supported, and aligned with the proposed development timeline.

Y-12 will evaluate financial capability based on credibility, sufficiency, and alignment with the scope of work.

13. Question: How will the illustrative development areas be used in evaluation?

Answer: The development areas identified in the RFP are intended to highlight known technical considerations and potential areas of risk, but they are not mandatory requirements.

Offerors are not required to address each area explicitly and may propose alternatives or innovative approaches.

Evaluation will focus on the overall technical soundness, feasibility, and commercial relevance of the proposed approach.

Proposals that diverge from the listed areas may still be highly competitive if they present a credible well-supported pathway to commercialization.

14. Question: Is it necessary to register in Sam.gov to submit a response to this RFP?
- Answer: Yes, submissions to this call generally require Sam.gov registration for a UEI to comply with Y-12 licensing due diligence requirements. As an exception, private individuals not tied to a legally recognized business or organization may be exempt from having to provide a UEI pending CNS Y-12 legal review.
15. Question: Is this the correct email address to submit the response to the RFP: [OTCP@y12nsc.doe.gov](mailto:OTCP@y12nsc.doe.gov)
- Answer: Yes.
16. Question: Is there a specific area of the Y-12 technology transfer website that FAQs will be posted to? I do not see any FAQs posted yet.
- Answer: Yes. The FAQ page will be released and uploaded to the Y-12 Technology Transfer website link on May 29 after the deadline for questions has elapsed.
17. Question: Can company enter a CRADA or other form of collaboration with Y-12 in this situation?
- Answer: A CRADA would not be the appropriate legal mechanism for initial Phase I development relating to this solicitation and competitive opportunity. Y-12 may provide limited technical support, access to laboratory facilities, or pilot-scale equipment to R&D licensees to facilitate technology development. Any such support will be defined in the license agreement and provided at the Government's discretion.
18. Question: Will one commercial license be granted for all 4 patents or will there be opportunity to license different patents if available?
- Answer: One exclusive commercial license will be granted for all 4 patents. Participation in Phase 1 is not strictly required for consideration; however, demonstrated performance may be a significant evaluation factor when granting exclusive rights.
19. Question: Is there a specific form for the conflict of interest disclosure? What specifically needs to be included?
- Answer: At this time, Y-12 has not prescribed a specific form for conflict of interest disclosures. Offerors may provide the disclosure in narrative form as part of their proposal submission or as a separate attachment.

The purpose of the disclosure is to identify any relationships, interests, obligations, or circumstances that could reasonably affect the fairness or integrity of the competitive licensing process or the Offeror's ability to successfully perform under an R&D or commercial license. Y-12 is seeking transparency regarding any situation that could create:

- An unfair competitive advantage,
- Undisclosed access to non-public information,
- Competing business or contractual interests that could impair performance,
- Concerns regarding ownership, control, or influence over the Offeror, or
- Other circumstances that could reasonably affect the Offeror's participation in this opportunity.

Examples of situations that should be disclosed may include:

- Prior involvement in development or evaluation of the subject technology outside of publicly available information,
- Financial, ownership, consulting, teaming, or contractual relationships with other Offerors or entities involved in the licensing opportunity,
- Access to non-public technical, business, or evaluation information not generally available to all participants,
- Existing obligations or commercial arrangements that could materially limit the Offeror's ability to develop or commercialize the technology,
- Relationships involving current or former employees, contractors, or affiliates that could create actual or perceived concerns regarding preferential treatment or access, or
- Any pending litigation, disputes, or competing intellectual property claims related to the technology area that could materially affect performance or commercialization efforts.

At a minimum, the disclosure should include:

- A description of the relevant relationship, activity, interest, or circumstance,
- Identification of the organizations or individuals involved,
- An explanation of how the matter could affect participation, performance, or the competitive process, and
- Any actions taken or proposed to mitigate or manage the issue.

Offerors are encouraged to err on the side of disclosure if uncertainty exists regarding whether a situation may be relevant. Disclosure itself does not automatically disqualify an Offeror. Y-12 will evaluate disclosed matters on a case-by-case basis to determine whether they present a material concern or can be appropriately addressed.

20. Question: What does it mean that participation in Phase 1 is not required for consideration? Could another company compete for the exclusive commercial license after the deadline of the R&D work?

Answer: The statement that "participation in Phase 1 is not required for consideration" means that while Y-12 will award one or more non-exclusive Research and Development (R&D) licenses in Phase 1, a company does not have to be one of those initial R&D licensees to eventually compete for the exclusive commercial license. While the solicitation doesn't explicitly state that new companies cannot enter after Phase 1, the structure strongly implies that the exclusive commercial license will be awarded from the pool of companies that participated in and successfully progressed through the R&D licensing phase. The competitive nature of the process, with defined milestones and evaluation of technical progress for R&D licensees, is designed to lead to the selection of a single exclusive commercial licensee from within that progression. It is highly unlikely that a company not involved in Phase 1 R&D would be able to directly compete for the exclusive commercial license after the deadline of the R&D work, as they would not have met the prerequisite of advancing the technology through the defined milestones.

21. Question: Regarding, "Significant financial resources", what is meant by this?

Answer: The term, "sufficient financial resources", is not defined by a specific monetary threshold. Instead, it is assessed based on the applicant's ability to successfully commercialize the licensed technology, which includes the ability to fund development and scale the technology for commercial applications. This is part of the evaluation criteria for proposals.